

APPLICATION FOR VARIATION OF CARAVAN SITE LICENCE FOR 'SALTMARSH CASTLE CARAVAN PARK STOURPORT ROAD, BROMYARD HR7 4PN' - CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1950

Report By: Head of Environmental Health and Trading Standards

Wards Affected:

Bromyard

Purpose

1. To consider an application for a variation against the standard licensing condition relating to changing fire fighting provisions within the standard licence conditions for Saltmarsh Castle Caravan Park, Stourport Road, Bromyard. HR7 4PN.

Background Information

2. Under Section 5(1) of the Caravan Sites and Control of Development Act 1960 Act the local authority has the power to issue caravan site licences with conditions the authority thinks necessary or desirable in the interests of the persons dwelling thereon in caravans or of any other class of person or of the public at large but with out prejudice to the generality of the forgoing, a site licence subject to conditions:-
 - a) For restricting the occasions on which caravans are stationed on the land for the purpose of human habitation, or the total number of caravans, which are so, stationed at any one time.
 - b) For controlling (whether by reference to their size, the state of the state of their repair or, subject to the provisions of subsection (2) of this section any other feature) the types of caravan which are stationed on the land;
 - c) For regulating the positions in which caravans are stationed on the land for the purposes of human habitation and for prohibiting, restricting, or otherwise stationed, of structures and vehicles of any description whatsoever and of tents;
 - d) For securing the taking of any steps for preserving or enhancing the amenity of the land, including the planting and replanting thereof with trees and bushes;
 - e) For securing that adequate sanitary facilities, and other facilities, services or equipment as may be specified, are provided for the use of persons dwelling on the land in caravans and that, all times when caravans are stationed on the land in caravans and that, at all times when caravans stationed thereon for the purposes of human habitation, any facilities and equipment so provided are properly maintained.

Section 5(2) No condition shall be attached to a site licence controlling the types of caravans which are stationed on the land by reference to the materials used in their construction.

3. In October 2003 the Regulatory reviewed and agreed the current standard caravan site licence conditions.
4. Kevin Bray an Environmental Health Officer has visited the site and wrote to the site owners Mr Weekers on 6 June 2005 advising him of non compliances with the standard conditions, this included provisions for the fire safety equipment. (Appendix 2 of Background Papers).
5. This matter was listed for hearing before the Regulatory Committee on 31st October and was deferred for further discussion with the Fire Authority as it was unclear whether 'The Regulatory Reform (Fire Safety) Order 2005' applied to the site.
6. It is still to be decided whether the Standard Conditions or The Regulatory Reform (Fire Safety) Order 2005 applies to this site. The solicitor at the hearing will provide a decision in respect of this.

Variation Licence Application

7. Mr Weekers has submitted an application to vary the conditions of the licence by removing conditions 5.2 and 5.4 and replace them with a single condition to allow 1KG powder extinguisher only to be provided at each fire point and a further condition stating that a suitable and sufficient fire risk assessment shall be recorded and maintained for the whole site.

Current Licence

8. Condition 5.2 of the conditions states:
Where water standpipes 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 standpipes 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 connecting to water standpipe (preferably a screw head connection) with a water supply of sufficient pressure and terminating a small hand control nozzle. Hoses should be housed in a box painted red and marked "HOSE REEL".
9. Condition 5.4
Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point should be provided with wither water extinguishers (2x9 litre) or a water tank of at least 500 litres incapacity with a hinged cover, 2 buckets and 1 hand pump or bucket pump.
10. The planning permission for the site states that 'No caravan shall be occupied between 7th January and 7th March in any year'.

Summary of Representation

11. The Fire Authority have been consulted and have the following comment: -
'We would agree that it is acceptable to replace hose-reels or water extinguishers with an equivalent extinguishing media. If 6kg dry powder extinguishers are used then we would recommend two extinguishers. They need to be housed in such a way that they are accessible but not subject to corrosion. A fire risk assessment for the site, with a record of the significant findings, will be a requirement of the Regulatory (Fire Safety) Reform order 2005 which comes into force on 01 October 2006. Extinguishing media, centrally located at fire-points, are unlikely to provide any protection against death or injury against fire within any single unit. The provision of suitable automatic fire detection, fire blankets and/or suitable extinguishers within living units would be a more effective control measure.

12. **Options: -**
It is for the committee to decide: -
 - a) to grant the variation
 - b) to grant the variation with conditions they think fit
 - c) to reject the variation application
 - d) to come to some other conclusion.

Background Papers

Appendix 1 Application to vary.

Appendix 2 Letter dated 6 June 2005 to Mr Weekers the site owner.

Appendix 3 Representation from Fire service.

Appendix 4 Saltmarshe Caravan Park Licence and Standard Licence Conditions.