



# Mobile Homes (Wales) Act 2013

2013 anaw 6

## PART 5 **E+W**

### POWERS OF LOCAL AUTHORITIES

#### **56 Power to provide sites for mobile homes **E+W****

- (1) A local authority may within its area provide sites where mobile homes may be brought, whether for holidays or other temporary purposes or for use as permanent residences, and may manage the sites or lease them to another person.
- (2) A local authority has power to do anything appearing to it desirable in connection with the provision of such sites and the things which it has power to do include (but are not limited to)—
  - (a) acquiring land which is in use as a mobile home site or which has been laid out as a mobile home site,
  - (b) providing for the use of those occupying mobile home sites any services for their health or convenience, and
  - (c) providing, in or in connection with sites for the accommodation of Gypsies and Travellers, working space and facilities for the carrying on of activities normally carried on by them.
- (3) In exercising its powers under this section a local authority must have regard to any standards specified by the Welsh Ministers under section 10.
- (4) Before exercising the power under subsection (1) to provide a site the local authority must consult the fire and rescue authority—
  - (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.
- (5) A local authority must make in respect of sites managed by it, and of any services or facilities provided or made available under this section, such reasonable charges as it may determine.

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*Changes to legislation: There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, PART 5. (See end of Document for details)*

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- (6) A local authority may make available the services and facilities provided under this section for persons whether or not they normally reside in its area.
- (7) A local authority may, where it appears to it that—
  - (a) a mobile home site or an additional mobile home site is needed in its area, or
  - (b) that land which is in use as a mobile home site should in the interests of the users of mobile homes be taken over by the local authority,
 acquire land, or any interest in land, compulsorily.
- (8) The power conferred by subsection (7) is exercisable in any particular case only if the local authority is authorised by the Welsh Ministers to exercise it.
- (9) The Acquisition of Land Act 1981 has effect in relation to the acquisition of land, or an interest in land, under subsection (7).
- (10) A local authority does not have power under this section to provide mobile homes.

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

- C1** S. 56 modified by 1995 c. 25, Sch. 9 para. 4A(a) (as inserted (5.11.2013) by [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), s. 64(1), [Sch. 4 para. 8\(3\)](#) (with [Sch. 5 para. 7](#)) (this amendment is to be treated as not having effect until 1.10.2014 by virtue of S.I. 2014/11, art. 3(2)))
- C2** S. 56 modified (16.3.2016) by [Housing \(Wales\) Act 2014 \(anaw 7\)](#), [ss. 103, 145\(3\)](#); S.I. 2016/266, art. 2(a)

**Commencement Information**

- I1** S. 56 in force at 1.10.2014 by [S.I. 2014/11](#), [art. 3\(1\)\(e\)](#) (with [art. 4](#))

**57 Power to prohibit mobile homes on commons** E+W

- (1) This section applies to any land in Wales which is or forms part of a common and is not—
  - (a) land to which section 193 of the Law of Property Act 1925 (rights of public over certain commons and waste lands) applies,
  - (b) land subject to a scheme under Part 1 of the Commons Act 1899 (schemes for the regulation and management of certain commons), or
  - (c) land as respects which a site licence is for the time being in force.
- (2) A local authority may make with respect to land to which this section applies and which is in its area an order prohibiting, either absolutely or except in such circumstances as may be specified in the order, the stationing of mobile homes on the land for the purposes of human habitation.
- (3) A person who stations a mobile home on any land in contravention of an order under subsection (2) for the time being in force with respect to the land commits an offence.
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 1 on the standard scale.
- (5) A local authority must take all reasonable steps to secure that copies of any order under subsection (2) which is for the time being in force with respect to any land in its area are displayed on the land so as to give persons entering the land warning of the existence of the order.

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- (6) A local authority has the right to place on the land the notices that it considers necessary for the performance of its duty under subsection (5).
- (7) An order made by a local authority under subsection (2) may be revoked at any time by a subsequent order made under that subsection by the local authority or may be varied 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.
- (8) Where the whole or part of any land to which an order under subsection (2) is in force ceases to be land to which this section applies, the order ceases to have effect with respect to the land or that part of it.
- (9) Where an order ceases to have effect with respect to part only of any land, the local authority must cause any copy of the order which is displayed on that part of the land with respect to which the order remains in force to be amended accordingly.
- (10) Schedule 3 makes further provision with respect to orders under subsection (2).
- (11) In this section “common” includes any land subject to be enclosed under the Inclosure Acts 1845 to 1882 and any town or village green.

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**Commencement Information**

**12** S. 57 in force at 1.10.2014 by S.I. 2014/11, art. 3(1)(e) (with art. 4)

**Changes to legislation:**

There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, PART 5.