

MOBILE HOMES (WALES) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 - Licensing of Mobile Home Sites etc

Section 20 - Power to take action following conviction of owner

40. **Section 20** provides that where a site owner is convicted of an offence of failing to comply with the steps specified in a compliance notice, the local authority who issued the notice may take steps required by the compliance notice, and further action it considers appropriate to ensure the relevant condition is complied with.
41. Where a local authority proposes to take action under this section, it must serve a notice on the owner of the land which contains the information set out in section 20(2)(a) to (e).
42. Subsection (3) provides that the notice must be served sufficiently in advance of the intended entry to the site as to give the owner reasonable notice. As Section 32(2) requires that 24 hours notice of an intended entry must be given to the owner, this would be the minimum amount of notice that could be given.
43. Subsection (4) provides that where a local authority authorises a person other than an officer of the local authority to take action on its behalf, this person is treated as being an authorised officer under section 32(1). Such a person will be able to exercise a right of entry to the land.
44. The 24 hour notice requirement in section 32(2) only applies in relation to the day on which the local authority intends to start taking action on the land. This means that, if a local authority carries out works which take more than one day, it will not need to provide 24 hours' notice before each day it intends to enter the site.