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## Licence Authorising Land to be used as a Caravan Site

Licence Number: 16555

### **Caravan Sites & Control of Development Act 1960**

**THE COUNCIL**, in pursuance of the powers conferred upon them by Sections 3 and 5 of the Caravan Sites & Control of Development Act 1960, **HEREBY LICENSE**

**Mr Jimmy Moloney**

**Fieldview, Rookery Farm, Pagham Road, Pagham, Bognor Regis PO21 3PX**

to allow the land situate at

**Fieldview, Rookery Farm, Pagham Road, Pagham, Bognor Regis PO21 3PX**

to be used as a caravan site subject to the attached Schedule of Conditions

Signed

Authorised Officer  
Dated: 18-12-2018

This Licence is issued by the Arun Licensing Team; all enquiries should be made to:  
Licensing Team, Environmental Health, Arun District Council, Civic Centre, Maltravers Road,  
Littlehampton, West Sussex, BN17 5LF or [licensing@arun.gov.uk](mailto:licensing@arun.gov.uk)

## NOTES

Attention is drawn to the following extracts from Part 1 of the Caravan Sites & Control of Development Act 1960 (as amended). The Act may be obtained from H.M. Stationery Office and should be consulted if further information is required.

### Appeal to Residential Property Tribunal Against Conditions Attached to the Site Licence

- 7 (1) Any person aggrieved by any condition (other than the condition requiring a copy of this Licence to be displayed on the land in some conspicuous place) subject to which a Site Licence has been issued to him in respect of any land may, within twenty-eight days of the date on which the Licence was so issued, appeal to a Residential Property Tribunal acting for the area in which the land is situated, and the Tribunal, if satisfied (having regard amongst other things to any standards which may have been specified by the Minister under subsection (6) of the said Section (5) that the condition is unduly burdensome, may vary or cancel the condition.

### Power of Local Authority to alter conditions attached to Site Licences

- 8 (1) The conditions attached to a Site Licence may be altered at any time (whether by the variation or cancellation of existing conditions, or by the addition of new conditions, or by a combination of any such methods) by the Local Authority, but before exercising their powers under this subsection, the Local Authority shall afford to the holder of the Licence an opportunity of making representations.
- (2) Where the holder of a Site Licence is aggrieved by any alteration of the conditions attached thereto or by the refusal of the Local Authority of an application by him for the alteration of those conditions, he may, within twenty-eight days of the date of which written notification of the alteration or refusal is received by him, appeal to a Residential Property Tribunal acting for the area in which the land to which the Site Licence relates is situated; and the Tribunal may, if they allow the appeal, give to the Local Authority such directions as may be necessary to give effect to their decision.
- (3) The alteration by a Local Authority of the conditions attached to any Licence shall not have effect until written notification thereof has been received by the holder of the Licence, and in so far as any such alteration imposes a requirement on the holder of the Licence to carry out on the land to which the Licence relates, any work which he would not otherwise be required to carry out, the alteration shall not have effect during the period within which the said holder is entitled by virtue of the last foregoing subsection to appeal against the alteration nor, thereafter, whilst an appeal against the alteration is pending.

### Provisions as to Breaches of Condition

- 9A (1) If it appears to a local authority in England who have issued a site licence in respect of a relevant protected site in their area that the occupier of the land concerned is failing or has failed to comply with a condition for the time being attached to the site licence, they may serve a compliance notice on the occupier.
- (2) A compliance notice is a notice which—
- (a) sets out the condition in question and details of the failure to comply with it,
  - (b) requires the occupier of the land to take such steps as the local authority consider appropriate and as are specified in the notice in order to ensure that the condition is complied with,
  - (c) specifies the period within which those steps must be taken, and
  - (d) explains the right of appeal conferred by subsection (3).
- (3) An occupier of land who has been served with a compliance notice may appeal to the tribunal against that notice.
- (4) A local authority may—
- (a) revoke a compliance notice;
  - (b) vary a compliance notice by extending the period specified in the notice under subsection (2)(c).
- (5) The power to revoke or vary a compliance notice is exercisable by the local authority—
- (a) on an application made by the occupier of land on whom the notice was served, or
  - (b) on the authority's own initiative.
- (6) Where a local authority revoke or vary a compliance notice, they must notify the occupier of the land to which the notice relates of the decision as soon as is reasonably practicable.
- (7) Where a compliance notice is revoked, the revocation comes into force at the time when it is made.
- (8) Where a compliance notice is varied—
- (a) if the notice has not become operative (see section 9H) when the variation is made, the variation comes into force at such time (if any) as the notice becomes operative in accordance with section 9H;
  - (b) if the notice has become operative when the variation is made, the variation comes into force at the time when it is made.

### Compliance notice under section 9A: offence and multiple convictions

- 9B (1) An occupier of land who has been served with a compliance notice which has become operative commits an offence if the occupier fails to take the steps specified in the notice under section 9A(2)(b) within the period so specified under section 9A(2)(c).
- (2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) In proceedings against an occupier of land for an offence under subsection (1), it is a defence that the occupier had a reasonable excuse for failing to take the steps referred to in subsection (1) within the period referred to in that subsection.
- (4) Subsection (5) applies where—
- (a) an occupier of land is convicted of an offence under subsection (1), and

(b) the occupier has been convicted on two or more previous occasions of an offence under subsection (1), or an offence under section 9 committed before the commencement of this section, in relation to the site licence to which the conviction mentioned in paragraph (a) relates.

(5) On an application by the local authority who served the compliance notice in question, the court before which the occupier of the land was convicted may make an order revoking the site licence in question on the date specified in the order.

(6) An order under subsection (5) must not specify a date which is before the end of the period within which notice of appeal (whether by case stated or otherwise) may be given against the conviction mentioned in subsection (4)(a).

(7) Where an appeal against the conviction mentioned in subsection (4)(a) is made by the occupier of the land before the date specified in an order under subsection (5), the order does not take effect until—  
(a) the appeal is finally determined, or  
(b) the appeal is withdrawn.

(8) On an application by the occupier of the land or by the local authority who issued the site licence, the court which made the order under subsection (5) may make an order specifying a date on which the revocation of the site licence takes effect which is later than the date specified in the order under subsection (5).

(9) But the court must not make an order under subsection (8) unless it is satisfied that adequate notice of the application has been given to the occupier of the land or to the local authority (as the case may be).

#### **Compliance notice under section 9A: power to demand expenses**

9C (1) When serving a compliance notice on an occupier of land, a local authority may impose a charge on the occupier as a means of recovering expenses incurred by them—

- (a) in deciding whether to serve the notice, and
- (b) in preparing and serving the notice or a demand under subsection (3).

(2) The expenses referred to in subsection (1) include in particular the costs of obtaining expert advice (including legal advice).

(3) The power under subsection (1) is exercisable by serving the compliance notice together with a demand which sets out—

- (a) the total expenses the local authority seek to recover under subsection (1) ("relevant expenses"),
- (b) a detailed breakdown of the relevant expenses, and
- (c) where the local authority propose to charge interest under section 9I, the rate at which the relevant expenses carry interest.

(4) Where a tribunal allows an appeal under section 9A against the compliance notice with which a demand was served, it may make such order as it considers appropriate—

- (a) confirming, reducing or quashing any charge under this section made in respect of the notice, and
- (b) varying the demand as appropriate in consequence.

#### **Power to take action following conviction of occupier**

9D (1) Where an occupier of land is convicted of an offence under section 9B(1) (failure to take steps required by a compliance notice), the local authority who issued the compliance notice may—

- (a) take any steps required by the compliance notice to be taken by the occupier, but which have not been so taken; and
- (b) take such further action as the authority consider appropriate for ensuring that the condition specified in the compliance notice is complied with.

(2) Where a local authority propose to take action under subsection (1), they must serve on the occupier of the land a notice which—

- (a) identifies the land and the compliance notice to which it relates,
- (b) states that the authority intend to enter onto the land,
- (c) describes the action the authority intend to take on the land,
- (d) if the person whom the authority propose to authorise to take the action on their behalf is not an officer of theirs, states the name of that person, and
- (e) sets out the dates and times on which it is intended that the action will be taken (in particular, when the authority intend to start taking the action and when they expect the action to be completed).

(3) The notice must be served sufficiently in advance of when the local authority intend to enter onto the land as to give the occupier of the land reasonable notice of the intended entry.

(4) In a case where the local authority authorise a person other than an officer of theirs to take the action on their behalf, the reference in section 26(1) to an authorised officer of the local authority is to be read as including that person.

(5) The requirement in section 26(1) to give 24 hours' notice of the intended entry, in its application to a case within this section, applies only in relation to the day on which the local authority intend to start taking the action on the land.

### **Power to take emergency action**

9E (1) A local authority in England who have issued a site licence in respect of a relevant protected site in their area may take action in relation to the land concerned if it appears to the authority that—  
(a) the occupier of the land is failing or has failed to comply with a condition for the time being attached to the site licence, 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 authority to be necessary to remove the imminent risk of serious harm mentioned in subsection (1)(b).

(3) Where a local authority propose to take emergency action, the authority must serve on the occupier of the land a notice which—  
(a) identifies the land to which it relates,  
(b) states that the authority intend to enter onto the land,  
(c) describes the emergency action the authority intend to take on the land,  
(d) if the person whom the authority propose to authorise to take the action on their behalf is not an officer of theirs, states the name of that person, and  
(e) specifies the powers under this section and section 26 as the powers under which the authority intend to enter onto the land.

(4) A notice under subsection (3) may state that, if entry onto the land were to be refused, the authority would propose to apply for a warrant under section 26(2).

(5) A notice under subsection (3) must be served sufficiently in advance of when the local authority intend to enter onto the land as to give the occupier of the land reasonable notice of the intended entry.

(6) In a case where the local authority authorise a person other than an officer of theirs to take the emergency action on their behalf, the reference in section 26(1) to an authorised officer of the local authority is to be read as including that person.

(7) Section 26(1), in its application to a case within this section, has effect as if—  
(a) the words “at all reasonable hours” were omitted, and  
(b) the words from “Provided that” to the end were omitted.

(8) Within the period of seven days beginning with the date when the authority start taking the emergency action, the authority must serve on the occupier of the land a notice which—  
(a) describes the imminent risk of serious harm to the health or safety of persons who are or may be on the land,  
(b) describes the emergency action which has been, and any emergency action which is to be, taken by the authority on the land,  
(c) sets out when the authority started taking the emergency action and when the authority expect it to be completed,  
(d) if the person whom the authority have authorised to take the action on their behalf is not an officer of theirs, states the name of that person, and  
(e) explains the right of appeal conferred by subsection (9).

(9) An occupier of land in respect of which a local authority has taken or is taking emergency action may appeal to [ the tribunal ] 2 against the taking of the action by the authority.

(10) The grounds on which the appeal may be brought are—  
(a) that there was no imminent risk of serious harm as mentioned in subsection (1)(b) (or, where the action is still being taken, that there is no such risk);  
(b) that the action the authority has taken was not necessary to remove the imminent risk of serious harm mentioned in subsection (1)(b) (or, where the action is still being taken, that it is not necessary to remove the risk).

(11) The ways in which a notice under this section may be served include by fixing it in a prominent place at or near the main entrance to the land.

### **Action under section 9D or 9E: power to demand expenses**

9F (1) Where a local authority take action under section 9D or emergency action under section 9E, the authority may impose a charge on the occupier of the land as a means of recovering expenses incurred by them—  
(a) in deciding whether to take the action,  
(b) in preparing and serving any notice under section 9D or 9E or a demand under subsection (6), and  
(c) taking the action.

(2) The expenses referred to in subsection (1) include in particular the costs of obtaining expert advice (including legal advice).

(3) In the case of emergency action under section 9E, no charge may be imposed under subsection (1) until such time (if any) as is determined in accordance with subsection (4).

(4) For the purposes of subsection (3), the time when a charge in respect of emergency action may be imposed is—  
(a) if no appeal against the local authority's decision to take the emergency action is brought under section 9E(9) within the appeal period under section 9G, at the end of that period;  
(b) if an appeal is brought under that section and a decision on the appeal confirms the authority's decision—

- (i) where the period within which an appeal to the Upper Tribunal may be brought expires without such an appeal having been brought, the end of that period;
  - (ii) where an appeal to the Upper Tribunal is brought, when a decision is given on the appeal confirming the authority's decision.
- (5) For the purposes of subsection (4)—
- (a) the withdrawal of an appeal against a decision by the local authority has the same effect as a decision on the appeal confirming the authority's decision;
  - (b) references to a decision on the appeal confirming the authority's decision are to a decision which confirms that decision with or without variation.
- (6) The power under subsection (1) is exercisable by serving on the occupier of the land a demand for the expenses which—
- (a) sets out the total expenses the local authority seek to recover under subsection (1) ("relevant expenses"),
  - (b) sets out a detailed breakdown of the relevant expenses,
  - (c) where the local authority propose to charge interest under section 9I, sets out the rate at which the relevant expenses carry interest, and
  - (d) explains the right of appeal conferred by subsection (7).
- (7) An occupier of land who is served with a demand under this section may appeal to the tribunal against the demand.
- (8) A demand under this section must be served—
- (a) in the case of action under section 9D, before the end of the period of two months beginning with the date on which the action is completed;
  - (b) in the case of emergency action under section 9E—
    - (i) before the end of the period of two months beginning with the earliest date (if any) on which a charge may be imposed in accordance with subsection (4),
    - or
    - (ii) if the action has not been completed by the end of that period, before the end of the period of two months beginning with the date on which the action is completed.

#### **Appeals under section 9A, 9E or 9F**

- 9G (1) An appeal under section 9A, 9E or 9F must be made before the end of the period of 21 days beginning with the date on which the relevant document was served (referred to in this section and section 9H as "the appeal period").
- (2) In subsection (1), "relevant document" means—
- (a) in the case of an appeal under section 9A, the compliance notice;
  - (b) in the case of an appeal under section 9E, the notice under subsection (8) of that section;
  - (c) in the case of an appeal under section 9F, the demand under that section.
- (3) The tribunal may allow an appeal under section 9A, 9E or 9F to be made to it after the end of the appeal period if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time).
- (4) An appeal under section 9A, 9E or 9F—
- (a) is to be by way of a rehearing, but
  - (b) may be determined having regard to matters of which the local authority who made the decision were unaware.
- (5) The tribunal may by order—
- (a) on an appeal under section 9A, confirm, vary or quash the compliance notice;
  - (b) on an appeal under section 9E, confirm, vary or reverse the decision of the local authority;
  - (c) on an appeal under section 9F, confirm, vary or quash the demand.

#### **When compliance notice or expenses demand becomes operative**

- 9H (1) The time when a compliance notice under section 9A or a demand under section 9C or 9F becomes operative (if at all) is to be determined in accordance with this section.
- (2) Where no appeal under section 9A is brought within the appeal period against the compliance notice, the notice and any demand under section 9C which was served with it become operative at the end of that period.
- (3) Where no appeal under section 9F is brought within the appeal period, the demand under that section becomes operative at the end of that period.
- (4) Where an appeal under section 9A is brought, and a decision on the appeal confirms the compliance notice, the notice and any demand under section 9C which was served with it become operative—
- (a) where the period within which an appeal to the Upper Tribunal may be brought expires without such an appeal having been brought at the end of that period;
  - (b) where an appeal to the Upper Tribunal is brought and a decision on the appeal is given which confirms the notice, at the time of the decision.
- (5) Where an appeal under section 9F is brought, and a decision on the appeal confirms the demand under that section, the demand becomes operative—
- (a) where the period within which an appeal to the Upper Tribunal may be brought expires without such an appeal having been brought, at the end of that

period;

(b) where an appeal to the Upper Tribunal is brought and a decision on the appeal is given which confirms the demand, at the time of the decision.

(6) For the purposes of subsections (4) and (5)—

(a) the withdrawal of an appeal against a notice or demand has the same effect as a decision confirming the notice or demand;

(b) references to a decision which confirms the notice or demand are to a decision which confirms the notice or demand with or without variation.

#### **Recovery of expenses demanded under section 9C or 9F**

9I (1) As from the time when a demand under section 9C or 9F becomes operative, the relevant expenses set out in the demand carry interest at such rate as the local authority may fix until recovery of all sums due under the demand; and the expenses and any interest are recoverable by them as a debt.

(2) As from that time, the expenses and any interest are, until recovery, a charge on the land to which the compliance notice or emergency action in question relates.

(3) The charge takes effect at that time as a legal charge which is a local land charge.

(4) For the purpose of enforcing the charge the local authority have the same powers and remedies under the Law of Property Act 1925 and otherwise as if they were mortgagees by deed having powers of sale and lease, of accepting surrenders of leases and of appointing a receiver.

(5) The power of appointing a receiver is exercisable at any time after the end of the period of one month beginning with the date on which the charge takes effect.

(6) In this section, "relevant expenses"—

(a) in the case of a demand under section 9C, has the meaning given by subsection (3) of that section;

(b) in the case of a demand under section 9F, has the meaning given by subsection (6) of that section.

#### **Transfer of Site Licence and Transmission on Death, etc.**

10 (1) When the holder of a Site Licence in respect of any land ceases to be the occupier of the land, he may, with the consent of the Local Authority in whose area the land is situated, transfer the Licence to the person who then becomes the occupier of the land.

(1A) A local authority in England may require an application for consent to the transfer of a site licence in respect of a relevant protected site in their area to be accompanied by a fixed fee by the local authority.

(2) Where a Local Authority give their consent to the transfer of a Site Licence, they shall endorse on the Licence the name of the person to whom it is to be transferred and the date agreed between the parties to the transfer as the date on which that person is, for the purposes of this part of this Act, to be treated as having become the holder of the Licence.

(4) Where any person becomes, by operation of law, entitled to an estate or interest in land in respect of which a Site Licence is in force and is, by virtue of his holding that estate or interest, the occupier of the land within the meaning of this part of this Act he shall, for the purposes of this part of this Act, be treated as having become the holder of the Licence on the day on which he became the occupier of the land, and the Local Authority in whose area the land is situated shall, if an application in behalf is made to them, endorse his name and the said date on the Licence.

#### **Duty of Licence Holder to Surrender Licence for Alteration**

11 (1) A Local Authority who have issued a Site Licence may, at any time, require the holder to deliver it up so as to enable them to enter in it any alteration of the conditions or other terms of the Licence in pursuance of the provisions of this part of this Act.

(2) If the holder of a Site Licence fails without reasonable excuse to comply with a requirement duly made under this Section, he shall be liable, on summary conviction, to a fine not exceeding Level 1 on the Standard Scale.

#### **Power of Entry of Officers of Local Authorities**

26 (1) Subject to the provisions of this Section, any authorised Officer of a Local Authority shall, on producing, if so required, some duly authenticated document showing his authority, have a right at all reasonable hours to enter any land which is used as a caravan site or in respect of which an application for a Site Licence has been made:

(a) for the purpose of enabling the Local Authority to determine what conditions should be attached to a Site Licence or whether conditions attached to a Site Licence should be altered;

(b) for the purpose of ascertaining whether there is, or has been, on or in connection with the land any contravention of the provisions of this part of this Act;

(c) for the purpose of ascertaining whether or not circumstances exist which would authorise the Local Authority to take any action, or execute any work, under this part of this Act;

(d) for the purpose of taking any action, or executing any work, authorised by this part of this Act to be taken or executed by the Local Authority;

provided that admission to any land shall not be demanded as of right unless twenty-four hours' notice of the intended entry has been given to the occupier.



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Licence No: 16555  
Valid From: 26/11/2018  
Valid Until:  
Type: Caravans

### **Schedule of Specific Licence Conditions**

This licence issued by Arun District Council is subject to the following specific conditions. These are in addition to any general conditions applied to this type of licence.

This licence replaces that issued on 26/07/18

Number of Permanent Residential Caravans  
Permitted: 4 (four)

#### **Special Conditions**

This licence authorises the use of the land as a caravan site only by persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependents educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.





**Arun District Council  
Residential Site Licence Conditions  
Caravan Sites and Control of Development Act 1960**

**Fieldview, Rookery Farm, Pagham Road, Pagham, Bognor Regis PO22 3PX**

**1: Site Boundaries**

The boundaries of the site shall be clearly marked and maintained by walls or fences. If requested by the local authority the site owner will provide a sketch layout of the site.

**2: Density**

The density should be consistent with safety standards and health and amenity requirements. The maximum number of caravans for which the site is licensed is 4 (four) residential units.

**3: Types of Caravan**

No caravan other than caravans complying with section 29(1) of the Caravan sites and Control of Development Act 1960, and Section 13 of the Caravan Sites of the Caravan Sites Act 1968 and any other Acts or Regulations amending or extending the said Acts, shall be stationed or kept on the site. No permanent structure or further extension to the mobile home shall be erected without prior approval in writing from the Council.

**4: Space Between Caravans**

The minimum distance between caravans shall be 6 metres but ramps for the disabled, verandas and stairs are permitted in this area provided there is still 4.5 metres distance to the nearest caravan. Sheds or covered storage spaces if of non-combustible materials (including non-combustible roofs) are allowed between caravans provided there is sufficient space around them for means of escape in case of fire. Windows in these structures shall not face towards the unit on either side. Car ports and covered walkways are not permissible even if non-combustible.

**5: Roads, Gateways, Footpaths**

The access/egress from the property to Pagham Road shall be kept clear for emergency vehicles at all times. The roadside verge and visual splay shall be kept clear at all times. Parking of vehicles, storage of structures, containers etc., is prohibited.

**6: Hardstandings**

Every caravan should stand on a suitable hard-standing which shall extend over the whole area occupied by the placed caravan upon it, should project a sufficient distance outward from its entrance or entrances to enable occupants to enter and leave safely.

**7: Water Supply**

Each caravan should be provided with a water supply in accordance with Water Byelaws and statutory quality standards. All sites shall be provided with a constant, adequate and wholesome water supply in accordance with appropriate Water Byelaws and statutory quality standards.

All new water supplies shall be in accordance with all current legislation, regulation and relevant British or European Standards.

### **8: Electrical Installations**

Sites shall have an electrical supply sufficient to meet all reasonable demands of the caravans and shall be checked by a competent electrician at least every three years. A current inspection certificate is to be provided to the local authority if requested.

### **9: Drainage, Sanitation and Washing Facilities**

- (i) Each caravan is to have its own water supply, water closet, shower or bathing facilities.
- (ii) 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 approved by the local authority.
- (iii) The package sewage treatment facility (Klargester) shall receive effluent from residential unit(s) providing accommodation for no more than 12 persons in total.

### **10: Refuse Disposal**

Suitable provision shall be made for the hygienic storage, collection and disposal of refuse from caravans.

### **11: Storage Space**

No storage unit may be constructed or placed between or within 6 metres of caravans on the site unless constructed of non-flammable materials.

### **12: Parking**

Adequate parking is to be provided for domestic vehicles within the sites boundaries. Parked vehicles must not obstruct a carriageway, a footpath or a door to a caravan. Vehicles may be parked between units provided that doors to the caravans are not obstructed and there is a clear space of 3 metres from an adjoining unit. Plastic, rubber or wooden boats, touring caravans or campervans may not be parked between units.

### **13: Notices**

A copy of the site licence and site conditions is to be retained by the head of the family.

**14:** A period of six weeks from the date of issue of this licence will be allowed for works and alterations needed to ensure the site is fully compliant with this licence and its conditions.

### **15: General**

The caravans, services, amenities and other buildings and structures on the site and the site itself shall be maintained in good repair, in good order and in a clean, safe, sanitary, tidy condition and free from accumulations at all times.

