

EAST HERTFORDSHIRE DISTRICT COUNCIL

Caravan Sites and Control of Development Act 1960

**GUIDANCE FOR LICENCE HOLDERS AND
OPERATORS OF RESIDENTIAL CARAVAN (MOBILE
HOME) SITES**

List of contents

No	Title	Page
	Introduction	3
	Legal background	4
	The 'Licence' explained	6
1	The number and location of mobile homes	7
2	Type of mobile home	7
3	Boundaries and plan of the site	8
4	Density, spacing and parking between caravans	9
5	Roads, gateways and overhead cables	10
6	Footways and pavements	11
7	Lighting	12
8	Bases	12
9	Maintenance of common areas, including grass, vegetation and trees	13
10	Supply & storage of gas & fuel oil	13
11	Electrical installations	15
12	Water supply	15
13	Drainage and sanitation	16
14	Domestic refuse storage & disposal	17
15	Communal vehicle parking	18
16	Communal recreation space	18
17	Notices and information	19
18	Flooding	19
19	Fire safety measures	20
19 (a)	Fire safety measures where the Regulatory Reform (Fire Safety) Order 2005 does apply	22
19 (b)	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)	24
Appendix	Fire safety risk assessment guidance	27
	Fire safety risk template	33

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Introduction

This document provides guidance on the interpretation and application of standard conditions attached to a licence for a residential caravan (mobile home) site. They are not intended to provide a definitive legal interpretation – if this is needed or you are unclear on an issue please do not hesitate to request clarification and further explanation from Health & Housing, East Herts Council or you may wish to seek independent legal advice.

These standards only apply to sites that accommodate mobile homes / caravans (see note 1 below) that function as a person's primary or main residence, either permanently or for substantial periods. They do not apply to sites used exclusively for holiday or touring caravan sites (for which separate standard conditions will apply).

These standards will be applied with due regard to the particular circumstance of an individual site to which they are intended to apply, including its physical characteristics, size, density, layout, amenities and services.

It is recognised that not all sites will easily be able to meet the Standard Conditions in every case due to their particular characteristics. The Council will allow a reasonable period of time or circumstances to apply for compliance with any revised condition, after any site licence alteration or variation unless the reason for making the alteration was to address a matter requiring immediate attention (e.g. the replacement of a hard standing only when the current mobile home is replaced).

Some licence conditions may require inter and cross agency input, advice from other services within the local authority or outside organisations, such as the local Fire and Rescue Service, the Health and Safety Executive and the Environment Agency. In such instances, the Council will seek their advice and guidance.

Note (1) – The terms 'mobile home' and 'caravan'; 'mobile home site' and 'caravan site', used within this document are interchangeable.

Legal background

The use of land as a caravan or residential mobile home site is controlled by relevant planning legislation, whereas the physical standards and layout, amenities and other standards are controlled by a site licence issued under the Caravan Sites and Control of Development Act 1960 (“the Act”). Section 5 of the Act enables councils to set licence conditions.

Under the Act, most privately owned sites must be licensed by the council unless exempted under the Act. A licence will be granted unless the applicant does not have relevant planning permission to operate the site or has had a licence revoked in the last three years.

The Council may attach conditions to the licence. Under section 5(6) of the Caravan Sites and Control of Development Act 1960 (the Act) the Secretary of State may from time to time issue model standards with respect to the lay-out and the provision of facilities, services and equipment for caravan sites or particular types of caravan site. In deciding what (if any) conditions to attach to a site licence, a council shall have regard to any standards so specified. East Herts Council has duly considered the current version of the Model Standards before producing these standard licence conditions.

The Council may from time to time alter a site licence condition (either of its own volition or upon the application of the licence holder). Where the Council alters any licence condition(s) (whether by variation or cancellation of existing conditions, or by the addition of new conditions, or by a combination of any such methods), it must first allow the holder of the licence an opportunity of making representations.

A licence holder may appeal against the imposition of a condition in a licence or any proposed alteration to a condition or a refusal to alter a condition. Details of how to appeal are set out in the licence granted.

It is an offence to breach a licence condition and on summary conviction, the offender can be fined up to Level 4 on the Standard Scale (currently £2,500). Where a condition requires works to the site to be carried out and these are not done either within the time specified or to satisfaction of the Council, the Council may carry out the works itself and recover from the licence holder any expenses it has reasonably incurred in doing so.

The Council may apply to the court to have a licence revoked if the licence holder has been convicted on two or more occasions of breaches of licence conditions. Disability Discrimination legislation applies to sites and will be borne in mind when framing licence conditions and considering possible enforcement action. Guidance can be found at www.dwp.gov.uk and this can be helpful to licence holders. Further guidance can also be found on the Equality and Rights Commission website at www.equalityhumanrights.com

The licence explained

The licence consists of four parts.

Part 1

- Name and address of the licence holder who is the person responsible for compliance with the licence conditions
- Location and address of the site
- The date and reference when planning permission was obtained
- Expiry date (if applicable)
- Date of issue

Part 2

- The Standard Conditions attaching to the licence. Usually all the standard conditions will apply, however if any have been excluded these will appear in the 'Variations to standard or specific conditions' section.
- Any 'Specific licence conditions applicable to the site'
- Any 'Variations to standard or specific licence conditions'.
- Date for compliance with any licence conditions, referred to as 'Compliance date'. The minimum period for compliance will usually be the statutory appeal period. This section will also be used to specify any extended period or special circumstances applying to the compliance date.

Part 3

- Appeal arrangements to magistrates' court against conditions attached to site licence
- Provision as to a breach of a condition(s)
- Transfer of site licences and transmission on death etc

Part 4

- Site plan showing the position of all units, other structures and relevant amenities. The site plan is an integral part of the licence and if changes are made to the site or the position of units or structures shown, this is likely to be deemed a variation of licence and require application to and permission from the Council.

Guidance to Standard Conditions

1. The number and location of mobile homes

The number and type of units permitted on the site will be dependant upon the terms of the planning permission granted. A licence will not be issued for more than the number specified in the planning permission.

Not all parts of a site will be suitable to position mobile home / caravan units due to the local environmental conditions or other adverse factors. The site plan will show the area or location that can be used to position units, referred to as the 'useable area' and the area upon which units cannot be positioned, referred to as the 'non-usable area'.

The location and proximity of one mobile home to another or other structures has a bearing on such matters as preventing the spread of fire and overcrowding. The layout of a site and position of units and structures within it will have been considered before a licence is granted and subsequently captured on the site plan, which forms an integral part of the site licence.

Consequently, any changes to the position of units or structures are likely to be a variation of licence and require application to and permission from the Council. You should contact the Council for details on how to make a licence variation application.

2. Type of mobile home

A site licensed for residential caravans / mobile homes is interpreted as accommodating units that function as the occupants' primary or main residence, either permanently or for a substantial period. Such units should have been designed and built in accordance with the relevant British Standard relevant at the time of manufacture to accommodate residential living, such as respects the level of insulation provided to protect from excess cold or heat and equipped to meet minimum residential standards in respect of basic amenities. Further advice on the suitability of a mobile home for residential living can be obtained from various trade bodies or associations, such as the National Park Home Owners Council or the British Holiday and Home Parks Association.

In particular, the site drainage and other services infrastructure will be expected to be such as to accommodate mobile homes that function as the occupants' primary or main residence.

Some residential sites also make provision for static / touring holiday caravans and therefore are a mix of residential and static / touring holiday mobile homes / caravans. The licence requirements for such sites will be treated on their individual merits to reflect the mixed nature of occupation having regard to the Council requirements for both residential and holiday sites, which will be applied

appropriately. However, any residential mobile home will be expected to comply with these requirements

3. Boundaries and Plan of the Site

The boundary of the site should be clearly defined. The boundary should be suitably marked and properly maintained. This boundary could be formed of a fence, hedge, wall or natural feature or any other suitable structure (or any combination of these) or it may in whole, or part, be formed by an appropriate natural feature, such as a river or a wood. It would not normally be appropriate for that natural feature to include an open field.

A plan of the site (Scale 1/1250) including all the features listed in the standard condition shall be provided by the site licence holder to the Council at the site licence holders expense. This will also be the case in respect of any changes to the plan.

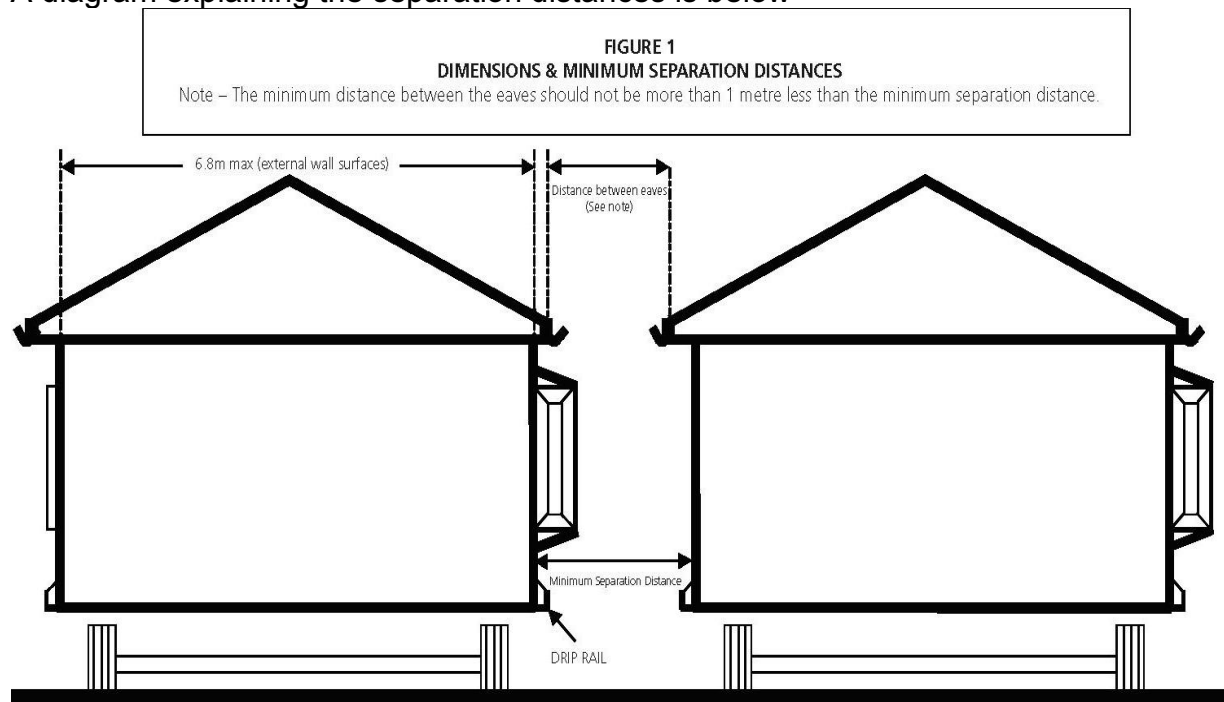
It is best practice for copies of the plan to be made available to the emergency services. The 3-metre separation distance inside the boundary serves the purpose of ensuring privacy from whatever is on the other side of the boundary, such as a road, and other developments, such as houses etc. The 3-metre separation distance measurement should be taken from the nearest caravan wall.

4. Density, Spacing and Parking Between Caravans

The 6 metre separation distance is required for two reasons:

- Health and safety considerations; and
- Privacy from neighbouring caravans.

A diagram explaining the separation distances is below



Note: The expression 'caravan' does not include a structure with a dimension in excess of 6.8m (external wall surface) when assembled. For the full definition see Caravan Sites and Control of Development Act 1960 – Section 13

If a caravan has been fitted with cladding from Class 1 fire rated materials, then the distance between units may be reduced (see Condition 4 (iv) - 'Density, Spacing and Parking Between Mobile Homes. However, there is a need for the privacy of residents to be taken into consideration. Health and safety matters, such as the positioning of gas bottles, etc. will also need to be taken into account.

For the purposes of calculating the distance between the caravans, the point from which measurements are taken is the nearest of two points of the exterior cladding of the relevant caravans or other structures. Eaves, drainpipes, gutters, sills, threshold, door canopies and bay windows can be discounted subject to certain restrictions, which are detailed as 'permitted variations' in an individual licence.

Porches should not render the home incapable of being moved which means they should be demountable. At no time will a structure constructed of combustible material be allowed in the separation distance. Where a porch is installed such that there is a door to the porch and to the mobile home, a mains linked detector, complying with the current British Standard, must be provided in the porch and living space of the mobile home.

Structures, such as garages, sheds, carport etc will only be allowed within the separation distance if constructed of non-combustible material. The Council will consider allowing sufficient time for unacceptable structures to be replaced with an acceptable non-combustible structure.

5. Roads, Gateways and Overhead Cables

Where sites are designed and laid out to permit vehicular movement around the site then adequate constructed and sufficiently define roads must be provided.

Roads and gateways must be maintained in good condition, free from flooding and capable of being used safely by both site residents and visitors in all normal weather conditions.

Roads should be constructed of bitumen macadam or concrete with a suitable compacted base. However, sites with roads constructed of tar macadam (which is now obsolete and no longer commercially available) will not be required to be automatically upgraded. The roads will only be required or expected to be upgraded as and when they begin to fall into disrepair.

Some larger sites may have traffic calming measures such as speed hump on their roads. Though not specifically covered in the site licence, it will be worth ensuring that any legal requirements applying to un-adopted roads are met. Guidance and assistance can be found on the Department for Transport website, www.dft.gov.uk.

Gateways, roads and turnings should have enough clearance to allow safe entry for emergency vehicles and new units on lorries. The widths and heights given are based on the maximum sizes of emergency vehicles that may regularly attend incidents on sites.

In determining the permitted height of cable overhangs the local authority will take into account the current statutory requirements, currently the Electricity Safety Quality and Continuity Regulations (ESQCR). These Regulations provide that, in general, cables should not overhang a road at a height of less than 5.8 metres. In the case of fully insulated overhead conductors the ground clearance is 3.8 metres.

There are a number of exceptions where:

- The overhead line follows a route along a hedgerow, fences, boundary walls or similar features. The minimum clearance in these circumstances is 4 metres.
- If it crosses a driveway with an access width of no more than 2.5 metres (and the driveway is defined by gateposts or similar features), the minimum clearance is 4.3 metres.

Further advice on minimum clearances is available from the Health and Safety Executive or the Council.

It is good practice that all overhead lines on sites should be fully insulated and where a cable is within easy reach of a property, it must be fully insulated and protected from interference.

The Council can require the site owner to comply with regulation 3 of the ESQCR and in considering any enforcement action in relation to cables will consult with the Health and Safety Executive.

6. Footways and Pavements

Footways must be provided to allow residents and visitors to be able to traverse the site safely to gain access and egress from site pitches / hard standings or other facilities provided for their use.

Communal path widths should normally be 0.9 metres in respect of new sites or sites that are undergoing substantial redevelopment (including expansion of part of the site); otherwise paths of not less than 0.75 metres will be accepted where they already exist.

Communal paths and pavements must be maintained in good condition, free from flooding and capable of being used safely by site residents and visitors in all normal weather conditions.

7. Lighting

The lighting provided for communal footways and roads should be adequate and effective to allow safe movement around the site during the hours of darkness.

Many sites use low lighters rather than traditional streetlamps and these work well as long as they are well maintained and plants / vegetation are not allowed to grow around them and stop them emitting light effectively. The lighting must be fit for purpose i.e. to allow vehicles and pedestrians to navigate around the site between dusk and dawn.

Adequate and sufficient artificial lighting must be provided to any communal/shared or any other facilities provided for or used by residents or their visitors between dusk and dawn.

8. Bases

It is important to note that the construction, maintenance and repair of the concrete base are the responsibility of the site owner. New bases should be laid as a minimum in accordance with the current industry guidelines issued by the National Park Homes Council and the British Holiday and Home Parks Association. The Industry's current standard for bases provides:

"A hard core base to a minimum depth of 150 mm, well consolidated and topped with 100 mm of concrete (mix as BS8500-2:2006) shall be used. The finished raft must be generally level with due allowance for surface drainage. Where the ground conditions so require, thickening or the introduction of reinforcement of the raft may be necessary."

Particular attention should be paid to the terrain of the site before a base is laid, which may mean a thicker base is needed. The base should be sufficient to handle the load placed upon it by the caravan and its contents.

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

Cut grass and vegetation should be removed from the site as soon as practicable. Bonfires should not be used as a means of disposal. Vegetation is often used for sight screening but should be kept at a reasonable height.

Trees on the site will normally be the responsibility of the site owner. Where trees need care and maintenance or present a health and safety risk the site owner should liaise with the officer responsible for trees at the Council, before any action is taken to ensure compliance with all statutory and other requirements.

The common parts of the site (including roads, footways and pavements) must be kept free of any rubbish and maintained in a clean and tidy condition. The site owner

may wish to consider whether appropriate receptacles for litter need to be provided in such areas.

In any case, the site owner may wish to arrange for the regular collection of rubbish generated on the site. He/she should also be required to arrange for the prompt disposal of waste and other materials that accumulate on the site during any works etc.

10. Supply & Storage of Gas and Fuel Oil etc

The Health and Safety Executive (HSE) website, www.hse.gov.uk , provides details about the various legislative requirements and contacts, if further information is needed. In addition the trade body for LPG suppliers, uk LPG, www.lpga.co.uk , also has information, which may be of use.

Anyone being employed by a licence holder to carry out work on gas (including natural gas) or oil installations must be competent and suitably qualified to do the work. Anyone carrying out gas work must have a Gas Safe Register ID card. Check if a gas engineer or business is registered by visiting www.gassaferegister.co.uk and entering their ID number in the 'Check an engineer' service. The HSE website also contains details of some of the schemes for other fuels. The Communities and Local Government website, www.communities.gov.uk contains details of various certification schemes, which may apply.

The HSE information sheet – Small-scale use of LPG in cylinders – Chemical Sheet No5 – provides useful information.

For queries on the use of LPG cylinders, ask your LPG supplier.

For advice on fire precautions, ask the fire prevention officer of your local Fire and Rescue Service.

Detailed guidance is available in the LP Gas Association publication 'Storage of full and empty LPG cylinders and cartridges 3rd edition LPGA code of practice No7 (1998)

Those storing and using fuel oil are advised to consider the risks of a spillage and to prepare a contingency plan (see the Environment Agency publication PPG21 – Pollution Prevention Guidelines – Incident Response Planning). Keep a stock of absorbent materials (e.g. sand, earth or commercial products) on site to deal with spillages. If a spillage should occur, immediate action should be taken to contain the oil and prevent it entering any drains or watercourses. Notify the Environment Agency by calling the Emergency Hotline on 0800 807060. Do not hose the spillage down or use any detergents. For details on how to legally dispose of used absorbent materials refer to the Environment Agency publication PPG8 – Pollution Prevention Guidelines – Controlled Burn.

Copies of the above guidance is available on the Environment Agency website: www.environment-agency.gov.uk

11. Electrical Installations

The electrical installations on the site will be a distributor's network either belonging to the local regional electricity network operator or the owner of the site. The HSE website: www.hse.gov.uk contains information on the electricity legislation, which may well apply to the site and can provide further information if needed.

A suitably qualified or 'competent' person for carrying out work on electrical installations and appliances, including maintenance and inspections, includes a professionally qualified electrical engineer, a member of the Electrical Contractors Association, a contractor approved by the National Inspection Council for Electrical Installations Contracting, or a qualified person acting on behalf of the above.

It may be necessary to ensure the electricity distribution network complies with ESQCR (Electricity Safety Quality and Continuity Regulations), in which case such work should only be undertaken by a competent person familiar with those Regulations.

All new installations must meet the requirements of the current regulations and maintained at that standard.

12. Water Supply

Each caravan should be able to be connected directly to a piped water supply and OFWAT (The Water Services Regulation Authority) lay down service standards for the water suppliers and details can be found on their website at www.ofwat.gov.uk. In addition, there are various schemes for suitably qualified persons and site owners should check to see those undertaking works are qualified. The main scheme is run by NIC certification and details can be found about the scheme at www.niccertification.com

Sites served by a private water supply i.e. a spring, well or bore hole, must comply with the Private Water Supply Regulations 2009 made under the Water Industry Act. All private water supplies are required to be registered with the Local Authority where the source of the supply is located.

These regulations also cover 'private distribution networks' where water is supplied by a water undertaker or licensed water supplier and is then further distributed by another person other than a water undertaker or licensed water supplier. For example, the caravan site is supplied by a mains water supply and is then further distributed to individual units and standpipes around the site. This would be classed as a private distribution network and may require monitoring to be undertaken based on a risk assessment.

Further information can be found at www.privatewatersupplies.gov.uk

13. Drainage and Sanitation

Each caravan should be able to be connected directly to a drainage system so that the occupants of each caravan can utilise the sanitary, bathing and cooking amenities with which they are equipped. Residents should not have to resort to using any communal or shared facilities provided on the site except in the case of laundry facilities.

As with water supplies, provision of sewerage facilities is overseen by OFWAT and codes of practice are in place.

It is important that adequate surface water drainage be provided to both pitches and all areas of the site used by residents to avoid standing pools of water.

It is important that all drains and sewers are well maintained and are connected to the appropriate disposal system. If left unchecked, there can be consequences for the health of residents, along with those who live near the site.

It should be noted that the environmental quality of drainage is regulated by the Environment Agency, with whom the local authority must consult about any problems.

The Environment Agency is keen to highlight the problem caused by conventional drainage systems and identify alternative approaches, referred to as SUDS – SUsustainable Drainage Systems. They will provide help and advice in how to introduce SUDS.

As more and more 'green areas' become replaced with hard surfaces, rainwater can no longer soak into the ground slowly. Instead it is collected in pipes and carried as fast as possible to the nearest river or stream. The effect is to overload the capacity of the natural watercourse and lead to localised or generalised flooding. This effect is most pronounced in heavily urbanised areas but equally applies in the case of small developments, such as a mobile home site, which may have significant areas covered in concrete or other non-permeable material.

There is a growing problem with diffuse pollution. Diffuse pollution can arise from many sources, which may be small individually, but their collective impact can be damaging. This includes drainage from roads, industrial and residential areas. Uncontrolled, rapid run-off from areas increases the risk of flooding from receiving watercourses and can damage the river habitat. The decrease in the amount of water soaking into the ground, reduces the water available for our use and the natural flow into rivers.

Further information is available from the Environment Agency and in their publication 'SUsustainable Drainage Systems (SUDS) – An introduction', which can be downloaded by visiting www.environment-agency.gov.uk

14. Domestic Refuse Storage & Disposal

Secure non-combustible facilities should be provided on the site for the proper storage of rubbish and waste prior to its removal and disposal off the site.

If communal bins are provided they should be of a type that is non combustible and stored properly. Liaison with the Council's Environmental Services, who deal with refuse collection matters will help in ensuring that the bins provided (including communal bins) are acceptable to the local authority if the same authority provide a collection service.

Site owners are encouraged to discuss, with the Council's Environmental Services, arrangements for the separation and recycling of waste generated on the site, which may include providing the necessary receptacles etc on the site.

15. Communal Vehicular Parking

Parking needs will vary considerably between individual parks. Parking requirements should reflect the reasonable needs of the residents and their visitors, having regard to the size and layout of the site, the number of units, the occupation criteria of the site and the availability of public transport in the immediate vicinity.

Provision of parking spaces on new sites or those undergoing redevelopment or extension should be consistent with local planning policies.

16. Communal Recreation Space

This standard condition will only be applied if the local authority is satisfied that it is both practicable to provide recreation space on the site, or there is a need to provide recreation space and there is insufficient recreation space off the site in the near locality.

When considering the need for recreation space the Council will have regard to the nature of the occupancy of the site and any other relevant factors. The larger the site the more recreation space or spaces may be needed. On small sites, there may be no need for space at all. In deciding whether it is practicable to provide the space the Council will also consider the site layout, the availability of private open spaces (e.g. within the pitch), the availability of other amenities on the site (e.g. clubhouses) and the age and number of residents on the site.

On-site recreation space may be considered unnecessary if there is sufficient suitable space available off site within close (walking) distance of it. The space must, however, be freely accessible by the public, such as a municipal park, commons land, and greens or any part of the countryside to which the public have a right to walk.

17. Notices and Information

It is important that all notices are protected from the weather and are prominently displayed, either on a board, in an office open to the public, or other places on the site which the residents have free and reasonable access to.

The notices must include the most recent site licence, and the contact details of the site manager, and if different the licence holder. This should include an out of hours contact number for emergencies, and if available an e-mail address.

The site owner is also required to make available certain information for inspection by residents in a prominent position on the site. This could be the site office, if available and provided it is open at reasonable times, a community room, which every resident was entitled to use, and which is open at reasonable sites or a notice board located at the entrance to or in a central part of the site.

Sites that are restricted to three or less units enjoy an exemption from the requirement to display 'Notices and Information'. Such exemption will be included in the site licence for the particular site.

18. Flooding

Site licence holders must establish if the site is at risk from flooding by checking and if it is in an area susceptible to flooding. If so, appropriate procedures should be put in place to protect residents and their property. This will include ensuring that all residents on the site are alerted quickly; that they are aware of how to prevent and reduce the harm in the event of flooding, including any evacuation procedures that may be in place.

Advice on flood risks is available from the Environment Agency website:
www.environment-agency.gov.uk/homeandleisure/floods/31650.aspx

Further advice on how to minimise the risk from flooding on caravan sites is available on the East Herts council website www.eastherts.gov.uk/index.jsp?articleid=2621

The Environment Agency will provide advice on measures to be taken in the event of flooding. This advice must be made available to residents and the Council. In certain circumstances and depending on the risk of flooding the advice given may be included as a condition of the site licence under 'Specific licence conditions applicable to the site'.

19. Fire safety measures

The Regulatory Reform (Fire Safety) Order 2005 (the Order) removed the ability of the Council to attach and apply licence conditions relating to fire safety to parts of residential sites to which the Order itself applies.

The Order applies to those parts of a residential site used in common or shared by all site occupants, such as open spaces, communal facilities and any buildings used to house communal facilities.

The Order does not apply to a 'domestic premises'. Individual mobile homes and the area within the curtilage of an individual mobile home pitch and available for the exclusive use of and under the direct control of the mobile home resident are viewed as 'domestic premises'.

However, such individual mobile homes will still be subject to the relevant fire safety requirements contained in the licence conditions. In the case of single unit sites or sites occupied by a single-family group the Order will not apply to any part of the site. This is because no part of the site is viewed as being used in common by the occupants of more than one such dwelling. However, the site will still be subject the fire safety requirements contained within the licence.

The enforcing authority for where the Order **does** apply is the Fire and Rescue Service. The enforcing authority for where the Order **does not** apply is the Council.

However, in this respect the Council will monitor compliance with the requirements of the Order on behalf of the Fire and Rescue Service during the inspection of sites and is under a duty to consult and take advice from the Fire and Rescue Service on any fire safety matters. There will be a similar reciprocal information exchange where the Fire and Rescue Service identify issues that should be dealt with under the terms of the site licence.

a) Fire safety measures where the Regulatory Reform (Fire Safety) Order 2005 does apply

The Order places a duty on the 'responsible person'* to take such general fire precautions as will ensure, as far as is reasonably practical, the safety of all 'relevant persons'.

The 'responsible person' is the person having control of the premises, so will usually be the site licence holder or their manager / supervisor of the premises. Any other person who has a degree of control over the premises will share the 'responsible person's' duties to the extent of that control. This will include contractors or other similar persons engaged in carrying out maintenance or repairs on the site, in relation to the works they are obliged to carry out.

* 'responsible person' means –

- the person who has control of the site (as occupier or otherwise) in connection with the carrying on by him (or her) of a trade, business or other undertaking (for profit or not); or
- the owner, where the person in control of the premises does not have control in connection with the carrying on by that person of a trade, business or other undertaking.

General fire precautions include, where necessary:

- Measures to reduce the risk of fire occurring;

- Measures to reduce the spread of any fire through the site or from unit to unit;
- Measures in relation to the means of escape;
- Measures to ensure the means of escape can be safely used at all times;
- Fire fighting measures;
- Means of fire detection and warning;
- Action to be taken in the event of fire, and
- Mitigating the effects of fire.

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 Council.

Advice relating to carrying out a fire risk assessment is attached as an Appendix to this guidance document. Fire risk assessment should be conducted at least annually or at more frequent intervals should there be any relevant changes made to the site which could affect the fire risk assessment.

As the 'responsible person' it is the duty of the licence holder under the Order to undertake a fire risk assessment and decide what prevention and protection arrangements are appropriate and adequate to mitigate the identified risks.

Where the Order applies the Council will seek to satisfy itself that the site owner is aware of, and complying with, his obligations under it, in particular that a fire risk assessment has been carried out. In this regard the Council will seek the advice of the local Fire and Rescue Service who are the main enforcers of the Order?

The Guidance under the paragraph 19 below only applies to sites to which the Order **does not** apply; however these standards will provide a useful benchmark of the sort of preventative and protective measures that may be necessary following completion of a fire risk assessment.

The Communities and Local Government website: www.communities.gov.uk contains a range of helpful information on fire safety and the requirements of the Order. This includes links to technical guides for specific types of accommodation, including sleeping accommodation.

The Fire and Rescue Service has a duty to provide fire safety advice to those who ask for it, although it will not carry out risk assessments.

b) 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)

Some sites or parts of sites (i.e. those parts deemed 'domestic premises' – see definition on page 18) do not fall under the Order. These may include single unit sites and those sites occupied by single-family groups.

Without prejudice to the specific fire safety licence requirements it is good practice to periodically carry out a fire risk assessment. Where a fire risk assessment has been carried out the site owner shall make available the latest version for inspection by residents and when demanded, a copy of the risk assessment shall be made available to the Council.

The Guidance under the remaining sections only applies to sites to which the Order does not apply; however these standards will provide a useful benchmark of the sort of preventative and protective measures that may be necessary following completion of a fire risk assessment.

Fire Fighting Equipment

The siting of the fire points should be such that they are visible at all times, and marked in a way that makes it obvious as to what they are. They will need to be kept clear of any obstructions at all times should they be needed in the event that a fire breaks out.

Fire Points are the places on sites where fire - fighting equipment is stored, ready for use by anyone in the event of an emergency.

If hosepipes are provided, they should meet the relevant British and European Standard, (Details of relevant British Standards can be found at www.communities.gov.uk) and positioned in such a way that they are easily attachable to the mains water supply, if not permanently attached. Any valves connecting the hose to the water supply should be easily accessible. The hose reel should be well maintained and in good working order.

Any hydrants provided on the site should be kept clear of any obstruction in the event that they need to be used. The positioning of mains connected hydrants is the responsibility of the local water company and any queries as to whether a site has a hydrant should be directed to them.

The positioning of the hydrants should be recorded on the site map, which will assist the emergency service in locating them in the event of an emergency.

Where provided, extinguishers must comply with the current British or European Standard. (Details of relevant British Standards can be found at www.communities.gov.uk)

A water tank with buckets and a pump should not be the main means of fighting fire for the following reasons:

- Pumps and buckets are likely to be vandalised or stolen.
- Pumps and buckets are inadequate for fighting a fire.

If a water storage tank is provided as supplementary fire fighting equipment it should be securely covered to prevent it becoming a health or safety hazard.

Fire Warning

The means of raising the alarm in the event of a fire should be appropriate to the size and layout of the site. If you are unsure of which form of raising the alarm is the most suitable to the site, then contact the local Fire and Rescue Service, who will be able to advise you.

Maintenance and Testing of Fire Fighting Equipment

It is important that all fire warning systems and fire fighting equipment are regularly inspected and maintained. These checks should be carried out on an annual basis. All testing and maintenance should be carried out by a person suitably qualified to do the work. Records should be kept of any testing and when the most recent inspections were carried out. The record of all tests and inspections should be kept on the site for inspection.

Fire Notices

The fire action notice should be displayed on a notice board, and at other suitable points around the site. The full address of the site, including the postcode should be included.

Appendix

Fire safety risk assessment

This checklist is provided to help you with the principles of carrying out a fire risk assessment. It may not reflect all the risks due the particular circumstances on your site. You may need to collect other information and take additional action depending on what you find during the assessment.

If you are in doubt about a fire risk seek the advice of the Fire & Rescue Service

Follow the 5 steps ► Fill in the checklist ► Assess your fire risk and plan fire safety

What is a fire safety risk assessment?

‘An organised and methodical look at the premises (that means both the site and all the buildings and mobile homes, within the site), the activities carried on there and the likelihood that a fire could start and cause harm to those in and around the premises’.

What are the aims of a fire safety risk assessment?

- To identify the fire hazards
- To reduce the risk of those hazards causing harm to as low as reasonably practicable; and
- To decide what physical fire precautions and management arrangements are necessary and appropriate to ensure the safety of people in the premises if a fire does start

“Hazard” and “Risk”

- **Hazard** : anything that has the potential to cause harm
- **Risk** : the chance of that harm occurring

The 5 steps to risk assessment

1. Identify fire hazards
2. Identify people who could be harmed
3. Evaluate, remove or reduce risk and protect against remaining risk
4. Record, plan and inform or train
5. Review

Step 1 - Fire hazards

Fire starts when the heat (sources of ignition) comes into contact with fuel (anything that burns), and oxygen (air). You need to keep sources of ignition and fuel apart.

How could a fire start (sources of ignition)?

Think about heaters, lighting, naked flames, electrical equipment, hot processes such as welding or grinding (such as associated with car repairs), use of cigarettes and matches, lighting of bonfires or anything else that gets very hot or causes sparks. Don't forget visiting maintenance or repair persons who may be using equipment that could start a fire.

What could burn (fuel)?

Packaging, rubbish and other combustible accumulations could all burn, such as paper, wood, plastic, rubber and foam, just like the more obvious fuels such as stored quantities of petrol, paint, varnish and white spirit. Liquefied petroleum gas (LPG) is likely to be used for heating and cooking purposes with quantities stored at various locations around the site.

Action required

Have you found anything that could start a fire?

Have you found anything that could burn?

Make a note of it.

Step 2 – People at risk

Everyone is at risk if there is a fire. Think whether the risk is greater for some because of when or where they might be on the site or because they're not familiar with the site, such as visitors and visiting repair or maintenance persons.

People asleep are particularly vulnerable, as they need to be roused should a fire start. Remember some people may sleep during the daytime because they work night shifts or enjoy an afternoon nap.

Remember children, the elderly or disabled people are especially vulnerable as they may not be able to move very quickly.

People who are sensorially impaired due to alcohol, drugs or medication may not recognise the dangers should a fire start.

People who do not have English as their first language may not understand any instructions given.

Action required

Have you identified –

Who could be at risk

Who could be especially at risk?

Make a note of it

Step 3 – Evaluate, remove or reduce risk

Evaluate -

First, think about what you have found in steps 1 & 2 : what are the risks of a fire starting, and what are the risks to people on the site or in the mobile homes?

Action required

Have you assessed the risks of fire on the site?

Have you assessed the risks to residents and visitors?

Remove and reduce risk –

How can you avoid accidental fires? Are you carrying out or having work done where a source of heat or sparks could fall, be knocked or pushed into something that could burn? Could that happen the other way around?

If you provide any form of communal facilities, such as meeting rooms, laundry or washing, ensure there are adequate numbers of and appropriately sited, electrical sockets to avoid overloading or trailing leads.

If you own the mobile homes –

Replace portable heaters with fixed appliances

Ensure furniture complies with the Furniture and Furnishings (Fire) (Safety) Regulations.

Ensure combustible items such as furniture, laundry etc are kept away from potential ignition sources such as cookers, heaters etc.

If you don't own the mobile homes encourage residents to consider the above matters.

Action required

Have you kept any source of fuel and heat /sparks apart?

Have you removed or adequately protected any fuel from unintentional ignition?

Have you protected the site and structures from accidental fire?

Protect – Take action to protect the site, mobile homes and people from fire.

Action required

Can residents or visitors escape to a place of safety?

Can residents or visitors find their way to safety at night?

Does all the fire safety equipment work, has it been regularly serviced ?

Do residents know what to do in the event of fire, how to raise the alarm and know how to use the fire safety equipment?

Make a note of it

Step 4 – Record, plan, inform and train

Record

Keep a record of any fire hazards and what you have done to reduce or remove them.

A suggested template is attached to record your findings and action taken, which can also be sent as Word document so you can create your own electronic version and record.

Action required

Have you made a record of what you have found and action you have taken?

Plan

Have a clear plan of how to prevent fire and how you will keep residents safe in the event of fire. Because a residents mobile home is their own responsibility make sure they have been informed of the risks both to themselves and other residents from fire.

Action required

Do residents and visitors know what to do if there is a fire?

Have you discussed your plans and fire safety with the residents?

Have you made sure the fire safety equipment is regularly serviced by a competent person?

Inform and train

Make sure you have informed residents about the fire safety precautions you have in place, if necessary, how fire safety equipment works and what they should do in the event of fire.

Action required

Have residents practised what to do in the event of a fire?

Have you made sure maintenance and repair persons you ask to work on the site understand the risks from fire and the precautions you expect them to take?

Step 5 – Review

This should be done at least annually or when anything changes. Changes can come from alterations to premises, facilities and installations, content of property and even when residents change.

Keep your risk assessment under regular review. Over time, the risks may change, what you assessed as low risk may now present a higher risk – remember things and circumstances don't always stay the same

Have chemical or dangerous substances begun to be used or stored on the site?

Are you planning some major work on the site that could introduce a fire risk?

If you identify significant changes in risk or make significant changes to your plan, make sure you tell the residents.

Action required

Have there been any changes on the site?

Had a fire or near miss?

Had a new resident move on to the site?

Suggested template to record fire risk assessment

Fire risk assessment – record of significant findings		
Risk assessment for (address):	Assessment undertaken by: Date: Signature:	
Area/ location/ building on site:	Description of area/location/ building (if appropriate)	
Step 1 – Identify hazards		
Sources of ignition	Sources of fuel	
Step 2 – People at risk		
Step 3 – Evaluate, remove, reduce risk (use additional pages if required to record findings)		
Evaluate the risk of the fire occurring		
Evaluate the risk to people from a fire starting		
Remove or reduce the hazards that may cause a fire		
Remove and reduce the remaining risks to people from a fire		
Assessment review		
Next review date	Risk assessment completed by	Signature
Review outcome (where substantial changes have occurred a new record sheet should be used to record findings)		