

HOUSING (SCOTLAND) ACT 2014

EXPLANATORY NOTES

THE STRUCTURE AND A SUMMARY OF THE ACT

Part Five – Mobile Home Sites With Permanent Residents

Miscellaneous

163. [Section 81](#) inserts new section 32Z5 into the 1960 Act. Section 32Z5 provides that where an offence has been committed under Part 5 of the Act by a corporate body, and it can be proved that a specific individual played a role in the committing of the offence, that person also commits an offence and can be punished accordingly.
164. [Section 82](#) inserts sections 32Z6 and 32Z7 into the 1960 Act. Section 32Z6 sets out the definitions of terms that are introduced into the 1960 Act through this Act. Section 32Z7 gives the Scottish Ministers the power to issue guidance about the operation of the mobile home site licensing system inserted into the 1960 Act by Part 5 of this Act. The Scottish Ministers can issue such guidance after consulting such persons as they consider appropriate, and a local authority must have regard to any guidance issued under section 32Z7.
165. [Section 83](#) sets out transitional provisions for existing site licences. Under this section an existing site licence will continue in force for two years from the day the relevant section of the Act comes into force, unless it is revoked or replaced by a new licence issued by the local authority.
166. [Section 84](#) inserts new sub-paragraphs into Schedule 1 to the Mobile Homes Act 1983. Under the sub-paragraphs inserted by section 84 the expiry, non-renewal, or revocation of a site licence has no effect on a person's right to station a mobile home on a site, if a mobile home resident has an agreement to which the 1983 Act applies. This means that the rights of residents to remain on the site under the 1983 Act will not be affected by a decision to revoke, or to refuse to issue or renew, a site licence, or if a site licence expires.
167. The sub-paragraphs inserted into the 1983 Act by section 84 also prevent pitch fees paid to a site owner from being increased to take account of any costs paid, or to be paid, by the site owner as a result of a local authority recovering the costs of enforcement action.