

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: Caravan Sites and Control of Development Act 1960 is up to date with all changes known to be in force on or before 23 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*



# Caravan Sites and Control of Development Act 1960

1960 CHAPTER 62 8 and 9 Eliz 2

An Act to make further provision for the licensing and control of caravan sites, to authorise local authorities to provide and operate caravan sites, to amend the law relating to enforcement notices and certain other notices issued under Part III of the Town and Country Planning Act 1947, to amend sections twenty-six and one hundred and three of that Act and to explain other provisions in the said Part III; and for connected purposes. [29th July 1960]

## Modifications etc. (not altering text)

- C1** Act extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 20(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))  
Act (except Sch. 2 para. 6): transfer of functions (W.) (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

## Commencement Information

- II** Act wholly in force at 29.8.1960 see s. 50(4)

## PART I

### CARAVAN SITES

## Modifications etc. (not altering text)

- C2** Pt. I extended by London Government Act 1963 (c. 33), **Sch. 17 para. 21(1)**  
**C3** Pt. I (ss. 1–32) applied (E.W.) by Local Government Finance Act 1988 (c. 41, SIF 81:1), ss. 31(7), 66(7)

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## *Licensing of caravan sites*

### **1 Prohibition of use of land as caravan site without site licence.**

- (1) Subject to the provisions of this Part of this Act, no occupier of land shall after the commencement of this Act cause or permit any part of the land to be used as a caravan site unless he is the holder of a site licence (that is to say, a licence under this Part of this Act authorising the use of land as a caravan site) for the time being in force as respects the land so used.
- (2) If the occupier of any land contravenes subsection (1) of this section he shall be guilty of an offence and liable on summary conviction, in the case of the first offence to a fine not exceeding [<sup>F1</sup>one hundred pounds][<sup>F1</sup>level 4 on the standard scale], and, in the case of a second or subsequent offence, to a fine not exceeding [<sup>F1</sup>two hundred and fifty pounds][<sup>F1</sup>level 4 on the standard scale].
- (3) In this Part of this Act the expression “occupier” means, in relation to any land, the person who, by virtue of an estate or interest therein held by him, is entitled to possession thereof or would be so entitled but for the rights of any other person under any licence granted in respect of the land:

Provided that where land amounting to not more than four hundred square yards in area is let under a tenancy entered into with a view to the use of the land as a caravan site, the expression “occupier” means in relation to that land the person who would be entitled to possession of the land but for the rights of any person under that tenancy.

- (4) In this Part of this Act the expression “caravan site” means land on which a caravan is stationed for the purposes of human habitation and land which is used in conjunction with land on which a caravan is so stationed.

#### **Textual Amendments**

- F1** Words “level 4 on the standard scale” substituted (S.) for words “one hundred pounds” and “two hundred and fifty pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289E–289G**

#### **Modifications etc. (not altering text)**

- C4** [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 35** (in relation to liability on first and subsequent convictions), 38 (increase of fines) and 46 (substitution of references to levels on the standard scale) apply (E.W.)

### **2 Exemptions from licensing requirements.**

No site licence shall be required for the use of land as a caravan site in any of the circumstances specified in the First Schedule to this Act and that Schedule shall have effect accordingly.

### **3 Issue of site licences by local authorities.**

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

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- (2) An application under this section shall be in writing and shall specify the land in respect of which the application is made; and the applicant shall, either at the time of making the application or subsequently, give to the local authority such [<sup>F2</sup>other information as they may reasonably require]
- (3) A local authority may on an application under this section issue a site licence in respect of the land if, and only if, the applicant is, at the time when the site licence is issued, entitled to the benefit of a permission for the use of the land as a caravan site granted under Part III of the Act of 1947 otherwise than by a development order.
- (4) If at the date when the applicant duly gives the [<sup>F3</sup>information required by virtue of]subsection (2) of this section he is entitled to the benefit of such a permission as aforesaid, the local authority shall issue a site licence in respect of the land within two months of that date or, if the applicant and the local authority agree in writing that the local authority shall be afforded a longer period within which to grant a site licence, within the period so agreed.
- (5) If the applicant becomes entitled to the benefit of such a permission as aforesaid at some time after duly giving the [<sup>F3</sup>information required by virtue of]subsection (2) of this section the local authority shall issue a site licence in respect of the land within six weeks of the date on which he becomes so entitled or, if the applicant and the local authority agree in writing that the local authority shall be afforded a longer period within which to grant a site licence, within the period so agreed.
- (6) Notwithstanding anything in the foregoing provisions of this section, a local authority shall not at any time issue a site licence to a person who to their knowledge has held a site licence which has been revoked in pursuance of the provisions of this Part of this Act less than three years before that time.

#### Textual Amendments

- F2** Words substituted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\), s. 1\(3\), Sch. 3 para. 10\(1\)](#)
- F3** Words substituted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\), s. 1\(3\), Sch. 3 para. 10\(2\)](#)

#### 4 Duration of site licences.

- (1) Where permission for the use of any land as a caravan site has been granted under Part III of the Act of 1947 otherwise than by a development order, and has been so granted in terms such that it will expire at the end of a specified period, any site licence issued in respect of the land by virtue of the existence of that permission shall expire, and shall be stated to expire, at the end of that period; but, subject as aforesaid, a site licence shall not be issued for a limited period only.
- (2) If after a site licence is issued the terms of the said permission are varied by the Minister on an appeal under section sixteen of the Act of 1947, the local authority who issued the licence shall make in the site licence any alteration required to secure that its terms comply with the provisions of the foregoing subsection.

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## 5 Power of local authority to attach conditions to site licences.

- (1) A site licence issued by a local authority in respect of any land may be so issued subject to such conditions as the authority may think it necessary or desirable to impose on the occupier of the land in the interests of persons dwelling thereon in caravans, or of any other class of persons, or of the public at large; and in particular, but without prejudice to the generality of the foregoing, a site licence may be issued subject to conditions—
- (a) for restricting the occasions on which caravans are stationed on the land for the purposes of human habitation, or the total number of caravans which are so stationed at any one time;
  - (b) for controlling (whether by reference to their size, the state of their repair or, subject to the provisions of subsection (2) of this section, any other feature) the types of caravan which are stationed on the land;
  - (c) for regulating the positions in which caravans are stationed on the land for the purposes of human habitation and for prohibiting, restricting, or otherwise regulating, the placing or erection on the land, at any time when caravans are so stationed, of structures and vehicles of any description whatsoever and of tents;
  - (d) for securing the taking of any steps for preserving or enhancing the amenity of the land, including the planting and replanting thereof with trees and bushes;
  - (e) for securing that, at all times when caravans are stationed on the land, proper measures are taken for preventing and detecting the outbreak of fire and adequate means of fighting fire are provided and maintained;
  - (f) for securing that adequate sanitary facilities, and such other facilities, services or equipment as may be specified, are provided for the use of persons dwelling on the land in caravans and that, at all times when caravans are stationed thereon for the purposes of human habitation, any facilities and equipment so provided are properly maintained.
- (2) No condition shall be attached to a site licence controlling the types of caravans which are stationed on the land by reference to the materials used in their construction.
- (3) A site licence issued in respect of any land shall, unless it is issued subject to a condition restricting to three or less the total number of caravans which may be stationed on the land at any one time, contain an express condition that, at all times when caravans are stationed on the land for the purposes of human habitation, a copy of the licence as for the time being in force shall be displayed on the land in some conspicuous place.
- [<sup>F4</sup>(3A) The local authority shall consult the fire authority as to the extent to which any model standards relating to fire precautions which have been specified under subsection (6) of this section are appropriate to the land.
- (3B) If—
- (a) no such standards have been specified; or
  - (b) any standard that has been specified appears to the fire authority to be inappropriate to the land,
- the local authority shall consult the fire authority as to what conditions relating to fire precautions ought to be attached to the site licence instead.]
- (4) A condition attached to a site licence may, if it requires the carrying out of any works on the land in respect of which the licence is issued, prohibit or restrict the bringing of caravans on to the land for the purposes of human habitation until such time as the

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local authority have certified in writing that the works have been completed to their satisfaction; and where the land to which the site licence relates is at the time in use as a caravan site, the condition may, whether or not it contains any such prohibition or restriction as aforesaid, require the works to be completed to the satisfaction of the authority within a stated period.

(5) For the avoidance of doubt, it is hereby declared that a condition attached to a site licence shall be valid notwithstanding that it can be complied with only by the carrying out of works which the holder of the site licence is not entitled to carry out as of right.

(6) The Minister may from time to time specify for the purposes of this section model standards with respect to the layout of, and the provision of facilities, services and equipment for, caravan sites or particular types of caravan site; and in deciding what (if any) conditions to attach to a site licence, a local authority shall have regard to any standards so specified.

[<sup>F5</sup>(7) The duty imposed on a local authority by subsection (6) of this section to have regard to standards specified under that subsection is to be construed, as regards standards relating to fire precautions which are so specified, as a duty to have regard to them subject to any advice given by the fire authority under subsection (3A) or (3B) of this section.

(8) In this section “fire precautions” means precautions to be taken for any of the purposes specified in paragraph (e) of subsection (1) of this section for which conditions may be imposed by virtue of that subsection.]

#### Textual Amendments

**F4** S. 5(3A)(3B) inserted (E.W.) by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), [s. 8\(2\)\(a\)](#)

**F5** S. 5(7)(8) added (E.W.) by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), [s. 8\(2\)\(b\)](#)

## 6 Failure by local authority to issue site licence.

Where a local authority, being required under section three of this Act to issue a site licence in respect of any land, fail to do so within the period within which they are required to issue a site licence by that section, no offence under section one of this Act shall be committed in respect of the land by the person by whom the application for the site licence was made at any time after the expiration of the said period and before a site licence is issued in pursuance of the said application.

## 7 Appeal to magistrates’ court against conditions attached to site licence.

(1) Any person aggrieved by any condition (other than the condition referred to in subsection (3) of section five of this Act) 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 to a magistrates’ court acting for the petty sessions area in which the land is situated; and the court, if satisfied (having regard amongst other things to any standards which may have been specified by the Minister under subsection (6) of the said section five) that the condition is unduly burdensome, may vary or cancel the condition.

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- (2) 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 the foregoing subsection to appeal against the condition nor, thereafter, whilst an appeal against the condition is pending.

## 8 Power of local authority to alter conditions attached to site licences.

- (1) The conditions attached to a site licence may be altered at any time (whether by the variation or cancellation of existing conditions, or by the addition of new conditions, or by a combination of any such methods) by the local authority, but before exercising their powers under this subsection the local authority shall afford to the holder of the licence an opportunity of making representations.
- (2) Where the holder of a site licence is aggrieved by any alteration of the conditions attached thereto or by the refusal of the local authority of an application by him for the alteration of those conditions, he may, within twenty-eight days of the date on which written notification of the alteration or refusal is received by him, appeal to a magistrates' court acting for the petty sessions area in which the land to which the site licence relates is situated; and the court may, if they allow the appeal, give to the local authority such directions as may be necessary to give effect to their decision.
- (3) The alteration by a local authority of the conditions attached to any site licence shall not have effect until written notification thereof has been received by the holder of the licence, and in so far as any such alteration imposes a requirement on the holder of the licence to carry out on the land to which the licence relates any works which he would not otherwise be required to carry out, the alteration shall not have effect during the period within which the said holder is entitled by virtue of the last foregoing subsection to appeal against the alteration nor, thereafter, whilst an appeal against the alteration is pending.
- (4) In exercising the powers conferred upon them by subsection (1) and subsection (2) of this section respectively, a local authority and a magistrates' court shall have regard amongst other things to any standards which may have been specified by the Minister under subsection (6) of section five of this Act.
- [<sup>F6</sup>(5) The local authority shall consult the fire authority before exercising the powers conferred upon them by subsection (1) of this section in relation to a condition attached to a site licence for the purposes set out in section 5(1)(e) of this Act.]

### Textual Amendments

- F6** S. 8(5) added (E.W.) by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. 8(2)(c)

## 9 Provisions as to breaches of condition.

- (1) If an occupier of land fails to comply with any condition for the time being attached to a site licence held by him in respect of the land, he shall be guilty of an offence and liable on summary conviction, in the case of the first offence to a fine not exceeding [<sup>F7</sup>one hundred pounds][<sup>F7</sup>level 4 on the standard scale], and, in the case of a second or

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subsequent offence, to a fine not exceeding [<sup>F7</sup>two hundred and fifty pounds][<sup>F7</sup>level 4 on the standard scale].

- (2) Where a person convicted under this section for failing to comply with a condition attached to a site licence has on two or more previous occasions been convicted thereunder for failing to comply with a condition attached to that licence, the court before whom he is convicted may, if an application in that behalf is made at the hearing by the local authority in whose area the land is situated, make an order for the revocation of the said site licence to come into force [<sup>F8</sup>on such date as the court may specify in the order, being a date not earlier than the expiration of any period within which notice of appeal (whether by case stated or otherwise) may be given against the conviction] and if before the date so specified an appeal is so brought the order shall be of no effect pending the final determination or withdrawal of the appeal.

The person convicted or the local authority who issued the site licence may apply to the magistrates' court which has made such an order revoking a site licence for an order extending the period at the end of which the revocation is to come into force, and the magistrates' court may, if satisfied that adequate notice of the application has been given to the local authority or, as the case may be, the person convicted, make an order extending that period.

- (3) Where an occupier of land fails within the time specified in a condition attached to a site licence held by him to complete to the satisfaction of the local authority in whose area the land is situated any works required by the condition to be so completed, the local authority may carry out those works, and may recover as a simple contract debt in any court of competent jurisdiction from that person any expenses reasonably incurred by them in that behalf.

#### Textual Amendments

- F7** Words “level 4 on the standard scale” substituted (S.) for words “one hundred pounds” and “two hundred and fifty pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289E–289G**
- F8** Words substituted by [Courts Act 1971 \(c. 23\)](#) Sch. 8 para. 39

#### Modifications etc. (not altering text)

- C5** [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 35** (in relation to liability on first and subsequent convictions), 38 (increase of fines) and 46 (substitution of references to levels on the standard scale) apply (E.W.)

## 10 Transfer of site licences, and transmission on death, etc.

- (1) When the holder of a site licence in respect of any land ceases to be the occupier of the land, he may, with the consent of the local authority in whose area the land is situated, transfer the licence to the person who then becomes the occupier of the land.
- (2) Where a local authority give their consent to the transfer of a site licence, they shall endorse on the licence the name of the person to whom it is to be transferred and the date agreed between the parties to the transfer as the date on which that person is, for the purposes of this Part of this Act, to be treated as having become the holder of the licence.

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- (3) If an application is made under subsection (1) of this section for consent to the transfer of a site licence to a person who is to become the occupier of the land, that person may apply for a site licence under section three of this Act if he were the occupier of the land, and if the local authority at any time before issuing a site licence in compliance with that application give their consent to the transfer they need not proceed with the application for the site licence.
- (4) Where any person becomes, by operation of law, entitled to an estate or interest in land in respect of which a site licence is in force and is, by virtue of his holding that estate or interest, the occupier of the land within the meaning of this Part of this Act he shall, for the purposes of this Part of this Act, be treated as having become the holder of the licence on the day on which he became the occupier of the land, and the local authority in whose area the land is situated shall, if an application in that behalf is made to them, endorse his name and the said date on the licence.

## 11 Duty of licence holder to surrender licence for alteration.

- (1) A local authority who have issued a site licence may at any time require the holder to deliver it up so as to enable them to enter in it any alteration of the conditions or other terms of the licence made in pursuance of the provisions of this Part of this Act.
- (2) If the holder of a site licence fails without reasonable excuse to comply with a requirement duly made under this section he shall be liable on summary conviction to a fine not exceeding [<sup>F9</sup>level 1 on the standard scale].

### Textual Amendments

- F9** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**

## 12 Responsibility of occupier of land subject to a licence or special tenancy.

- (1) It shall be a condition of any licence or of any such tenancy as is mentioned in subsection (3) of section one of this Act that if any person in exercise of rights under the licence or tenancy does anything which would constitute an offence under that section if that person were the occupier of the land, the person who is the occupier of the land may take possession of the land and terminate the licence or tenancy; and in determining whether the occupier of the land has permitted the land to be used as a caravan site account shall be taken of any powers exercisable by him under this subsection.
- (2) The occupier of any land subject to a licence or subject to any such tenancy as is mentioned in subsection (3) of section one of this Act shall have the right, as against any person claiming under the licence or tenancy, to enter on the land and do anything on the land reasonably required for the purpose of complying with any conditions attached to a site licence issued with respect to the land.

### Modifications etc. (not altering text)

- C6** S. 12 amended by [Caravan Sites Act 1968 \(c. 52\)](#), **s. 5(4)**



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*Special provisions as to existing sites*

**13 Existing sites.**

In this Part of this Act the expression “existing site” means—

- (a) land which is in use as a caravan site at the commencement of this Act and which was also used as a caravan site on the ninth day of March, nineteen hundred and sixty, and
- (b) land begun to be used as a caravan site after the said ninth day of March, nineteen hundred and sixty, and so used at the commencement of this Act, where permission for the use of the land as a caravan site at the commencement of this Act has been granted under Part III of the Act of 1947 otherwise than by a development order, and
- (c) land (whether or not land which is in use as a caravan site at the commencement of this Act) for the use of which as a caravan site permission under the said Part III is at the commencement of this Act, by virtue of subsection (5) of section twelve of the Act of 1947, not required.

**14 Exemption for existing sites from requirements of section one of this Act.**

No offence shall be committed under section one of this Act in respect of an existing site at any time within the period of two months beginning with the commencement of this Act, and if within that period the occupier of an existing site duly makes an application under this Part of this Act for a site licence, no offence shall be committed under section one of this Act in respect of the existing site at any time after the expiration of the said period, and before a site licence is first issued in respect of that existing site.

**15 Further exemption from section one.**

Where land used as a caravan site at the commencement of this Act was taken into use as such after the ninth day of March, nineteen hundred and sixty, and the occupier was, at the time, entitled to the benefit of a permission in that behalf granted by a development order (and not in pursuance of an application in that behalf), no offence shall be committed under section one of this Act in respect of the land during the period of three months beginning with the commencement of this Act.

**16 Restriction on increase in number of caravans on existing sites.**

- (1) Subject to subsection (3) of this section, the occupier of an existing site shall not at any time before a site licence is first issued in respect thereof cause or permit the number of caravans stationed thereon for the purposes of human habitation to exceed at any one time whichever of the following numbers is the greatest (that is to say):—
  - (a) the number so stationed at the commencement of this Act; or
  - (b) where the occupier is entitled to the benefit of any permission granted under Part III of the Act of 1947 for the use of the land as a caravan site subject to a condition limiting the number of caravans which may be stationed on the existing site, the number so limited for the time being; or
  - (c) where the occupier is the holder of a licence under section two hundred and sixty-nine of the <sup>M1</sup>Public Health Act 1936, or under any local enactment,

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which is subject to a condition limiting the number of caravans on the existing site, the number so limited for the time being.

- (2) If the occupier of an existing site contravenes subsection (1) of this section he shall be guilty of an offence and liable on summary conviction, in the case of the first offence to a fine not exceeding [<sup>F10</sup>one hundred pounds][<sup>F10</sup>level 4 on the standard scale], and, in the case of a second or subsequent offence, to a fine not exceeding [<sup>F10</sup>two hundred and fifty pounds][<sup>F10</sup>level 4 on the standard scale].
- (3) In any proceedings for an offence under this section it shall be a defence to show that the existing site is one to which paragraph (c) of section thirteen of this Act applies and that the number of caravans stationed thereon for the purposes of human habitation at the time at which the offence is alleged to have been committed did not exceed the greatest number so stationed at any one time during the period of two years ending with the commencement of this Act.
- (4) This section shall not apply so as to make unlawful the stationing of caravans on land in circumstances in which, by virtue of section two of this Act, a site licence would not be required for the use of the land as a caravan site if it were not an existing site.

#### Textual Amendments

- F10** Words “level 4 on the standard scale” substituted (S.) for words “one hundred pounds” and “two hundred and fifty pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289E–289G**

#### Modifications etc. (not altering text)

- C7** [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 35** (in relation to liability on first and subsequent convictions), 38 (increase of fines) and 46 (substitution of references to levels on the standard scale) apply (E.W.)

#### Marginal Citations

- M1** [1936 c. 49](#).

## 17 Existing caravan sites not covered by permission granted on an application: modification of planning control.

- (1) This section shall apply to any application for a site licence in respect of an existing site which is made within two months of the commencement of this Act, or within such longer period as the local authority to whom the application is made may, having regard to the special circumstances of the case, allow, other than an application in respect of a site which has at the date of the application the benefit of a permission for the use of the land as a caravan site granted under Part III of the Act of 1947 otherwise than by a development order.
- (2) On the making of an application to which this section applies, the local authority to whom the application is made shall take any steps required for transmitting the application to the local planning authority and the local planning authority may grant permission for the use of the existing site as a caravan site under Part III of the Act of 1947 as if the application for the site licence were an application for such permission (and as if compliance with sections thirty-six and thirty-seven of the <sup>M2</sup>Town and Country Planning Act 1959 (which impose requirements to be complied with before certain applications for planning permission are entertained), were not required).

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- (3) Unless—
- (a) before the expiration of a period of six months beginning with the date on which the application is made permission has been granted in pursuance of the last foregoing subsection for the use of the land to which the application relates as a caravan site, or
  - (b) before the expiration of the said period, and either before or after the commencement of this Act, the owner and occupier (within the meaning of the Act of 1947) of the land have been served with an enforcement notice under section twenty-three of that Act requiring the use of the land as a caravan site to be discontinued or with notice of an order submitted to the Minister under section twenty-six of that Act and requiring that use to be discontinued,
- permission for the use of the land as a caravan site shall be deemed for all purposes to have been granted at the end of that period under the said Part III of the Act of 1947 without any condition or limitation.
- (4) If at any time within the said period of six months beginning with the date on which the application to which this section applies is made the land as respects which the application is made is not being used as a caravan site, the local planning authority may serve any such enforcement notice under the said section twenty-three of the Act of 1947, or make any such order under the said section twenty-six of that Act, as they would have had power to serve or make if the land was then being used as a caravan site.
- (5) Where, on an application to which this section applies, permission for the use of the land as a caravan site is granted under Part III of the Act of 1947 by virtue of subsection (2) of this section, and is so granted subject to conditions or limitations, section sixteen of the Act of 1947 (which provides for appeals to the Minister) shall apply in relation to the said application as if it had been an application for permission to develop the land.

#### Marginal Citations

M2 1959 c. 53.

## 18 Existing caravan sites with short term planning permission granted before commencement of this Act.

Where an application for a site licence is made in respect of an existing site and—

- (a) the existing site has at the date of the application the benefit of a permission for the use of the land as a caravan site granted under Part III of the Act of 1947 otherwise than by a development order, but
- (b) the said permission was granted before the commencement of this Act and in terms such that it will expire within a period of six months beginning with the date of the application,

no account shall be taken of the said permission either for the purposes of section three of this Act or for the purposes of the last foregoing section; and the last foregoing section shall have effect in relation to the said application as if for the references in subsections (3) and (4) thereof to a period of six months beginning with the date on which the application is made there were substituted references to a period of six months beginning with the date on which the said permission will expire.

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*Status: Point in time view as at 01/02/1991.*

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## **19 Conditions requiring reduction in number of caravans on existing sites.**

- (1) Without prejudice to the provisions of section five of this Act, conditions attached to a site licence in respect of an existing site may, where the local authority who issue the licence consider that, having regard to any standards which have been specified by the Minister under subsection (6) of section five of this Act, the number of caravans stationed on the existing site for the purposes of human habitation is excessive, and that the reduction of that number may involve the displacement of persons who are resident on the existing site—
  - (a) impose requirements for the purpose of securing that where a person or family ceases to dwell in a caravan, their place shall not be taken by any other person or family, or that where a caravan is taken away from a site it shall not be brought back or replaced, and
  - (b) impose other requirements for the purpose of securing that the number of caravans on a caravan site are progressively reduced,

so, however, that the conditions shall not be framed so as to require the reduction of the number of caravans below the greatest number which can in the opinion of the local authority, and having regard to the said standards, be properly stationed on the land.
- (2) Conditions restricting the total number of caravans stationed on a caravan site, other than conditions of the description in paragraph (a) of the foregoing subsection, shall not be attached to a site licence in respect of an existing site unless the local authority who issue the licence are satisfied that, if the imposition of those conditions leads to the displacement of persons who are resident on the existing site, suitable alternative accommodation is or will be available for them.

## **20 Conditions to secure termination of use of existing site.**

- (1) On the grant of permission under Part III of the Act of 1947 for the use of an existing site as a caravan site subject to a condition such that the permission will expire at the end of a specified period the local planning authority or, as the case may be, the Minister, if of opinion that the permission ought not to be granted but for the need to afford time for persons resident on the existing site to secure other accommodation, may issue with the permission a direction that conditions may be attached to any site licence for the existing site for the purpose of securing that its use as a caravan site will be terminated in due course.
- (2) Section sixteen of the Act of 1947 (which provides for appeals to the Minister against conditions attached to planning permission) shall apply in relation to the decision of a local planning authority to grant permission under Part III of the Act of 1947 with a direction under the foregoing subsection as if references in that section to conditions included references to such a direction.
- (3) Where a direction has been issued as respects an existing site under subsection (1) of this section (not being a direction which has been discharged on an appeal under the said section sixteen) conditions imposed for the purpose of securing that the number of caravans on the existing site are progressively reduced may, subject to the limitation specified in subsection (2) of the last foregoing section as respects the availability of suitable alternative accommodation, be attached to a site licence for the existing site for the purpose of securing that the use of the existing site as a caravan site is terminated in due course.
- (4) For the purposes of deciding any appeal under section seven, or under subsection (2) of section eight, of this Act a condition attached to a site licence for an existing site

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in pursuance of this section shall not be regarded as unduly burdensome solely on the ground that it will have the effect of terminating in due course its use as a caravan site, but this subsection shall not apply in relation to an appeal under the said subsection (2) against the refusal of a local authority of an application by the holder of a site licence for the alteration of conditions attached in pursuance of this section where the direction by reference to which those conditions were attached has been discharged on an appeal under section sixteen of the Act of 1947.

**21, 22.** ..... <sup>F11</sup>

**Textual Amendments**

**F11** Ss. 21, 22 repealed by [Town and Country Planning Act 1962 \(c. 38\)](#), [Sch. 15](#) and [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), [Sch. 23](#)

*Caravans on commons*

**23 Power of rural district councils to prohibit caravans on commons.**

- (1) This section applies to any land in the area of a [<sup>F12</sup>district council] which is or forms part of a common, not being land falling within any of the following descriptions, that is to say—
  - (a) land to which section one hundred and ninety-three of the <sup>M3</sup>Law of Property Act 1925 (which relates to the rights of the public over certain commons and waste lands), for the time being applies;
  - (b) land which is subject to a scheme under Part I of the <sup>M4</sup>Commons Act 1899 (under which schemes may be made for the regulation and management of certain commons);
  - (c) land as respects which a site licence is for the time being in force.
- (2) [<sup>F13</sup>The council of a district] may make with respect to any land in their area to which this section applies an order prohibiting, either absolutely or except in such circumstances as may be specified in the order, the stationing of caravans on the land for the purposes of human habitation.
- (3) Without prejudice to the provisions of section one of this Act, any person who stations a caravan on any land in contravention of an order under this section for the time being in force with respect to the land shall be guilty of an offence and liable on summary conviction to a fine not exceeding [<sup>F14</sup>level 1 on the standard scale].
- (4) It shall be the duty of a [<sup>F12</sup>district council] to take all reasonable steps to secure that copies of any order under this section which is for the time being in force with respect to any land in their area are so displayed on the land as to give to persons entering thereon adequate warning of the existence of the order, and the council shall have the right to place on the land such notices as they consider necessary for the performance of their duty under this subsection.
- (5) An order under this section may be revoked at any time by a subsequent order made thereunder by the [<sup>F12</sup>district council], or may be so varied either so as to exclude any land from the operation of the order or so as to introduce any exception, or further exception, from the prohibition imposed by the order.

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- (6) Where the whole or a part of any land with respect to which an order under this section is in force ceases to be land to which this section applies, the said order shall thereupon cease to have effect with respect to the said land or part; and where an order ceases under this subsection to have effect with respect to a part only of any land, the [<sup>F12</sup>district council] shall cause any copy of the order which is displayed on that part of the land with respect to which the order continues in force to be amended accordingly.
- (7) The provisions of the Second Schedule to this Act shall, subject as therein provided, have effect with respect to orders under this section.
- (8) In this section the word “common” includes any land subject to be enclosed under the Inclosure Acts 1845 to 1882, and any town or village green.

#### Textual Amendments

**F12** Words substituted by [Local Government Act 1972 \(c. 70\), Sch. 29 para. 14](#)

**F13** Words substituted by [S.I.1975/1636, art. 4\(3\)](#)

**F14** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), ss. 38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), ss. 289F, 289G](#)

#### Modifications etc. (not altering text)

**C8** [S. 23](#) extended (E.W.) by [Norfolk and Suffolk Broads Act 1988 \(c. 4, SIF 81:1\), ss. 2\(5\)\(6\), 23\(2\), 27\(2\), Sch. 3 para. 38\(1\)\(c\)](#)

#### Marginal Citations

**M3** [1925 c. 20.](#)

**M4** [1899 c. 30.](#)

### *Provision of caravan sites by local authorities*

#### **24 Power of local authorities to provide sites for caravans.**

- (1) A local authority shall have power within their area to provide sites where caravans may be brought, whether for holidays or other temporary purposes or for use as permanent residences, and to manage the sites or lease them to some other person.
- (2) Subject to the provisions of this section, a local authority shall have power to do anything appearing to them desirable in connection with the provision of such sites, and in particular—
- (a) to acquire land which is in use as a caravan site, or which has been laid out as a caravan site, or
  - (b) to provide for the use of those occupying caravan sites any services or facilities for their health or convenience;

and in exercising their powers under this section the local authority shall have regard to any standards which may have been specified by the Minister under subsection (6) of section five of this Act.

[<sup>F15</sup>(2A) Before exercising the power to provide a site conferred on them by subsection (1) of this section the local authority shall consult the fire authority, if they are not themselves the fire authority,—

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- (a) as to measures to be taken for preventing and detecting the outbreak of fire on the site; and
  - (b) as to the provision and maintenance of means of fighting fire on it.]
- (3) The local authority shall make in respect of the use of sites managed by them, and of any services or facilities provided or made available under this section, such reasonable charges as they may determine.
- (4) A local authority may make available the services and facilities provided under this section for those who do not normally reside in the area of the local authority as freely as for those who do.
- (5) A local authority shall, in the performance of their functions under this section, have power, where it appears to them that a caravan site or an additional caravan site is needed in their area, or that land which is in use as a caravan site should in the interests of the users of caravans be taken over by the local authority, to acquire land, or any interest in land, compulsorily.
- (6) The power of a local authority under the last foregoing subsection to acquire land, or any interest in land, compulsorily shall be exercisable in any particular case on their being authorised to do so by the Minister, and the [<sup>F16</sup>Acquisition of Land Act 1981], shall have effect in relation to the acquisition of land, or any interest in land, under the said subsection . . . <sup>F17</sup>
- (7) A local authority shall not have power under this section to provide caravans.
- [<sup>F18</sup>(8) In this section the expression “local authority” includes the council of a county and a joint planning board constituted under section four of the Act of 1947 for an area which consists of or includes a National Park as defined by subsection (3) of section five of the National Parks and Access to the <sup>M5</sup>Countryside Act 1949, or any part of such a National Park.]
- [<sup>F18</sup>(8) In the foregoing provisions of this section “local authority” means an islands or district council but in relation to a caravan site providing accommodation for persons to whom subsection (8A) below applies includes a regional council and in relation to a caravan site the provision of which appears to a regional council or regional planning authority to be expedient for the exercise by them of any function which they have under section 40 (functions as regards long-distance routes), 48 (functions as regards country parks), 48A (functions as regards regional parks), 49A (functions as regards management agreements concerning the countryside), 61 or 63 (functions as regards the recreational use of waterways) of the Countryside (Scotland) Act 1967 includes that regional council or, as the case may be, regional planning authority.
- (8A) This subsection applies to persons of nomadic habit of life, whatever their race or origin; but it does not apply to—
- (a) members of an organised group of travelling showmen; or
  - (b) persons engaged in a travelling circus, travelling together as such.]
- (9) . . . . . <sup>F19</sup>

**Textual Amendments**

**F15** S. 24(2A) inserted (E.W.) by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), s. 8(2)(d)

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- F16** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 4 para. 1**
- F17** Words repealed by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 6 Pt. I**
- F18** [S. 24\(8\)\(8A\)](#) beginning “In the foregoing” substituted (S.) for subsection (8) beginning “In this section” by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), **s. 13(1)**
- F19** [Ss. 24\(9\), 31](#) repealed by [London Government Act 1963 \(c. 33\)](#), **Sch. 18 Pt. II**

**Modifications etc. (not altering text)**

- C9** [S. 24](#) extended by [Caravan Sites Act 1968 \(c. 52\)](#), **ss. 6, 7(1)**

**Marginal Citations**

- M5** [1949 c. 97](#).

*Miscellaneous and supplemental*

**25 Registers of site licences.**

- (1) Every local authority shall keep a register of site licences issued in respect of land situated in their area, and every such register shall be open for inspection by the public at all reasonable times.
- (2) Where under subsection (2) or subsection (4) of section ten of this Act a local authority endorse on a site licence the name of any person in the circumstances described in those subsections, they shall record his name, and the date entered in the licence, in the register of site licences.

**26 Power of entry of officers of local authorities.**

- (1) Subject to the provisions of this section, any authorised officer of a local authority shall, on producing, if so required, some duly authenticated document showing his authority, have a right at all reasonable hours to enter any land which is used as a caravan site or in respect of which an application for a site licence has been made,—
  - (a) for the purpose of enabling the local authority to determine what conditions should be attached to a site licence or whether conditions attached to a site licence should be altered;
  - (b) for the purpose of ascertaining whether there is, or has been, on or in connection with the land any contravention of the provisions of this Part of this Act;
  - (c) for the purpose of ascertaining whether or not circumstances exist which would authorise the local authority to take any action, or execute any work, under this Part of this Act;
  - (d) for the purpose of taking any action, or executing any work, authorised by this Part of this Act to be taken or executed by the local authority:

Provided that admission to any land shall not be demanded as of right unless twenty-four hours notice of the intended entry has been given to the occupier.

- (2) If it is shown to the satisfaction of a justice of the peace—
  - (a) that admission to any land has been refused, or that refusal is apprehended, or that the occupier of the land is temporarily absent and the case is one of urgency, or that an application for admission would defeat the object of the entry; and



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(b) that there is reasonable ground for entering on the land for any such purpose as is mentioned in subsection (1) of this section,

the justice may by warrant under his hand authorise the local authority by any authorised officer to enter the land, if need be by force:

Provided that such a warrant shall not be issued unless the justice is satisfied either that notice of the intention to apply for the warrant has been given to the occupier, or that the occupier is temporarily absent and the case is one of urgency, or that the giving of such notice would defeat the object of the entry.

- (3) An authorised officer entering any land by virtue of this section, or of a warrant issued thereunder, may take with him such other persons as may be necessary.
- (4) Every warrant granted under this section shall continue in force until the purpose for which the entry is necessary has been satisfied.
- (5) A person who wilfully obstructs any person acting in the execution of this section, or of a warrant under this section, shall be liable on summary conviction to a fine not exceeding [<sup>F20</sup>level 1 on the standard scale].

#### Textual Amendments

**F20** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289F, 289G](#)

#### [<sup>F21</sup>27 **Power of Minister to repeal or amend local enactments.**

- (1) The Minister may within the period of two years beginning with the commencement of this Act by order repeal or amend any provision in any local Act passed before the commencement of this Act or in any order or other instrument made under an Act of Parliament before the commencement of this Act, where it appears to him that that provision is superseded by or inconsistent with the provisions of this Part of this Act.
- (2) Before making an order under this section the Minister shall consult with any local authority, and with the council of any county, in any part of whose area the local Act or instrument is in force.
- (3) An order made under this section—
  - (a) may contain such transitional, supplemental or incidental provisions as appear to the Minister to be expedient, and
  - (b) shall be made by statutory instrument.]

#### Textual Amendments

**F21** [S. 27](#) repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

#### 28 **Crown land.**

The provisions of this Part of this Act relating to site licences shall apply to land the occupier of which is not the Crown notwithstanding that 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

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Cornwall, or belongs to a government department or is held in trust for Her Majesty for the purposes of a government department.

## 29 Interpretation of Part I.

(1) In this Part of this Act, unless the context otherwise requires—

“caravan” means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include—

- (a) any railway rolling stock which is for the time being on rails forming part of a railway system, or
- (b) any tent;

“caravan site” has the meaning assigned to it by subsection (4) of section one of this Act;

“development order” means an order made under section thirteen of the Act of 1947 (under which orders may be made which, in some cases, themselves grant permission for development and, in other cases, provide that permission shall be granted on an application in that behalf);

“existing site” has the meaning assigned to it by section thirteen of this Act;

[<sup>F22</sup>“fire authority”, in relation to any land, means the authority discharging in the area in which the land is situated the functions of fire authority under the Fire Services Act 1947;]

“local authority” means a council of a [<sup>F23</sup>London borough or a] . . . [<sup>F24</sup>district [<sup>F25</sup>the Common Council of the City of London] and the Council of the Isles of Scilly;

“occupier” has the meaning assigned to it by subsection (3) of section one of this Act and “occupied” and “occupation” shall be construed accordingly;

“site licence” has the meaning assigned to it by subsection (1) of section one of this Act;

“the Minister” means [<sup>F26</sup>the Secretary of State].

(2) Any reference in this Part of this Act to the carrying out of works shall include a reference to the planting of trees and shrubs and the carrying out of other operations for preserving or enhancing the amenity of land.

(3) For the purposes of any provision of this Part of this Act relating to the expiration of permission granted under Part III of the Act of 1947 for any use of land, permission granted for the use of land for intermittent periods shall not be regarded as expiring at any time so long as the permission authorises the use of the land for further intermittent periods.

(4) Any reference in this Part of this Act to permission granted under Part III of the Act of 1947 for the use of land as a caravan site shall be taken as a reference to such 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 such permission shall include a reference to permission deemed to be granted under the said Part III [<sup>F27</sup>or granted on the designation of an enterprise zone under Schedule 32 to the Local Government, Planning and Land Act 1980].

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- (5) In this Part of this Act references to the local planning authority shall, where appropriate, be taken as references to any local authority to whom any of the functions of the local planning authority under Part III of the Act of 1947 have been delegated.

#### Textual Amendments

- F22** Definition inserted (E.W) by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), [s. 8\(2\)\(e\)](#)
- F23** By [Greater London Council \(General Powers\) Act 1976 \(c.xxvi\)](#), [s. 11](#) it is provided that the definition of “local authority” in section 29(1) shall have effect and be deemed to have had effect as from 1 April 1974 as if after the words “of a” there were inserted the words “London borough or a”
- F24** Words repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F25** Words inserted by [London Government Act 1963 \(c. 33\)](#), [Sch. 17 para. 21\(1\)\(b\)](#)
- F26** Words substituted by virtue of [S.I. 1965/319](#), [arts. 2, 10\(1\)\(a\)](#) Sch. 1 Pt. I and 1970/1681, arts. 2, 6(3)
- F27** Words inserted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 8](#)

#### Modifications etc. (not altering text)

- C10** Definition of "caravan" amended by [Caravan Sites Act 1968 \(c. 52\)](#),s. 13
- C11** By [Greater London Council \(General Powers\) Act 1976 \(c.xxvi\)](#), [s. 11](#) it is provided that the definition of "Local Authority" in section 29(1) shall have effect and be deemed to have had effect as from 1 April 1974 as if after the words "of a" there were inserted the words "London borough or a"

### 30 Part repeal of s. 269, Public Health Act, 1936.

- (1) Section two hundred and sixty-nine of the <sup>M6</sup>Public Health Act 1936 (which empowers local authorities in England and Wales, excluding London, to control by means of licences the use of movable dwellings within their areas) shall cease to have effect in relation to caravans; . . . <sup>F28</sup>
- (2) Any condition contained in a licence which, at the commencement of this Act, is held by the occupier of any land under the said section two hundred and sixty-nine shall, until such time as a site licence is issued in respect of that land, continue to have effect as if subsection (1) of this section had not been enacted; and, subsection (7) of the said section two hundred and sixty-nine (which imposes penalties for failure to comply with a condition attached to a licence granted under that section) shall apply to any failure on the part of an occupier of land to comply with any condition having effect by virtue of this subsection, not being a condition limiting the number of caravans which may be stationed on the land.

#### Textual Amendments

- F28** Words repeal [Public Health Act 1936 \(c. 49\)](#), [s. 269\(5\)\(ii\)](#)

#### Marginal Citations

- M6** [1936 c. 49](#).

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### Textual Amendments

**F29** Ss. 24(9), 31 repealed by [London Government Act 1963 \(c. 33\)](#), **Sch. 18 Pt. II**

## 32 Application of Part I to Scotland.

- (1) This Part of this Act shall apply to Scotland with the following modifications:—
- (a) for any reference to the Minister there shall be substituted a reference to the Secretary of State;
  - (b) for any reference to the <sup>M7</sup>Act of 1947 there shall be substituted a reference to the Town and Country Planning (Scotland) Act 1947; and for any reference to any Part or section of the Act of 1947 specified in the first column of the following table there shall be substituted a reference to the Part or section of the Town and Country Planning (Scotland) Act 1947, specified in relation thereto in the second column of that table:—

TABLE

Part or section of Act of 1947	Part or section of Town and Country Planning (Scotland) Act, 1947
Part III . . .	Part II
Section twelve . . .	Section ten
Section thirteen . . .	Section eleven
Section sixteen . . .	Section fourteen
Section twenty-three . . .	Section twenty-one
Section twenty-six . . .	Section twenty-four

- (c) for any reference, in relation to any land, to a magistrates' court acting for the petty sessions area in which the land is situated there shall be substituted a reference to the sheriff having jurisdiction in the place where the land is situated;
- (d) any reference in subsection (3) of section one, or in section twelve, of this Act to a licence in relation to land (except in the expression "site licence") shall be construed as a reference to a grant of any right or permission relating to the land but not amounting to an estate or interest therein;
- (e) in section nine, for subsection (2) there shall be substituted the following subsections:—

“(2) Where a person convicted under this section for failing to comply with a condition attached to a site licence has on two or more previous occasions been convicted thereunder for failing to comply with a condition attached to that licence, the court before whom he is convicted may, if the court thinks fit, make an order for the revocation of the said site licence.

- (2A) The holder of a site licence in respect of which an order is made under the last foregoing subsection may, without prejudice to any other form of appeal under any rule of law, appeal against the order in the same

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manner as against a conviction; and an order so made shall not come into force—

- (a) until the expiration of the period of fourteen days commencing with the date on which the order was made or such longer or extended period so commencing as may be specified by the court either in the said order or subsequently from time to time on application in that behalf by the holder of the site licence; nor
- (b) if an appeal against the order or the conviction which gave rise thereto is duly taken within the said period of fourteen days or, as the case may be, any longer or extended period specified under the foregoing paragraph, until the date when that appeal is determined or abandoned or deemed to have been abandoned.”

and, in subsection (3), for the reference to a simple contract debt there shall be substituted a reference to a civil debt;

- (f) in section sixteen, in subsection (1), paragraph (c) shall be omitted;
- (g) in section seventeen, in subsection (2), for the references to sections thirty-six and thirty-seven of the <sup>M8</sup>Town and Country Planning Act 1959, there shall be substituted references respectively to sections thirty-five and thirty-six of the Town and Country Planning (Scotland) Act 1959;
- (h) in section twenty-four—
  - (i) in subsection (1), the words “within their area” shall be omitted;
  - (ii) in subsection (6), for the reference to the <sup>M9</sup>Acquisition of Land (Authorisation Procedure) Act 1946, there shall be substituted a reference to the <sup>M10</sup>Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947; and
  - <sup>F30</sup> [in subsection (8), for the words from “includes the” onwards there <sup>F31</sup>(iii) shall be substituted the words “means a local authority within the meaning of the <sup>M11</sup>Local Government (Scotland) Act 1973 and a regional or district planning authority within the meaning of Part IX of that Act”];
- (i) in section twenty-six, any reference to a justice of the peace shall be construed as including a reference to a sheriff;
- (j) in section twenty-seven in subsection (2), the words “and with the council of any county” shall be omitted;
- (k) in section twenty-nine—
  - (i) in subsection (1), for the definition of “local authority” there shall be substituted the following definition:—

“‘local authority’ means, [<sup>F32</sup>a general or district planning authority within the meaning of Part IX of the Local Government (Scotland) Act 1973];”
  - and the definition of “the Minister” shall be omitted;
  - (ii) subsections (5) shall be omitted;
- (l) the following sections shall be omitted, that is to say, section twenty-three, section thirty and section thirty-one.

(2) On any appeal to the sheriff under section seven or section eight of this Act as modified by this section—

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(a) the procedure (including rules as to expenses) shall be such as the Court of Session may by act of sederunt determine; and

(b) the decision of the sheriff shall be binding on all parties and shall be final:

Provided that the sheriff may at any stage of the proceedings on the appeal, and shall if so directed by the Court of Session, state a case for the decision of that Court on any question of law arising in connection with the appeal; and an appeal to the House of Lords shall lie, with the leave of the Court of Session or of the House of Lords, from any such decision of the Court of Session, which leave may be given on such terms as to costs or otherwise as the Court of Session or the House of Lords may determine.

(3) Any reference in subsection (2) of section seven, or subsection (3) of section eight, of this Act to the period during which an appeal is pending shall include a reference to any period during which, by virtue of the proviso to the last foregoing subsection, any proceedings following on that appeal may be taken or are pending.

(4) ..... F33

(5) ..... F34

**Textual Amendments**

**F30** S. 32(1)(h)(iii) repealed (S.) by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), s. 66(2), **Sch. 4 Pt. I**

**F31** S. 32(1)(h)(iii) substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 23 para. 2(a)**

**F32** Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 23 para. 2(b)**

**F33** S. 32(4) repealed by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1966 \(c. 19\)](#), s. 10, **Sch. Pt. I**

**F34** S. 32(5) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

**Marginal Citations**

**M7** 1947 c. 53.

**M8** 1959 c. 53.

**M9** 1946 c. 49.

**M10** 1947 c. 42.

**M11** 1973 c. 65.

**PART II**

**33—** ..... F35  
**47.**

**Textual Amendments**

**F35** S. 33–47 repealed by [Town and Country Planning Act 1962 \(c. 38\)](#), **Sch. 15**

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## PART III

### GENERAL

48 ..... F36

#### Textual Amendments

F36 S. 48 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)

#### 49 Financial provisions.

There shall be paid out of monies provided by Parliament—

- (a) any administrative expenses incurred by the Minister of Housing and Local Government or the Secretary of State in consequence of the passing of this Act, and
- (b) any increase attributable to the provisions of this Act in the sums payable out of monies so provided under any other enactment.

#### Modifications etc. (not altering text)

C12 Functions of Minister of Housing and Local Government transferred to Secretary of State by virtue of [S.I. 1965/319](#), [arts. 2, 10\(1\)\(a\)](#), [Sch. 1 Pt. I](#) and [1970/1681](#), [arts. 2, 6\(3\)](#)

#### 50 Short title, interpretation, extent and commencement.

- (1) This Act may be cited as the Caravan Sites and Control of Development Act 1960.
- (2) In this Act “the Act of 1947” means the <sup>M12</sup>Town and Country Planning Act 1947.
- (3) This Act shall not extend to Northern Ireland.
- (4) This Act shall come into force at the expiration of a period of one month beginning with the date on which it is passed.

#### Marginal Citations

M12 [1947 c. 51](#).

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## SCHEDULES

### FIRST SCHEDULE

#### CASES WHERE A CARAVAN SITE LICENCE IS NOT REQUIRED

##### *Use within curtilage of a dwellinghouse*

- 1 A site licence shall not be required for the use of land as a caravan site if the use is incidental to the enjoyment as such of a dwellinghouse within the curtilage of which the land is situated.

##### *Use by a person travelling with a caravan for one or two nights*

- 2 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use of land as a caravan site by a person travelling with a caravan who brings the caravan on to the land for a period which includes not more than two nights—
- (a) if during that period no other caravan is stationed for the purposes of human habitation on that land or any adjoining land in the same occupation, and
  - (b) if, in the period of twelve months ending with the day on which the caravan is brought on to the land, the number of days on which a caravan was stationed anywhere on that land or the said adjoining land for the purposes of human habitation did not exceed twenty-eight.

##### *Use of holdings of five acres or more in certain circumstances*

- 3 (1) Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land which comprises, together with any adjoining land which is in the same occupation and has not been built on, not less than five acres—
- (a) if in the period of twelve months ending with the day on which the land is used as a caravan site the number of days on which a caravan was stationed anywhere on that land or on the said adjoining land for the purposes of human habitation did not exceed twenty-eight, and
  - (b) if in the said period of twelve months not more than three caravans were so stationed at any one time.
- (2) The Minister may by order contained in a statutory instrument provide that in any such area as may be specified in the order this paragraph shall have effect subject to the modification—
- (a) that for the reference in the foregoing sub-paragraph to five acres there shall be substituted a reference to such smaller acreage as may be specified in the order, or
  - (b) that for the condition specified in head (a) of that sub-paragraph there shall be substituted a condition that the use in question falls between such dates in any year as may be specified in the order,



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or subject to modification in both such respects.

- (3) The Minister may make different orders under this paragraph as respects different areas, and an order under this paragraph may be varied by a subsequent order made thereunder.
- (4) An order under this paragraph shall come into force on such date as may be specified in the order, being a date not less than three months after the order is made; and the Minister shall publish notice of the order in a local newspaper circulating in the locality affected by the order and in such other ways as appear to him to be expedient for the purpose of drawing the attention of the public to the order.

*Sites occupied and supervised by exempted organisations*

- 4 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land which is occupied by an organisation which holds for the time being a certificate of exemption granted under paragraph 12 of this Schedule (hereinafter referred to as an exempted organisation) if the use is for purposes of recreation and is under the supervision of the organisation.

*Sites approved by exempted organisations*

- 5 (1) Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land as respects which there is in force a certificate issued under this paragraph by an exempted organisation if not more than five caravans are at the time stationed for the purposes of human habitation on the land to which the certificate relates.
- (2) For the purposes of this paragraph an exempted organisation may issue as respects any land a certificate stating that the land has been approved by the exempted organisation for use by its members for the purposes of recreation.
- (3) The certificate shall be issued to the occupier of the land to which it relates, and the organisation shall send particulars to the Minister of all certificates issued by the organisation under this paragraph.
- (4) A certificate issued by an exempted organisation under this paragraph shall specify the date on which it is to come into force and the period for which it is to continue in force, being a period not exceeding one year.

*Meetings organised by exempted organisations*

- 6 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use of land as a caravan site if the use is under the supervision of an exempted organisation and is in pursuance of arrangements made by that organisation for a meeting for its members lasting not more than five days.

*Agricultural and forestry workers*

- 7 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of agricultural land for the accommodation during a particular season of a person or persons employed in farming operations on land in the same occupation.

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- 8 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use of land as a caravan site for the accommodation during a particular season of a person or persons employed on land in the same occupation, being land used for the purposes of forestry (including afforestation).

*Building and engineering sites*

- 9 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land which forms part of, or adjoins, land on which building or engineering operations are being carried out (being operations for the carrying out of which permission under Part III of the Act of 1947 has, if required, been granted) if that use is for the accommodation of a person or persons employed in connection with the said operations.

*Travelling showmen*

- 10 (1) Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use of land as a caravan site by a travelling showman who is a member of an organisation of travelling showmen which holds for the time being a certificate granted under this paragraph and who is, at the time, travelling for the purposes of his business or who has taken up winter quarters on the land with his equipment for some period [<sup>F37</sup>falling between the beginning of October in any year and the end of March][<sup>F37</sup>beginning on or after 20 September in any year and continuing until not later than 16 April] in the following year.
- (2) For the purposes of this paragraph the Minister may grant a certificate to any organisation recognised by him as confining its membership to bona fide travelling showmen; and a certificate so granted may be withdrawn by the Minister at any time.

**Textual Amendments**

**F37** Words “beginning on or after 20 September in any year and continuing until not later than 16 April” substituted (S.) for words “falling between the beginning of October in any year and the end of March” by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), s. 66(1), [Sch. 3 para. 3\(a\)](#)

*Sites occupied by licensing authority*

- 11 A site licence shall not be required for the use as a caravan site of land occupied by the local authority in whose area the land is situated.

**Modifications etc. (not altering text)**

**C13** [Sch. 1 para. 11](#) extended (E.W.) (19.9.1995) by [1995 c. 25, ss. 70, 125\(2\)](#), [Sch. 9 para. 4\(b\)](#) (with [ss. 7\(6\), 115, 117, Sch. 8 para. 7](#))

*<sup>F38</sup> Gipsy sites occupied by county councils or regional councils*

**Textual Amendments**

**F38** [Para. 11A](#) inserted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 176

*Status: Point in time view as at 01/02/1991.*

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[<sup>F39</sup>11A A site licence shall not be required for the use of land occupied by a county council, or in Scotland by a regional council, as a caravan site providing accommodation for [<sup>F40</sup>persons to whom section 24(8A) of this Act applies].]

#### Textual Amendments

**F39** Para. 11A inserted by Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1, 2), s. 176

**F40** Words substituted (S.) by virtue of Local Government and Planning (Scotland) Act 1982 (c.43, SIF 81:2), s.66(1), Sch. 3 para. 3(b)

#### *Certification of exempted organisations*

- 12 (1) For the purposes of paragraphs 4, 5 and 6 of this Schedule the Minister may grant a certificate of exemption to any organisation as to which he is satisfied that it objects include the encouragement or promotion of recreational activities.
- (2) A certificate granted under this paragraph may be withdrawn by the Minister at any time.

#### *Power to withdraw certain exemptions*

- 13 (1) The Minister may on the application of a local authority by order provide that, in relation to such land situated in their area as may be specified in the order, this Schedule shall have effect as if paragraphs 2 to 10, or such one or more of those paragraphs as may be so specified, were omitted from this Schedule.
- (2) An order under this paragraph—
- (a) shall come into force on such date as may be specified therein, and
  - (b) may, on the application of the local authority on whose application it was made, be varied or revoked by a subsequent order made thereunder,
- and, except in the case of an order the sole effect of which is to revoke in whole or part a previous order, the local authority shall, not less than three months before the order comes into force, cause a notice setting out the effect of the order and the date on which it comes into force to be published in the London Gazette or, if the land is in Scotland, in the Edinburgh Gazette and in a local newspaper circulating in the locality in which the land to which the order relates is situated.

## SECOND SCHEDULE

Section 23.

### FURTHER PROVISIONS AS TO ORDERS RELATING TO COMMONS

#### Modifications etc. (not altering text)

**C14** Sch. 2 extended (E.W.) (19.9.1995) by 1995 c. 25, ss. 70, 125(2), Sch. 9 para. 1(2)(c) (with ss. 7(6), 115, 117, Sch. 8 para. 7)

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### *Duty to consult conservators*

- 1 Before making an order under section twenty-three of this Act with respect to land which is or forms part of a common of which conservators have been appointed under any local Act, or under any order made under an Act of Parliament, the . . .  
<sup>F41</sup> district council shall consult with the conservators.

#### **Textual Amendments**

**F41** Word repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

### *Procedure for making orders imposing prohibitions*

- 2 Before making any order under the said section twenty-three, other than an order the sole effect of which is to revoke or vary a previous order under that section, the . . .<sup>F42</sup> district council shall publish in one or more local newspapers circulating in the locality in which the land is situated a notice—
- (a) stating the general effect of the order;
  - (b) specifying a place in the said locality where a copy of the draft order may be inspected by any person free of charge at all reasonable hours during a period of twenty-eight days from the date of the first publication of the notice; and
  - (c) stating that, within the said period, any person may by notice to the council object to the making of the order.

#### **Textual Amendments**

**F42** Word repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

- 3 (1) Not later than the date on which the said notice is first published the . . .<sup>F43</sup> district council shall serve a copy thereof on every person entitled as lord of the manor or otherwise to the soil of the land.

[<sup>F44</sup>Provided that where][<sup>F44</sup>unless the council are satisfied that] the persons entitled to the soil of the land are numerous, or cannot after diligent inquiry be ascertained, [<sup>F45</sup>the Minister may dispense with the service of notices under this sub-paragraph.]

- (2) A notice under the foregoing sub-paragraph may be served on any person by sending it in a registered letter addressed to him at his usual or last known address.

#### **Textual Amendments**

**F43** Word repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

**F44** Words “unless” to “satisfied that” substituted (E.W.) for words “Provided that where” by [Local Government Act 1974 \(c. 7\)](#), s. 35, **Sch. 6 para. 13**

**F45** Words repealed (E.W.) by [Local Government Act 1974 \(c. 7\)](#), **Sch. 8**

- 4 (1) If before the expiration of a period of twenty-eight days beginning with the date of the first publication of a notice under paragraph 2 of this Schedule an objection to the making of the order to which the notice relates is duly made to the . . .<sup>F46</sup> district council by any person entitled to the soil of the land, and the notice is not

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subsequently withdrawn, the . . . <sup>F46</sup> district council shall not proceed with the making of the order.

- (2) Subject as aforesaid, the council may, at any time within one year after the expiration of the said period, make an order in the terms of the draft order; but if any objection to the making of the order was duly made within the said period by a person who was not entitled to the soil of the land, and the objection has not been withdrawn at the date on which the order is made, the order shall not take effect until it is confirmed by the Minister.
- (3) Where the council submit an order to the Minister for his confirmation, they shall send to the Minister a copy of every such objection as is referred to in the last foregoing sub-paragraph; and the Minister, after considering every such objection and causing if he thinks fit a local inquiry to be held, may confirm or refuse to confirm the order and, if he confirms it, may do so subject to such modifications (if any) as he may think desirable.

#### Textual Amendments

**F46** Word repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

#### *Notice to lord of manor of other orders*

- 5 Where the sole effect of an order under section twenty-three of this Act is to revoke or vary a previous order under that section (so that paragraphs 2 to 4 of this Schedule do not apply with respect to the making of the order) the . . . <sup>F47</sup> district council shall serve such notices, and take such other steps, as appear to them to be appropriate for informing the persons entitled to the soil of the land of the effect of the order.

#### Textual Amendments

**F47** Word repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

#### *Crown land*

- 6 (1) Where it is proposed to make an order of the kind described in paragraph 2 of this Schedule with respect to land in which there is a Crown or Duchy interest, and the nature of that interest is such that, but for this paragraph, the person to whom the interest belongs would be entitled under paragraph 3 of this Schedule to a copy of the notice referred to in that paragraph,—
  - (a) the said paragraph 3 shall have effect as if it required the copy to be served instead on the appropriate authority; and
  - (b) sub-paragraph (1) of paragraph 4 of this Schedule shall not apply in relation to the order, but the council shall not make the order unless and until they have obtained the consent in writing thereto of the appropriate authority.
- (2) In this paragraph “Crown or Duchy interest” means an interest belonging to Her Majesty in right of the Crown or of the Duchy of Lancaster, or belonging to the Duchy of Cornwall, or belonging to a government department or held in trust for Her Majesty for the purposes of a government department; and “the appropriate authority”—

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- (a) in relation to land belonging to Her Majesty in right of the Crown and forming part of the Crown Estate, means the Crown Estate Commissioners, and, in relation to any other land belonging to Her Majesty in right of the Crown, means the government department having the management of that land;
- (b) in relation to land belonging to Her Majesty in right of the Duchy of Lancaster, means the Chancellor of the Duchy;
- (c) in relation to land belonging to the Duchy of Cornwall, means such person as the Duke of Cornwall, or the possessor for the time being of the Duchy of Cornwall, appoints; and
- (d) in relation to land belonging to a government department or held in trust for Her Majesty for the purposes of a government department, means that department;

and if any question arises as to what authority is the appropriate authority in relation to any land, that question shall be referred to the Treasury, whose decision shall be final.

**F48F48** THIRD SCHEDULE

**Textual Amendments**

**F48** Sch. 3 repealed by [Town and Country Planning Act 1962 \(c. 38\)](#), **Sch. 15**

F48

**F49F49** FOURTH SCHEDULE

**Textual Amendments**

**F49** Sch. 4 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), **Sch. Pt. XI**

F49

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

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