

VALE OF GLAMORGAN COUNCIL
MOBILE HOMES (WALES) ACT 2013
PART 2

SITE LICENCE

TO: **Portreset Ltd**
Porthkerry Leisure Park
Porthkerry
Rhose,
Vale of Glamorgan
CF62 3ZP

“the owner”

WHERE AS on the 31 March 2015 you made an application to the Vale of Glamorgan Council (hereinafter called the ‘Council’) for a site licence in respect of the land situated at :

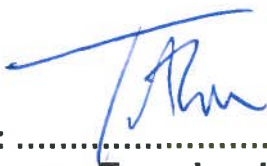
Porthkerry Leisure Park (Residential Site), Porthkerry, Rhose, CF62 3ZP
(hereinafter called ‘the said land’)

AND WHEREAS you are entitled to the benefit of permission (Ref. No. CR 586 - 1950, CR3801 - 1958, and 1990/01325/FUL) for the use of the said land as a Mobile home site granted under Part III of the Town and Country Planning Act 1971, otherwise than by a development order.

AND WHEREAS the Council are satisfied that the manager of the site as specified in the application is a fit and proper person.

NOW THEREFORE the Council pursuant to Part 2 of the Mobile Homes (Wales) Act 2013 **HEREBY GRANT** the owner a site licence for a period of **5 years** in respect of the said land subject to the following conditions, that is to say:

See attached site licence conditions



Signed:
Julian Love – Team Leader Environmental Health

Dated: 30th day of April 2015

NOTES

It is provided by the Mobile Homes (Wales) Act 2013 as follows:-

Appeal to Residential Property Tribunal Wales against conditions attached to site licence.

12 (1) where a local authority decides to issue a site licence subject to conditions (other than the condition required by Section 9 (5), the local authority must notify the applicant of the reasons for doing so and of the applicant's right of appeal under subsection (2).

(2) The applicant may, within the period of 28 days beginning with the day on which the decision is made, appeal to a residential property tribunal against the decision.

(3) The tribunal may vary or cancel the condition if satisfied (having regard, among other things, to any standards which may have been specified by the Welsh Ministers under section 10) that the condition is unduly burdensome.

(4) In a case where a residential property tribunal varies or cancels a condition under subsection (3), it may also attach a new condition to the site licence.

(5) In so far as the effect of a condition 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 does not have effect –

- (a) during the period within which the person to whom the site licence is issued is entitled to appeal against the condition, or
- (b) while an appeal against the condition is pending.

Contact details for the Residential Property Tribunal Wales (RPT), 1st Floor, West Wing, Southgate House, Wood Street, Cardiff, CF10 1EW.

Telephone no.02920922777

Email: rpt@wales.gsi.gov.uk

Website: <http://rptwales.gov.uk>

Provisions as to breaches of condition.

15 (1) if it appears to a local authority which has issued a site licence that the owner of the land is failing or has failed to comply with a condition of the site licence, the local authority may give the owner –

- (a) A fixed penalty notice, or
- (b) A compliance notice.

(2) The Welsh Ministers may issue guidance to local authorities as to the consideration they should take into account in deciding whether to deal with a failure to comply with a condition of a site licence by giving a fixed penalty notice or a compliance notice.

(3) A local authority must have regard to any such guidance in making such a decision.

(4) where a fixed penalty notice is given to a person in respect of a failure but payment of the amount specified in it is not made in accordance with the notice, the local authority may withdraw the fixed penalty notice and give the person a compliance notice in respect of the failure.

Power to take emergency action

21 (1) A local authority which has issued a site licence may take action in relation to any land comprising the site if it appears to the local authority that-

(a) The owner of the land is failing or has failed to comply with a condition of the site , and

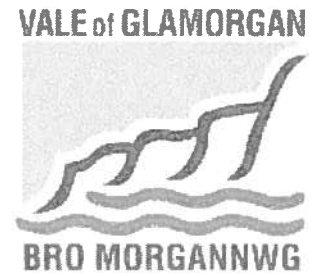
(b) as a result of that failure there is an imminent risk of serious harm to the health or safety of any person who is or may be on the land.

(2) The action a local authority may take under this section (referred to in this section as “emergency action”) is such action as appears to the local authority to be necessary to remove the imminent risk of serious harm mentioned in subsection (1)(b).

Revocation on death, change of ownership or cessation of use

26 (1) when the holder of a site licence in respect of any land dies or ceases to be the owner of the land, the site licence is revoked.

(2) where land in respect of which a site licence is in force ceases to be used as a regulated site, the site licence is revoked.



VALE OF GLAMORGAN COUNCIL

SITE LICENCE CONDITIONS

Porthkerry Leisure Park (Residential Site), Porthkerry, Rhoose, CF62 3ZP

TYPE OF LICENCE: RESIDENTIAL

DATE OF ISSUE: 30 April 2015

EXPIRY DATE: 30 April 2020

**Environmental Health (Private Sector Housing)
Holton Road
Barry
CF63 4RU
Tel: 01446 709814**

VALE OF GLAMORGAN COUNCIL

SITE LICENCE CONDITIONS

TO USE LAND AS SITE FOR MOBILE HOMES

The above named Council in pursuance of the provisions of Part 2 of the Mobile Homes (Wales) Act 2013 ("the Act) hereby confirm that

Mr Philip Christian Edwards, Downfield House, Llantrisant Road, Capel Llaniltern, Cardiff CF5 6JD

is the manager of the site

Porthkerry Leisure Park (Residential Site), Porthkerry, Rhose, CF62 3ZP
(“the site”)

within the area of the Council , and the site as shown on the plan submitted by the owner on to the Council is a Regulated site subject to the conditions set out below.

The conditions are imposed as the Council have applied the existing 2008 model standards for Permanent Residential Caravan Sites in Wales .

CONDITIONS

1. To ensure compliance with the standard conditions laid down by the Council for residential mobile homes sites within their area under which the total number of mobile home to be stationed on the site at any one time shall not exceed 26 (twenty six)
2. The use of the site as a regulated site shall be in accordance with the conditions set in the schedule below.
3. The site owner must provide written notification to the Council of any changes to the designated site manager and provide an appropriate declaration that any new manager is a fit and proper person.

These licence condition supersedes any of the previous conditions issues under the Caravan Sites and Control of Development Act 1960 , which are hereby cancelled.

1. Boundaries and site plan

- 1.1. The boundaries of the site from any adjoining land shall be clearly marked by a man made or natural feature.
- 1.2. No mobile home or combustible structure shall be positioned within 3 metres of the boundary of the site
- 1.3. A plan of the site shall be supplied to the local authority upon the application for a licence and, thereafter whenever there is a material change to the boundaries or layout of the site, or at any other time on the demand of the local authority.
- 1.4. The plan supplied must clearly illustrate the layout of the site including all relevant structures, features and facilities on it and shall be of suitable quality.

2. Density, Spacing and Parking Between Mobile Homes

- 2.1. Subject to sub paragraph (2.3), every mobile home must be spaced at a distance of no less than 6 metres (the separation distance) from any other Mobile home which is occupied as a separate residence.
- 2.2. No mobile home shall be stationed within 2 metres of any road or communal car park within the site or more than 50 metres from such a road within the site.
- 2.3. In any case mentioned in subparagraph (2.1) :
 - 2.3.1. A porch attached to the mobile home may protrude one metre into the separation distance and must not exceed 2 metres in length and 1 metre in depth. The porch must not exceed the height of the mobile home. Where a porch is installed only one door may be permitted at that entrance to the home, either on the porch or on the home.
 - 2.3.2. Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing mobile homes is not less than 5 metres, except where sub paragraph

(2.3) applies in which case the separation distance shall not be less than 4.25 metres.

- 2.3.3. Any structure including steps, ramps, etc (except a garage or car port), which extends more than 1 metre into the separation distance shall be of non-combustible construction. Any such structure should not obstruct entrances or access to any adjacent mobile home.
- 2.3.4. A garage or car port may only be permitted within the separation distance if it is of non-combustible construction, demountable and maximum size of 3m(w) x 6m (l) x2.38 (h).
- 2.3.5. Windows in structures within the separation distance shall not face towards the mobile home on either side.
- 2.3.6. Fences and hedges, where allowed and forming the boundary between adjacent mobile homes, should be a maximum of 1.5 Metre high.
- 2.3.7. Private cars may be parked within the separation distance provided that they do not obstruct entrances to mobile homes or access around them.
- 2.4. The density of mobile homes on a site shall be determined in accordance with relevant health and safety standards and fire risk assessments.
- 2.5. All mobile homes shall be kept in good repair and condition.

3. Roads, Gateways and Overhead Cables

- 3.1. Roads shall be designed to provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times.
- 3.2. New roads shall be constructed and laid of suitable bitumen macadem or concrete with a suitable compacted base.
- 3.3. All roads shall have adequate surface water/storm drainage.

- 3.4. New two way roads shall not be less than 3.7 metres wide, or if they are designed for and used by one way traffic, not less than 3 metres wide.
- 3.5. One-way systems shall be clearly signposted.
- 3.6. Where existing two way roads are not 3.7 metres wide, passing places shall be provided.
- 3.7. Vehicular access and all gateways to the site must be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.
- 3.8. Roads shall be maintained in a good condition.
- 3.9. Cable overhangs must meet the statutory requirements.

4. **Footpaths and Pavements**

- 4.1. Every mobile homes shall be connected to a road by a footpath with a hard surface which shall be maintained in good condition.
- 4.2. Where practicable, communal footpaths and pavements shall not be less than 0.9 metres wide.

5. **Lighting**

- 5.1 Roads, communal footpaths and pavements shall be adequately lit between dusk and dawn to allow the safe movement of pedestrians and vehicles around the site during the hours of darkness.

6. **Bases**

- 6.1. Every unit must stand on a concrete base or hard-standing.
- 6.2. The base must extend over the whole area occupied by the unit, and must project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely. The hard standings must be constructed to the

industry guidance, current at the time of siting, taking into account local conditions.

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

- 7.1. Every part of the site to which the public have access shall be kept in a clean and tidy condition.
- 7.2. Every road, communal footpath and pavement on the site shall be maintained in a good condition, good repair and clear of rubbish.
- 7.3. Grass and vegetation shall be cut and removed at frequent and regular intervals.
- 7.4. Trees within the site shall (subject to the necessary consents) be maintained.
- 7.5. Any cuttings, litter or waste shall be removed from the immediate surrounds of a pitch.

8. Supply & Storage of Gas etc

- 8.1. Gas (including natural gas) and oil installations, and the storage of supplies shall meet current statutory requirements, relevant Standards and Codes of Practice.
- 8.2. 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.

9. Electrical Installations

- 9.1. On the site there shall be installed an electricity network of adequate capacity to meet safely all reasonable demands of the Mobile Homes and other facilities and services within it.
- 9.2. 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.

- 9.3. 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.
- 9.4. Any work on the electrical network within the site shall be done by a competent person fully conversant with the appropriate statutory requirements.
- 9.5. The electrical installation shall be inspected within 12 months of the existing certificate (in the case of underground installations 3 years) or such longer periods as may be recommended by a person who should be one of the following:

A professionally qualified engineer;

A member of the Electrical Contractors' Association;

A member of the Electrical Contractors' Association of Scotland;

A certificate holder of the National Inspection Council for Electrical Installation Contracting;

Or,

A qualified person acting on behalf of one of these (in which case it should be stated for whom he is acting)

Such person shall within one month of such an inspection issue an inspection certificate in the form prescribed in the IEE Wiring Regulations, which shall be retained by the site operator and displayed with the site licence. A copy of the report shall be submitted to the Vale of Glamorgan's Private Sector Housing team.

10. **Water Supply**

- 10.1. All pitches on the site shall be provided with a water supply sufficient in all respects to meet all reasonable demands of the mobile home situated on them.
- 10.2. All new water supplies shall be in accordance with all current legislation, regulations and relevant British or European Standards.
- 10.3. All repairs and improvements to water supplies and installations shall be carried out to conform with current legislation and British or European Standards.
- 10.4. Work on water supplies and installations shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current relevant legislation and British or European Standards.

11. **Drainage and Sanitation**

- 11.1. Surface water drainage shall be provided where appropriate to avoid standing pools of water.
- 11.2. There shall be satisfactory provision for foul and waste water 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.
- 11.3. All drainage and sanitation provision shall be in accordance with all current legislation and British or European Standards.
- 11.4. Work on drains and sewers shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current legislation and British or European standards.

12. Domestic Refuse Storage & Disposal

- 12.1. Where communal refuse bins are provided these shall be non-combustible and housed within a properly constructed bin store.
- 12.2. All refuse disposal shall be in accordance with all current legislation and regulations.

13. Communal Vehicular Parking

Suitably surfaced parking spaces shall be provided to meet the requirements of residents and their visitors.

14. Notices and Information

- 14.1. The name of the site shall be displayed on a sign in a prominent position at the entrances to the site together with;
 - 14.1.1. The current name, address and telephone number of the licence holder and site manager and emergency contact details for both,
 - 14.1.2. A copy of the site licence or the front page of the said licence and details of where the full licence and other information required to be available under this standard can be viewed and between which times (if not displayed on the notice board).
 - 14.1.3. A copy of the current certificate of public liability insurance
 - 14.1.4. A copy of the most recent utility bills relating to the site (Utility means bills for the provision of gas, water, sewerage or other similar services)
- 14.2. A current plan of the site with roads and pitches marked on it shall be prominently displayed at the entrances to it.
- 14.3. In addition at the prominent place the following information shall also be available for inspection :

- (a) A copy of the most recent periodic electrical inspection report;
- (b) A copy of the site owner's certificate of public liability insurance;
- (c) A copy of the local flood warning system and evacuation procedures, if appropriate; and
- (d) A copy of the fire risk assessment made for the site.

14.4. All notices shall be suitably protected from the weather and from direct sunlight.

14.5. The site licence holder must notify the local authority of any management changes and make a declaration to the local authority that he/she is a fit and proper person.

15. Flooding

15.1. The site owner shall establish whether the site is at risk from flooding by referring to the Environment Agency's Flood Map.

15.2. Where there is risk from flooding the site owner shall consult the Environment Agency for advice on the likelihood of flooding, the depths and velocities that might be expected, the availability of a warning service and on what appropriate measures to take. A written risk assessment shall be kept and made available to the local authority.

16. Requirement to Comply 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.

17. Fire safety measures

17.1. The standards in this paragraph are included in consultation with the South Wales Fire & Rescue Service being the

authority responsible for the enforcement of the Regulatory Reform (Fire Safety) Order 2005.

Fire Points

17.2. These shall be located so that no mobile home or site building is more than 30 metres from a fire point. Equipment provided at a fire point shall be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

Fire Fighting Equipment

17.3. Where water standpipes are provided:

(a) The water supply shall be of sufficient pressure to project a jet of water not less than 5 metres from the nozzle.

(b) There shall be a reel that complies with the current British or European Standard, with a hose not less than 35 metres long, having a means of connection to a water standpipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand nozzle.

(c) Hoses shall be housed in a red box and marked "HOSE REEL". Access to the fire point shall not be obstructed or obscured.

17.4. Where hydrants are provided, hydrants shall conform to the current British or European Standard.

17.5. Access to hydrants and other water supplies shall not be obstructed or obscured.

17.6. Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point shall be provided with water extinguishers (2 x 9 litres) which comply with the current British or European Standard.

Fire Warning

17.7. A suitable means of raising the alarm in the event of a fire shall be provided at each fire point.

Maintenance and Testing of Fire Fighting Equipment

17.8. All alarm and fire fighting equipment shall be installed, tested and maintained in working order by persons who are qualified in the particular type of work being undertaken and be available for inspection by, or on behalf of, the licensing authority or the Fire and Rescue Service.

17.9. A record shall be kept of all testing and remedial action taken.

17.10. All equipment susceptible to damage by frost shall be suitably protected.

Fire Notices

17.11. A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire. This notice should include the following:

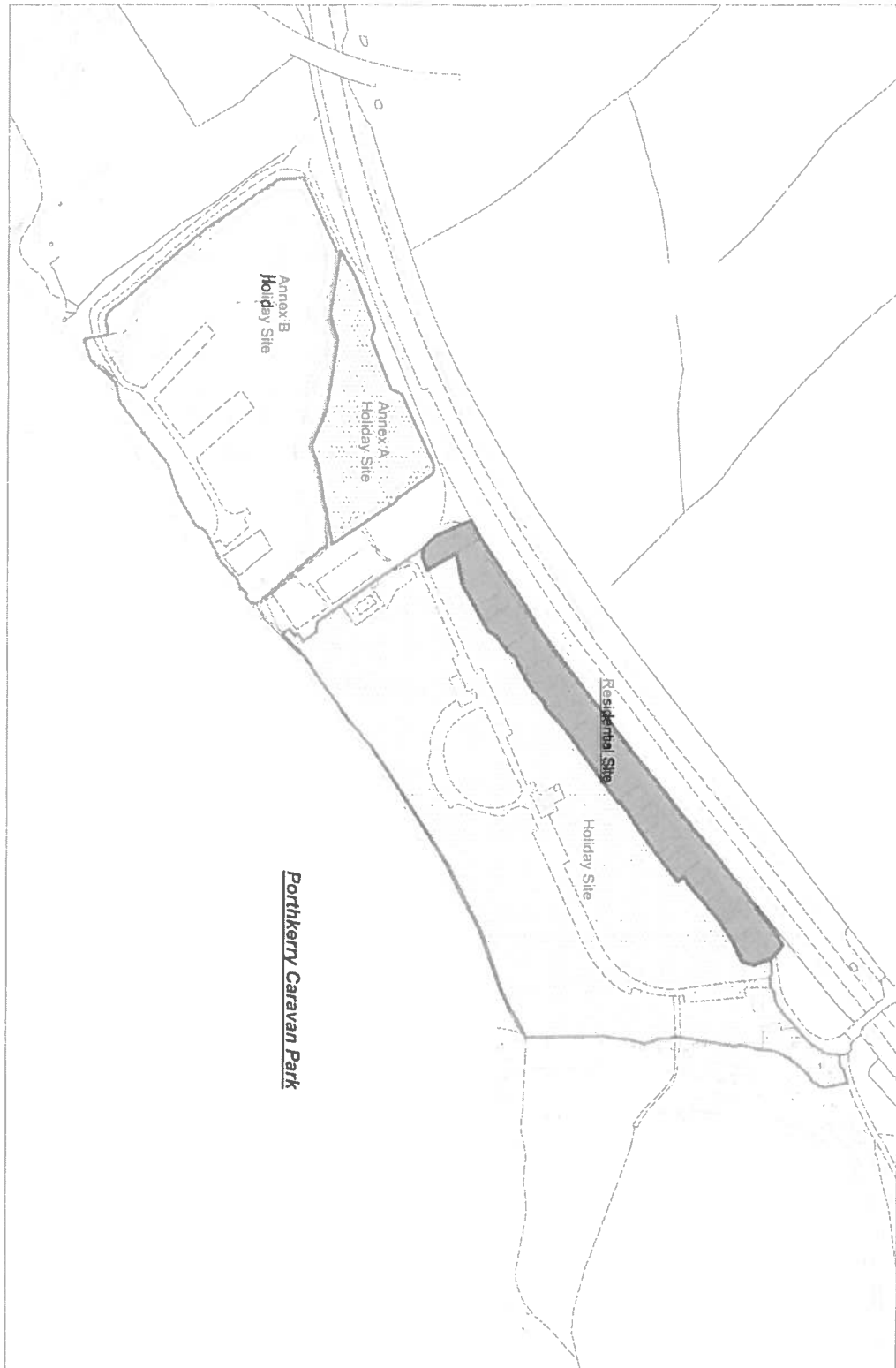
“On discovering a fire:

I. Ensure the Mobile home or site building involved is evacuated.

II. Raise the alarm.

III. Call the fire brigade (the nearest phone is sited at).”

APPENDIX ONE: SITE PLAN



APPENDIX TWO: DEFINITIONS OF TERMS

‘Mobile Home’

A structure designed or adapted for human habitation which:

- a) Is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices; and
- b) Is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer), is not to be regarded as not being (or not having been) a mobile home for the purposes of the Mobile Homes (Wales) Act 2013 by reason that it cannot lawfully be moved on a highway when assembled.

‘Regulated Site’

- Land on which a mobile home is stationed for the purposes of human habitation.
- Land that is used in conjunction with land on which a mobile home is so stationed.

‘Structure’

Structures includes any extension, veranda, decking, sheds and covered storage space

‘Local Authority’

A council of a district. For the purposes of this licence, the local authority is the Vale of Glamorgan Council.

‘Owner’

In relation to any land, means the person who, by virtue of an estate or interest held by him/her, is entitled to possession of the land but for the rights of any other person under any licence or contract granted in respect of the land (including a licence or contract to station or occupy a mobile home there),.

‘Site Licence’

A licence issued by the local authority under the Mobile Homes (Wales) Act 2013