



Caravans (Standard Community Charge and Rating) Act 1991

1991 CHAPTER 2

An Act to make provision with respect to the liability to standard community charges and non-domestic rates in respect of certain caravans and their pitches. [12th February 1991]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Caravans in England and Wales: standard community charges and non-domestic rates

- (1) Section 3(5) of the Local Government Finance Act 1988 (under which the owner of a caravan on a protected site may be subject to a standard community charge) is repealed.

The following provisions of that Act (which are ancillary provisions about the standard community charge in relation to caravans) are also repealed—

- (a) in section 4, subsections (9) and (10) and in subsection (11) the words from “and where a caravan” to the end,
 - (b) in section 19(3)(b), the words “or is owner of the caravan concerned”,
 - (c) in sections 31(10) and 33(5)(b), the words “or caravan”, and
 - (d) in section 40(10), the words “and caravans”.
- (2) In section 66(3) of the Local Government Finance Act 1988, the words from “one or both” to the end of paragraph (a) (which have the effect of excluding pitches for caravans on protected sites from non-domestic rating) are repealed.

Section 66(6) and (8) of that Act (which contain provisions ancillary to section 66(3)(a)) are also repealed.

- (3) The repeals in subsections (1) and (2) above shall be deemed always to have had effect.

- (4) Any amount paid in respect of a standard community charge which depended on a provision repealed by subsection (1)—
- (a) shall be repaid if the person by whom it was paid so requires, or
 - (b) shall (as the charging authority determines) be repaid or credited against any subsequent liability of that person in respect of a community charge of the authority.
- (5) There shall be removed from community charges registers such items relating to standard community charges as may be required in consequence of subsections (1) and (3).
- (6) There shall be made such alterations of local non-domestic rating lists compiled on 1st April 1990 as may be required in consequence of subsections (2) and (3); any such alterations shall have effect from 1st April 1990 or such later date as may in any case be applicable in accordance with regulations under subsection (7).

Any additional sums payable in respect of non-domestic rates shall be recoverable accordingly.

- (7) The Secretary of State may make regulations for the purpose of giving effect to subsections (2), (3) and (6); and the regulations may have retrospective effect and may apply, with or without modifications any of the provisions made by or under the Local Government Finance Act 1988 in relation to non-domestic rating.

Regulations under this subsection shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

- (8) Expressions used in this section and in the Local Government Finance Act 1988 have the same meaning in this section as in that Act.

2 Caravans in Scotland: standard community charges and non-domestic rates

- (1) In section 2(3) of the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (definition of “domestic subjects” for purposes of Valuation Acts), for the word “and”, where thirdly occurring, substitute the words—
- “but does not include a caravan which is not a person’s sole or main residence.
In this subsection, “caravan” has the same meaning as it has in Part I of the Caravan Sites and Control of Development Act 1960.”.

This amendment shall be deemed to have had effect from 1st April 1990.

- (2) Where, by virtue of subsection (1), a caravan ceases to be domestic subjects it together with its pitch shall be entered in the valuation roll with effect from 1st April 1990 or, if the date of such cessation is later, that date.
- (3) The Secretary of State may make regulations for the purpose of giving effect to subsections (1) and (2); and the regulations may have retrospective effect and may apply, with or without modifications, any enactment relating, as respects Scotland, to valuation or rating or any provision made under such an enactment.

Regulations under this subsection shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

- (4) Where a person has, in respect of premises being a caravan, paid the standard community charge imposed by a local authority in respect of the financial year

1989-1990, the local authority shall, on application duly made to them, pay him or, if he has since died, his executor an amount equal to one half of the sum so paid by him.

An application is duly made for this purpose only if it is made on or before 30th September 1991 by the person referred to above or, as the case may be, his executor.

- (5) Section 3A of the Rating (Caravan Sites) Act 1976 (special provision for the partial derating of static caravans) and section 15 of the Rating and Valuation (Amendment) (Scotland) Act 1984 (which inserted the said section 3A into that Act) are repealed.

These repeals shall be deemed to have had effect from 1st April 1990.

- (6) Expressions used in this section and in the Abolition of Domestic Rates Etc. (Scotland) Act 1987 have the same meaning in this section as in that Act.

3 Short title

This Act may be cited as the Caravans (Standard Community Charge and Rating) Act 1991.