Mobile Homes (Wales) Act 2013

2013 anaw 6

PART 2

LICENSING OF MOBILE HOME SITES ETC.

Site licences

5 Prohibition on use of land as regulated site without site licence

(1) The owner of a regulated site must not cause or permit the site to be used as a regulated site unless the owner holds a licence under this Part in relation to the land (a "site licence").

(2) A person who contravenes subsection (1) commits an offence.

(3) A person who is guilty of an offence under subsection (2) is liable on summary conviction to a fine.

Commencement Information

I1 S. 5 in force at 1.10.2014 by S.I. 2014/11, **art. 3(1)(b)** (with art. 4)

6 Application for site licence

(1) An application for the issue of a site licence in respect of any land is to be made by the owner of the land to the local authority in whose area the land is situated.

(2) An application under this section—

(a) must specify the land in respect of which the application is made,

(b) must identify the applicant,

(c) if the applicant is not to be the manager of the site, must identify the person who is to be the manager of the site, and

(d) must comply with such other requirements as the local authority may specify.

(3) An applicant must, either at the time of making the application or subsequently, give to the local authority such other information as the local authority may reasonably require.

(4) The application must be accompanied by a declaration by the applicant that—

(a) in a case in which the applicant is not to be the manager of the site, the person identified in accordance with subsection (2)(c), or

(b) in any other case, the applicant,

is a fit and proper person to manage the site.

(5) A local authority may require an application for a site licence to be accompanied by a fee fixed by the local authority (on which see section 36).

Commencement Information

I2 S. 6 in force at 1.10.2014 by S.I. 2014/11, **art. 3(1)(b)** (with art. 4)

7 Issue of site licence

(1) A local authority may issue a site licence in respect of land if the applicant is, when the site licence is issued, entitled to the benefit of planning permission for the use of the land as a mobile home site otherwise than by a development order.

(2) If, on the date when the applicant gives the information required by virtue of section 6, the applicant is entitled to the benefit of such planning permission, the local authority may issue a site licence in respect of the land within 2 months of that date or, if the applicant and the local authority agree in writing that the local authority is to be allowed a longer period within which to grant a site licence, within the period agreed.

(3) If the applicant becomes entitled to the benefit of planning permission at some time after giving the information required by virtue of section 6, the local authority may issue a site licence in respect of the land within 6 weeks of the date on which the applicant becomes entitled to the benefit of planning permission or, if the applicant and the local authority agree in writing that the local authority is to be allowed a longer period within which to grant a site licence, within the period agreed.

(4) Where a local authority decides not to issue a site licence under subsection (2) or (3)—

(a) the local authority must notify the applicant of the reasons for the decision and of the applicant's right of appeal under paragraph (b),

(b) 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, and

(c) no compensation may be claimed for loss suffered in consequence of the decision pending the outcome of the appeal.

(5) A local authority must not at any time issue a site licence to a person whom the local authority knows has held a site licence which has been revoked under section 18 or 28 less than 3 years before that time.

(6) Where a local authority fails to determine an application for a site licence within the period within which it is required to do so, no offence under section 5 is committed

in respect of the land by the person by whom the application for the site licence was made at any time after the end of that period until the application is determined.

Commencement Information

I3 S. 7 in force at 1.10.2014 by S.I. 2014/11, **art. 3(1)(b)** (with art. 4)

8 Duration of site licence

(1) A site licence comes into operation at the time specified in or determined under the licence and, unless terminated by its revocation, continues in force for the period specified in or determined under the site licence.

(2) That period must end not later than 5 years after the day on which the site licence comes into operation.

Commencement Information

I4 S. 8 in force at 1.10.2014 by S.I. 2014/11, **art. 3(1)(b)** (with art. 4)

Changes to legislation:
There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, Cross Heading: Site licences.