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**MID DEVON DISTRICT COUNCIL**  
**CARAVAN SITE AND MOBILE HOMES LICENSING POLICY**

**Effective date: April 2026 TBC**

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**Date approved by Licensing and Regulatory Committee: TBC**

**Date approved by Full Council: TBC**

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## 1.0 Definitions

**“Caravan”** any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted. This does not include any railway rolling stock or any tent.

**“Moveable dwelling”** Any tent, any van or other conveyance whether on wheels or not, and, subject as hereinafter provided, any shed or similar structure, being a tent, conveyance or structure which is used either regularly, or at certain seasons only, or intermittently, for human habitation. The definition does not include caravans or campervans.

**“Relevant person”** is defined in paragraph 2 of the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (“the Regulations”), “the subject of the fit and proper person assessment under Regulation 7”. Please note that this could be the site owner or person appointed to manage the site by the site owner.

**“Relevant officer”** is defined in paragraph 1 of Schedule 2 of the Regulations, where the applicant is a company, a relevant officer will be a director or other officer of the company; or, where the applicant is a partnership, a partner; or, where the applicant is a body corporate, a member of the management committee of that body.

**“Relevant protected site”** is defined in the Act as any land to be used as a caravan site other than one where a licence is:

- granted for holiday use only
- In any other way subject to conditions which restrict the usage of the site for the stationing of caravans for human habitation at certain times of the year (such as planning conditions), for example seasonal use of touring sites.

**“Required Information”** is defined in paragraph 14 of Schedule 2 of the Regulations (even though the Regulations incorrectly state that this information is contained in paragraph 13) as: the person’s name and business contact details; details of the person’s role or proposed role in relation to the management of the site; where the person has not yet been appointed, the address, telephone number and email address (if any) at which the person may be contacted in respect of the application; details of each relevant protected site (other than that to which the registration application relates) — for which the person holds a licence issued under section 3 of the Caravan Sites and Control of Development Act 1960, or in which the person has a legal estate or equitable interest, or which the person manages.

**“The Act”** The Caravan Sites and Control of Development Act 1960

**“The 2013 Act”** The Mobile Homes Act 2013

**“The Regulations”** The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (“the Regulations”)

## **2.0 Review**

- 2.1 The policy will be subject to a 5 yearly review. Reviews may also be carried out at another time subject to legislative changes or for any other reason at the discretion of Mid Devon District Council (the Council).
- 2.2 Site fees as laid out in Annex 1 will be subject to annual review in accordance with general fee setting policy, and the annex itself will be updated annually outside of full policy review.

## **3.0 Introduction**

- 3.1 Local authorities are responsible for safeguarding the interests of home owners and the public at large through the licensing regime under the [Caravan Sites and Control of Development Act 1960](#) (The Act). A review by Parliament's Communities and Local Government Select Committee in early 2012 found the legislation governing caravan sites was outdated and did not provide local authorities with the tools or the resources to ensure effective management and maintenance of sites.
- 3.2 Approximately 85,000 households live on about 2000 mobile home sites in England. Many of these sites are well managed and run. Unfortunately, across the UK, there are some rogue site operators, who do not run their sites well and allow conditions to deteriorate, affecting the amenity of the site, and the health and safety of residents.
- 3.3 The [Mobile Homes Act 2013](#) (The 2013 Act) introduced a new site licensing regime for relevant protected sites (that is park home sites and mixed sites of both residential park homes and holiday homes) which came into force on 1 April 2014. The new site licensing regime gives local authorities more effective control of conditions on relevant protected sites. In appropriate cases, it provides local authorities with the tools required to take enforcement action including the power to serve compliance notices in relation to breaches of site licence conditions, emergency action powers, and the ability to carry out works in default and recover expenses.
- 3.4 This policy seeks to fully implement the changes brought in by the 2013 Act within Mid Devon. As well as formalise processes for all other sites that are out of scope of the 2013 Act.
- 3.5 Mid Devon has 50 licenced caravan sites, being a combination of permanent residential, holiday use sites, and mixed use sites.

## **4.0 Consultation**

- 4.1 Consultation on this policy took place between *TBC*:
- 4.2 The following groups were consulted during this period:
  - Site licence holders
  - Members of the public

- Residents associations *TBC through data capture project if any are in place*
- Devon and Cornwall Fire and Rescue
- Environmental Health to include Private Sector Housing
- MDDC Development Control

## 5.0 Exemptions from Caravan Site licensing requirement

5.1 The following are exempt from the requirement for a caravan site licence:

- a) Incidental use within the curtilage of a dwelling-house
- b) The stationing of a single caravan for no more than two consecutive nights for a maximum of 28 days in any 12 months
- c) Up to three caravans on a site of not less than five acres, for a maximum of 28 days in any 12 months
- d) Sites occupied and supervised by exempted organisations
- e) Sites approved by exempted organisations
- f) Sites used for social get-togethers or meetings organised by exempted organisations (eg. a rally)
- g) Sites used to occupy seasonal agricultural or forestry workers, certified travelling showmen, or building and engineering sites
- h) Sites owned by a Local Authority

5.2 Further details regarding the above information can be found under [Schedule 1 of the Caravan Sites and Control of Development Act 1960](#).

## 6.0 What is a relevant protected site

6.1 A **relevant protected site** is defined in the Act as any land to be used as a caravan site other than one where a licence is:

- granted for holiday use only
- in any other way subject to conditions which restrict the usage of the site for the stationing of caravans for human habitation at certain times of the year (such as planning conditions)

6.2 Relevant protected sites are typically known as residential parks, mobile home parks, Gypsy Roma and Traveller sites and so on.

6.3 Any licensable caravan site will be a relevant protected site unless it is specifically exempted from being so. At all times, a sites status as a relevant protected site, or its exemption, will be determined by its planning permission. For example, if a site has holiday use only, but residents live their full time, the site will not be considered a relevant protected site. If the permission is silent it will depend on what the site licence permits; and if there is a conflict between the planning permission and site licence as to the sites use it is the use permitted under the planning permission that applies.

- 6.4 Holiday sites will be subject to the licensing provisions of the Caravan Sites Control of Development Act that existed before the Mobile Homes Act 2013 amendments.
- 6.5 There are some sites where the planning permission and/or site licence permits both use for holiday and permanent residential purposes. Such sites are relevant protected sites, because the relevant consent is not exclusively for holiday purposes. However, there is an important exemption to this rule, which is that if a holiday site has permission for residential use too, and that use is only by the owner of the site (including family members) or employees working on the site, their permanent occupation does not make the site a relevant protected site. The caveat to this is that if the residential occupier/employee occupies the home under the agreement to which the Mobile Homes Act 1983 applies, the site will be a relevant protected site.

## **7.0 Mobile Homes Fit and Proper person**

- 7.1 The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (“the Regulations”), require the owner or manager of a relevant protected site to be a Fit and Proper Person. The Regulations allow local authorities to receive applications from site owners, or the person appointed to manage the site, for inclusion in the register of Fit and Proper Persons.
- 7.2 The Council must be satisfied that the site owner “*is a fit and proper person to manage the site*” or, if the owner does not manage the site, “*that a person appointed*” to do so by the site owner “*is a fit and proper person to do so*” or has, with the site owner’s consent, “*appointed a person to manage the site.*”
- 7.3 The Council can appoint a person to manage the site, but only with the consent of the site owner, where a site owner, or their manager, fails the fit and proper person test and they are unable to identify and appoint a suitable alternative manager, who meets the fit and proper person assessment.
- 7.4 The Council has adopted a Mobile Homes Fit and Proper Person Determination policy, which can be found at Annex 2. The Council has also created guidance on the application process that can be found here, alongside the application form [Fit and Proper Person Register - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/fit-and-proper-person-register)
- 7.5 Where a person has met the fit and proper person test, the register will give details of that person and of the site, including decisions made on how long a person’s inclusion is for, up to a maximum of 5 years.
- 7.6 In order to comply with the fit and proper person requirement a site owner must apply at least two months before the period (e.g. 5 years) comes to an end and submit a new application and correct fee for the person (or alternative) to be included in the register.

## 8.0 Tented campsites / moveable dwellings

- 8.1 Under Section 269 of the [Public Health Act 1936](#), a site licence is required if a person allows any land occupied by them to be used for camping purposes on more than 42 consecutive days, or more than 60 days in any 12 consecutive months.
- 8.2 Subject to the above conditions, a person shall not keep a moveable dwelling on any one site, or on two or more sites in succession, if any of those sites are within one hundred yards of each other.
- 8.3 The following are exempt from the requirement for a tented campsite licence:
- a) A moveable dwelling which is kept by its owner on land occupied by them in connection with their dwelling-house, and is used for habitation only by the owner or by members of their household
  - b) A moveable dwelling which is kept by its owner on agricultural land occupied by them and is used for habitation only at certain seasons, and only by persons employed in farming operations on that land
  - c) A moveable dwelling while it is not in use for human habitation
  - d) Travelling showman and sites owned by the local authority
  - e) Certain organisations, such as the Caravan Club or the Camping and Caravanning Club, benefit from exemptions from the site licensing requirements. For example, the two clubs can permit 'certified locations' (CLs) and 'certificated sites' (CSs), which operate without a site licence but subject to a club-members-only policy.

\*The exemptions above applies solely to tents, and any caravans or campervans onsite may require a separate caravan site licence

- 8.4 Further information on exemptions can be found on the gov.uk website [Social clubs: get an exemption to camp without a licence - GOV.UK](#)
- 8.5 If you have been issued with an exemption certificate from an exempt organisation, please notify us at [licensing@middevon.gov.uk](mailto:licensing@middevon.gov.uk)
- 8.6 From 26 July 2023, campsites can accommodate up to 50 tents, motorhomes or campervans for 60 days per calendar year under 'Class BC' permitted development rights.
- 8.7 No more than 50 pitches are permitted on the land at any one time. The amendment also does not allow for the siting of any caravan except when used as a motor vehicle designed or adapted for human habitation (e.g. motorhomes and campervans only).
- 8.9 Should you solely wish to accommodate tents on site; you will only require a licence if the site is operating:
- a) for more than 42 days consecutively or
  - b) more than 60 days in total in any 12 consecutive months

8.10 Conditions for tented campsites are attached as annex 3.

## **9.0 Applications for site licence – general**

9.1 It is important that anyone planning to buy, sell or transfer a relevant protected site should contact the local authority before doing so to check with the local authority whether it would accept an application for the transfer of a licence or grant a new licence in replacement of the existing one. This approach should also ensure that a tentative decision can be reached in advance of a formal application, which could, therefore, be dealt with relatively quickly.

9.2 The Council encourages applicants to contact us in advance of formally submitting applications for the grant or transfer of licences. It is recommended that formal applications for the grant or transfer of a licence are made before ownership is transferred, or in the case of a new site, acquired. This ensures the proposed licence holder does not fall foul of the criminal offence in section 1 of the Act.

9.3 Consultation following application

The licensing authority may consult with the following authorities whilst considering an application for a new site licence and transfer of licence:

- Environmental Health
- Private sector Housing (for Relevant Protected sites)
- Devon and Cornwall Fire & Rescue (only where the Regulatory Reform (Fire Safety) order 2005 does not apply)
- MDDC Development Control (where no evidence of planning permission)

## **10.0 Applications for site licence – new sites only**

10.1 A new licence will normally only be required if the site is new or there have been boundary changes. Where a new site has been created or the boundaries have changed, planning permission will be required, and a local authority may not issue a site licence until that planning permission has been given.

10.2 New site applications are subject to a fee, as detailed in Annex 1 Fee policy.

10.3 A site licence can only be issued where the relevant planning permission has been granted. For applications made before planning permission is granted, they will be processed within 6 weeks of the permission being granted.

10.4 The application will not be considered until all relevant requested information has been provided, and the relevant fee paid. Failure to provide the relevant information may result in a refusal of the application.

10.5 The fee is for consideration of the application and is not refundable if the application is not successful.

10.6 Statutory time limits apply for the consideration of an application for new site licence. The application will normally be processed and a decision reached



within 2 months of the application, unless the parties agree otherwise. This period runs from the date that all required information has been received by the local authority.

- 10.7 For relevant protected sites there is no deemed consent in the event that the Council does not process the applications within the statutory timeframe.
- 10.8 For exempt sites, in the event that the licence is not issued within 2 months of the application, no offence of occupying the land without a licence will be committed.
- 10.9 The Council has discretion to refuse a site licence application for Relevant Protected sites only, if it is not satisfied that the proposed licence holder is suitable to manage the site, or there are outstanding issues concerning the existing licence holder.
- 10.10 New site licence application form can be found on our website [here](#)

#### **11.0 Consent to transfer a site licence**

- 11.1 Section 10 of the Act enables the site licence holder to apply for consent to transfer the site licence when they cease to be the occupier of the land.
- 11.2 An application for the transfer of a licence can only be made by the existing site owner – and not by the person to whom it is proposed to transfer the licence.
- 11.3 The 2013 Act, establishes a duty for the local authority to exercise discretion when considering the grant or approval of a licence transfer for a Relevant Protected Site.
- 11.4 For relevant protected site, the authority must make enquiries into the proposed licence holder's suitability to hold the licence. In order to assess suitability, the following information will be requested from the applicant:
  - a. evidence of their interest or estate in the site
  - b. funding arrangements that will be in place for managing the site, including for meeting obligations under the licence
  - c. the management structure that will apply to the site, including the competence of the purchaser or any nominated manager to manage a park home site
- 11.5 If at the time a transfer application is received, the licensing authority is of the opinion that the existing licence conditions are no longer adequate or enforceable and the local authority wishes to alter the licence conditions it can refuse the transfer application and request that an application is made for the grant of a new licence. In this scenario, we would discuss and agree with the applicant at the pre-application discussion stage, what kind of application would be required.



- 11.6 If consent to the transfer is granted, the name of the licence holder will be changed and the licence transferred to them. Both the new holder and former licence holder will be notified of the decision.
- 11.7 The date of the transfer will be the date the parties have agreed to. However, in order to ensure the transferee is the legal owner of the site, the date agreed cannot be earlier than the transferee acquired ownership of the site.
- 11.8 If consent to transfer is not granted, the Council will follow the notification procedure set out in the regulations and give notice to both parties of the decision and the reasons for it.
- 11.9 The consent to transfer a site licence does not provide the same consent to transfer a Fit and Proper Person. There is no mechanism to transfer inclusion in the register between persons. Where the site owner is the subject of the assessment, the application must be made on behalf of the existing site owner or any person who has applied to the local authority for a new Caravan site licence or for the transfer of an existing licence. The relevant fee must also be paid, see annex 1 fee policy.
- 11.11 Where a person becomes the site owner as a result of inheriting the estate of a previous site owner and there is no fit and proper site manager in place, they will have to apply either for themselves or for the person appointed or to be appointed to manage the site, to be placed on the fit and proper register.
- 11.12 Site licence transfer application form and fit and proper person application form can be found at [URL](#)

## **12.0 Licence conditions**

- 12.1 Licence conditions can be attached under section 5 of the Act to impose on the occupier of the land in the interests of persons dwelling in the caravans, or of any other class of persons, or of the public at large.
- 12.2 A site licence may be issued subject to conditions—
- a) for restricting the occasions on which caravans are stationed on the land for the purposes 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 their repair or, 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 regulating, the placing or erection on the land, at any time when caravans are so stationed, of structures and vehicles of any description 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, at all times when caravans are stationed on the land, proper measures are taken for preventing and detecting the outbreak of fire and adequate means of fighting fire are provided and maintained;
  - f) for securing that adequate sanitary facilities, and such other facilities, services or equipment as may be specified, are provided for the use of persons dwelling on the land in caravans and that, at all times when caravans are stationed thereon for the purposes of human habitation, any facilities and equipment so provided are properly maintained.
- 12.3 Standard site licence conditions for relevant protected sites have been updated with reference to the Model Standards 2008 for Caravan Sites in England, see attached at Annex 4.
- 12.4 Where relevant, annex 4 conditions will apply to all new site licences from 1<sup>st</sup> April 2026. The Council will have regard to the relevant guidance and Model Standards 2008 for Caravan Sites in England when setting conditions.
- 12.5 Annex 4 conditions will not be imported wholesale into site licences, and the Council will evaluate as to the suitability of conditions in the circumstances of the particular site.
- 12.6 The Model Standards Annex 4 conditions can be seen as a template for what would reasonably be expected on a typical site and it would not be unusual to expect to include most, if not all conditions covered by the Model Standards in a relevant protected site licence. Equally, it may also be appropriate to include conditions for a particular site that are not covered in the Model Standards, provided that they can be justified if challenged.
- 12.7 Historic licences will continue to be subject to conditions attached at the time of licence issue, unless the licence holder seeks to vary the licence, the licensing authority seeks to amend conditions via a variation or review process, or at the point a licence is transferred.
- 12.8 Relevant protected site conditions applied to licences issued prior to 1<sup>st</sup> April 2026 are attached as Annex 5. This is to ensure where licences were issued prior to April 2026, licence holders have continued access to the conditions attached to their licence.
- 12.9 Standard conditions for Caravan sites, other than relevant protected sites (exempt sites, also termed holiday sites) can be found at Annex 6.
- 13.0 Changing or reviewing site licence conditions**
- 13.1 Section 8 of the Act allows the local authority to alter licence conditions at any time. The local authority does not require the “agreement” of a site operator to change the conditions but must consult on the proposed changes.

- 13.2 There is no statutory consultation time frame in these circumstances, but this Council will allow a minimum of 28 days consultation for site owners to consider changes. This period will be increased for more significant changes.
- 13.3 The site owner holding the licence may apply to change a licence condition.
- 13.4 The Council will consult the site licence holder on the proposed conditions and may consult with residents or a Residents' Association, where appropriate.
- 13.5 Where a current licence condition is adequate in serving its purpose, the Council will not apply the new standard.
- 13.6 Where it is appropriate to apply the new standard to a condition the Council will justify its reasons for doing so, having regard to all the relevant circumstances of the site. In deciding whether to apply a new standard the Council will have regard to the benefit that the standard will achieve and the interests of both residents and site owners (including the cost of complying with the new or altered condition).

#### **14.0 Site rules**

- 14.1 The 2013 Act also introduced changes relating to site rules. These are different to site licence conditions, in that they are neither created by, nor enforced by the Licensing Authority.
- 14.2 Site owners may create a set of rules for the site (Site rules) which residents have to comply with. Where such rules are created, they must be deposited with the Council.
- 14.3 The Council charges a set fee for depositing site rules, see fee policy annex 1.
- 14.4 The Council will publish an up-to-date register of these rules on our website [Caravan sites - MIDDEVON.GOV.UK](http://Caravan sites - MIDDEVON.GOV.UK).

#### **15.0 Enforcement of licence conditions**

- 15.1 For relevant protected sites, the 2013 Act provides the power to intervene where a breach of a site licence condition is creating a 'risk of harm'. Enforcement notices can be served on the site operator, where a breach of a site licence condition has occurred.
- 15.2 Officers of this Council will have regard to the Regulators code, and MDDC Enforcement policy, and apply a graduated approach to enforcement, with considerations of risk of harm at the forefront of decision making.
- 15.3 Failure to comply with a compliance notice within the period specified in the notice is an offence which on summary conviction carries a level 5 fine (unlimited).
- 15.4 A local authority may take emergency action where the site operator has failed or is failing to comply with a site licence condition and, as a result of such 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.

15.5 Local authorities also have powers to prosecute a site operator in a magistrates' court:

- for causing or permitting any land to be used as a caravan (park home) site without a site licence (Caravan Sites and Control of Development Act 1960 s.1(2)). Maximum fine, level 5.
- for wilful obstruction of an officer carrying out his duties or from entering land by authorisation of a warrant (Caravan Sites and Control of Development Act 1960 s.26(5)). Maximum fine, level 4.
- for failure to take the steps specified in a Compliance Notice within the period so specified (Caravan Sites and Control of Development Act 1960 s.9B(1)). Unlimited fine at level 5.
- on the third (or more) conviction of the site operator in the Magistrates' Court for failure to comply with site licence conditions, to hear an application from the local authority for an order revoking the site licence in question.
- in cases against an individual instead of or as well as a body corporate when considering any offence under the Caravan Sites and Control of Development Act 1960 (s.26A)

## **16.0 Site inspections**

16.1 This Council will routinely inspect licenced sites to monitor compliance with licence conditions.

16.2 A risk assessment will be carried out for all site prior to inception of this policy and reviewed at subsequent inspections if required. The risk assessment tool can be found at Annex 7.

16.3 The risk band assigned to the site will determine the inspection frequency and the annual fee for relevant protected sites. Frequency of site inspection will be annually for Band A and B sites and biannually for Band C, every 3 years for Band D.

16.4 For relevant protected sites, inspections will be carried out by officers of both the Licensing team and Private Sector Housing team where required. Other officers from different departments, such as planning, or external partners, such as Fire and Rescue may also be present.

16.5 Generally for the programmed site inspection, band D sites will be inspected by the Licensing Regulatory Officer only, due to the lower risk nature of these sites.

16.6 Inspections of sites, other than relevant protected sites, will be carried out by either Licensing officers or Commercial Regulatory Officers, with a focus on compliance with Health and Safety regulations as well as site licence conditions.

## **17.0 Decisions, notifications and rights of Appeal**

17.1 Decisions will be made in line with statutory timescales, where they exist.

- 17.2 The Council will inform the applicant and where relevant, the transferee of decisions within the reasonable period of time. Reasons for any refusal will be provided to all relevant parties.
- 17.3 All notifications of decisions will be accompanied by the relevant information on a right of appeal.
- 17.4 Appeals in site licensing matters under the Act will be heard by the First Tier Tribunal (Property Chamber).
- 17.5 Appeals must be made by the applicant to the First Tier Tribunal (Property Chamber)

**Residential property: Southern region**

First-tier Tribunal (Property Chamber)  
Havant Justice Centre, The Court  
House, Elmleigh Road  
Havant, Hampshire  
PO9 2AL

Email

[rpsouthern@justice.gov.uk](mailto:rpsouthern@justice.gov.uk)

Telephone: 01243 779 3912.6

- 17.6 Appeals that may be considered by the Tribunal include those against:

- Refusal to grant a licence or approve a transfer
- Appeal against a variation, or refusal to vary licence conditions
- Site licence conditions set by a local authority
- Service of a Compliance Notice (for failure to comply with a site licence condition).
- Emergency Action (that has been taken for failure to comply with a site licence condition and/or compliance notice).
- Demands for payment following works in default or Emergency Action.
- Including the relevant person on the fit and proper person register for an effective period of less than 5 years.
- Including the relevant person on the fit and proper person register subject to conditions.
- Rejecting an application for inclusion on the Fit and Proper Person register.

- 17.7 The Tribunal may allow, quash or vary an appeal and may also award payments for compensation, damages or otherwise.

**18.0 Complaints**

- 18.1 In the event that an individual or organisation is not happy with the service that they have received, they should first contact the licensing officer, or Team Leader Commercial. If you are not able to resolve the issue, the authority has a formal complaint process that can be initiated on the website [Customer feedback and complaints - MIDDEVON.GOV.UK](#)

Annex A – Proposed draft Caravan Sites and Mobile Homes Policy  
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