



Caravans Act (Northern Ireland) 1963

1963 CHAPTER 17

LICENSING OF CARAVAN SITES

- 7 Appeal to court of summary jurisdiction or Ministry against conditions attached to site licence.**
- (1) Any person aggrieved by any condition (other than any such condition as is referred to in section 5(1)(a) or (3) or the condition referred to in section 5(4)) 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, serve on the [^{F1} district council] who issued the licence a notice of appeal to [^{F2} a court of summary jurisdiction] ; and the court, if satisfied (having regard amongst other things to any model conditions which may have been specified by the Ministry under section 5(7)) that the condition is unduly burdensome, may vary or cancel the condition.
 - (2) Any person aggrieved by any such condition as is referred to in section 5(1)(a) 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 against that condition to the Ministry; and the Ministry if satisfied that the condition is unduly burdensome, may vary or cancel that condition.
 - (3) Before determining an appeal under sub-section (2), the Ministry shall, if the appellant so desires, afford to him an opportunity of appearing before and being heard by an independent person appointed by the Ministry for the purpose; and where the Ministry affords such an opportunity to the appellant the Ministry shall afford the like opportunity to the [district council] who imposed the condition which is the subject of the appeal.
 - (4) An independent person appointed under sub-section (3) shall report to the Ministry on any hearing held by him.
 - (5) In so far as the effect of a condition (in whatever words expressed) subject to which a site licence is issued in respect of any land is to require the carrying out on the land of any works, the condition shall not have effect during the period within which the person to whom the site licence is issued is entitled by virtue of sub-section (1) to

Changes to legislation: There are currently no known outstanding effects for the Caravans Act (Northern Ireland) 1963, Section 7. (See end of Document for details)

serve a notice of appeal against the condition nor, thereafter, whilst an appeal against the condition is pending.

Annotations:

F1 SRO (NI) 1973/285

F2 Words in s. 7(1) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 55(1)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

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