



# Mobile Homes (Wales) Act 2013

2013 anaw 6

## PART 2

### LICENSING OF MOBILE HOME SITES ETC.

#### *Miscellaneous and supplementary*

#### **34 False or misleading statements or information**

- (1) A person who—
  - (a) makes a false or misleading declaration or other statement under this Part knowing or believing it to be false or misleading, or
  - (b) provides false or misleading information under this Part knowing or believing it to be false or misleading,commits an offence.
- (2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine.

#### **35 Guidance by Welsh Ministers**

- (1) The Welsh Ministers may issue guidance to local authorities as to the performance of their functions under this Part.
- (2) Local authorities must have regard to any guidance issued under subsection (1).

#### **36 Powers to charge fees: supplementary**

- (1) This section applies where a local authority proposes to charge a fee under section 6 or 13.
- (2) Before charging the fee, the local authority must prepare and publish a fees policy.
- (3) When fixing a fee for the purposes of section 6 or 13 the local authority—

- (a) must act in accordance with its fees policy,
  - (b) may fix different fees for different cases or descriptions of case, and
  - (c) may determine that no fee is required to be paid in certain cases or descriptions of case.
- (4) When fixing a fee for any of those purposes, the local authority may not take into account any costs incurred by it in exercising—
- (a) its functions under any of sections 15 to 25, or
  - (b) any function under any provision of this Act in relation to a site which is not a regulated site.
- (5) The local authority may revise its fees policy and, where it does so, must publish the policy as revised.

### **37 Registers of site licences**

- (1) Every local authority must keep a register of site licences issued in respect of land situated in the local authority's area.
- (2) The register is to be open for inspection by the public at all reasonable times.
- (3) Where under section 27 a local authority enters on a site licence a variation of any of the conditions of the site licence, the local authority must record that fact in the register of site licences.

### **38 Crown land**

This Part applies to land the owner of which is not the Crown even if an interest in the land belongs to Her Majesty in right of the Crown or of the Duchy of Lancaster, or to the Duchy of Cornwall, or belongs to a government department or is held in trust for Her Majesty for the purposes of a government department.

### **39 Interpretation**

- (1) In this Part—
  - “development order” (“*gorchymyn datblygu*”) means an order made under section 59 of the Town and Country Planning Act 1990;
  - “fire and rescue authority” (“*awdurdod tân ac achub*”), in relation to any land, means the fire and rescue authority under the Fire and Rescue Services Act 2004 for the area in which the land is situated.
- (2) Where land amounting to not more than 400 square metres in area is let under a tenancy entered into with a view to the use of the land as a regulated site, for the purposes of this Part “owner”, in relation to the land, means the person who would be entitled to possession of the land but for the rights of any person under that tenancy.
- (3) Any reference in this Part to the carrying out of works includes a reference to the planting of trees and shrubs and the carrying out of other operations for preserving or enhancing the amenity of land.
- (4) Any reference in this Part to planning permission is to be taken as a reference to planning permission whether or not restricted in any way or subject to any condition or limitation, and any reference in this Part of this Act to planning permission includes

---

*Status: This is the original version (as it was originally enacted).*

---

a reference to planning permission deemed to be granted or granted on the designation of an enterprise zone under Schedule 32 to the Local Government, Planning and Land Act 1980.