

## **CARAVAN SITE GUIDANCE**

To run a caravan site, you need a licence from the local authority. The number of caravans permitted on the site will be specified on the licence along with other specific conditions which are designed to provide adequate standards of amenities, facilities to users and more importantly to protect their health and safety.

The [Caravan Sites and Control of Development Act 1960](#) prohibits the use of land as a caravan site unless the occupier holds a site licence issued by the local authority.

There are some exceptions:

- A caravan can be sited within the curtilage of a dwelling and where its use is incidental to the dwelling. This means it cannot be occupied separately.
- A single caravan sited for not more than two consecutive nights for a maximum of 28 days in any 12 months.
- Up to three caravans on a site of not less than five acres for a maximum of 28 days in any 12 months.
- Sites occupied by exempted organisations such as the Caravan Club.
- Sites of up to 5 caravans certified by an exempt organisation and which are for members only.
- Sites occupied by the local authority. These are usually traveller sites.
- Sites for temporary and special purposes such as caravan rallies, agricultural and forestry workers, building and engineering sites and travelling salesmen.

### **Definition of a caravan**

A Caravan is defined as at S29 of the Caravan Sites and Control of Development Act 1960 and is:

“Any structure designed or adapted for human habitation capable of being moved from one place to another (whether by being towed or by being transported on a motor vehicle or trailer) or any motor vehicle so designed or adapted but does not include rolling stock on a railway system or any tent”

The Caravan Sites Act 1968 further added dimensions of a caravan unit as being not more than 60ft (18.288m) length, 20ft (6.096m) width and internal height of 10ft (3.048m)

Applying the definition of a Caravan would direct that any sites that offer holiday accommodation in the form of Camping Pods, Glamping Pods, Shepherd Huts or other such similar structure would require to be licenced under the Caravan Sites and Control of Development Act 1960 (unless above mentioned exemptions apply).

## **Licence Conditions**

Licences have conditions which include:

- the type of caravan, e.g. residential, static holiday or touring.
- restrictions as to when caravans can be on the site for human habitation or restricting the number of caravans that can be on the site at any one time
- the permitted density (the number per acre/hectare) and the spacing between caravans.
- controlling the positioning of the caravans or regulating the use of other structures and vehicles including tents
- ensuring that sanitary and other facilities, services and equipment are supplied and
- ensuring safe provision and suitable maintenance of electrical and gas systems on site.

## **Completing your application**

**How to apply:**

**If you are already a caravan site occupier** - you should have a licence already but you should check that your name, the site name and address are correct and up to date. Also check that the licence corresponds with your most recent planning permissions. If not you should send us the licence with a completed application form to enable re-issue of licence / licence update.

**If you have recently become a caravan site occupier** - licences are transferable to a new occupier but the law requires us to give consent for the transfer. You should send us the licence with a completed application form / request for transfer and we will either endorse or re-issue it.

**If you are a potential site occupier** - you or your legal advisor should check that all the land used for siting caravans has planning permission and that the details correspond with the site licence. If you wish to change the use of the land to permanent caravan site use you must have planning permission before a licence can be issued.

**Eligibility Criteria:**

- The applicant must be entitled to use the land as a caravan site and for the type of site applied for i.e. holiday, residential or mixed use
- Licences will not be issued to applicants who have had a site licence revoked within three years of the current application.

## **What to include in your licence application:**

All new applications to operate a caravan site licence must be accompanied by a site plan of not less than 1:500 scale showing the boundaries of the site, position of caravan standings, roads and footpaths, toilet blocks, stores and other buildings, drainage and water supply systems, recreation and car parking space. Any plan appended to a licence application must also differentiate between the different types of accommodation available on the site i.e. residential, holiday static, touring or camping pitches

## **Tacit Consent?**

Tacit consent will not apply as it is in the public interest that the authority must process your application before it can be granted. If you have not heard anything within a reasonable period, please contact us using the details below.

## **Fees**

Currently there is no fee for an application for a new or amended site licence. This is currently under review.

## **Failed Applications**

You are advised to take up any issue if your licence is not approved. Please contact us in the first instance within 21 days of the date of the decision to refuse the application you may require the Council to give written reasons for its decision.

You may appeal to the Sheriff against the decision within 28 days of the decision, provided you have already followed all available procedures to state your case to the Council. Any appeal will only be successful if the Sheriff considers that the Council, in making its decision:

- erred in law
- based its decision on an incorrect material fact
- acted contrary to natural justice
- exercised its discretion in an unreasonable manner

You may appeal again on a point of law from the Sheriff's decision to the Court of Session within 28 days from the date of the Sheriff's decision.

In addition to duties under Caravan Sites and Control of Development Act 1960 Environmental Health can provide advice on a number of topics relating to the legal duties placed on a Caravan Site Operator under the Health and Safety at Work etc. Act 1974 including:

- Health and Safety Policies and appropriate risk assessments including safe working practices for site operations Records of any works/checks undertaken in regard to gas safety (rented caravans to include any works/checks undertaken in caravans, bulk tanks, underground gas pipelines serving the site and gas appliances within etc.)
- Records of maintenance/servicing for machinery and equipment.
- Records of maintenance of recreational space / play equipment
- Records of any works/checks undertaken in relation to electrical safety including both routine inspection of fixed electrical installation and portable appliance testing.
- Accident reporting procedures and records of accidents.
- Records of any works / checks undertaken regarding Legionella Control
- Advice as to Hot and Cold Water Systems / Pools / Spa Pools / Hot Tubs (including method of microbiological quality of water and testing)
- Pressure Systems
- Asbestos & Asbestos Containing Materials
- Workplace Transport including Organisation of traffic routes – Maintenance Yards
- Pest Control Services / Pest Control Contracts
- Safe Vehicles / Maintenance – PUWER Records and;
- Methodology for siting of Caravans (Safe Working Procedures)

**Contact us**

Dumfries and Galloway Council  
 Environmental Health  
 Municipal Chambers  
 Buccleuch Street  
 Dumfries  
 DG1 2AD

**Or phone:** 030 3333 3000

**Or email:** [environmentalstandards@dumgal.gov.uk](mailto:environmentalstandards@dumgal.gov.uk)