

Status: Point in time view as at 05/11/2013.

Changes to legislation: There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, SCHEDULE 4. (See end of Document for details)

SCHEDULE 4

(introduced by section 58)

CONSEQUENTIAL AMENDMENTS

Caravan Sites and Control of Development Act 1960 (c. 62)

- 1 (1) The Caravan Sites and Control of Development Act 1960 is amended as follows.
- (2) In section 1, after subsection (1) insert—

“(1A) Subsection (1) does not apply in relation to a regulated site within the meaning of the Mobile Homes (Wales) Act 2013.”
- (3) In section 23—
 - (a) in subsection (1), after “any land” insert “ in England ”, and
 - (b) omit subsection (9).
- (4) In section 24—
 - (a) in subsection (1), after “local authority” insert “ in England ”, and
 - (b) in subsection (8), omit “in England”.

Caravan Sites Act 1968 (c. 52)

- 2 (1) The Caravan Sites Act 1968 is amended as follows.
- (2) In section 1(2), after “any land” insert “ in England ”.
- (3) In section 3—
 - (a) in subsections (1)(c) and (1A)(b), omit “or, if the site concerned is in Wales, persistently withdraws or withholds”,
 - (b) in subsection (1AA), omit “in England”.
- (4) In section 13(3), for “Minister” substitute “ Secretary of State ”.
- (5) In section 16, omit the definition of “the Minister”.

Rating (Caravan Sites) Act 1976 (c. 15)

- 3 In section 6 of the Rating (Caravan Sites) Act 1976—
 - (a) in paragraph (b)—
 - (i) for “that Act” substitute “ the Caravan Sites and Control of Development Act 1960 or Part 2 of the Mobile Homes (Wales) Act 2013 ”, and
 - (ii) for “the Act” substitute “ the Caravan Sites and Control of Development Act 1960 or paragraph 4 and paragraph 11 of Schedule 1 to the Mobile Homes (Wales) Act 2013 ”, and
 - (b) in paragraph (d)—
 - (i) for “that Act” substitute “ the Caravan Sites and Control of Development Act 1960 ”, and
 - (ii) insert at the end “ or is for purposes of the Mobile Homes (Wales) Act 2013 the owner of the caravan site ”.

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 Mobile Homes (Wales) Act 2013, SCHEDULE 4. (See end of Document for details)*

Mobile Homes Act 1983 (c. 34)

- 4 (1) The Mobile Homes Act 1983 is amended as follows.
- (2) In section 1—
- (a) in subsection (2)(e), for “appropriate national authority” substitute “Secretary of State”,
 - (b) in subsection (8A), omit “in England and Wales”, and
 - (c) in subsection (9)(b), omit “if made by the Secretary of State,”.
- (3) In section 2(6), omit “in England and Wales”.
- (4) In section 2A—
- (a) in subsection (1), for—
 - (i) “appropriate national authority” and
 - (ii) “authority” (in the second place),
 substitute “Secretary of State”,
 - (b) in subsection (5)—
 - (i) omit “by the appropriate national authority”, and
 - (ii) for “the authority” and for “it” (in both places) substitute “ the Secretary of State ”, and
 - (c) in subsection (6), omit “by the Secretary of State”.
- (5) In section 2C(1), for “in England (other than a gypsy and traveller site)” substitute “, other than a gypsy and traveller site, ”.
- (6) In section 3(4)—
- (a) in paragraph (b), omit “in relation to a protected site in England; or”, and
 - (b) omit paragraph (c).
- (7) In section 4—
- (a) in the heading omit “: England and Wales”, and
 - (b) in subsections (1) and (3), omit “in England or in Wales”.
- (8) In section 5—
- (a) omit the definition of “the appropriate national authority”, and
 - (b) in the definition of “the court”, omit “and Wales”.
- (9) In Part 1 of Schedule 1—
- (a) in Chapter 1, in paragraph 1(1), (2) and (3), omit “in England and Wales”,
 - (b) in the heading of Chapter 2 omit “IN ENGLAND AND WALES”,
 - (c) in Chapter 2, in paragraph 7A, omit sub-paragraph (1),
 - (d) in Chapter 2, omit paragraph 8,
 - (e) in Chapter 2, in paragraph 8A, omit sub-paragraph (1),
 - (f) in Chapter 2, omit paragraph 9,
 - (g) in Chapter 2, in paragraph 17—
 - (i) in sub-paragraph (2A), for “In the case of a protected site in England, a” substitute “ A ”,
 - (ii) in sub-paragraph (4)(a), omit “or (in the case of a protected site in England)”.

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- (iii) in sub-paragraph (6A), for “In the case of a protected site in England, a” substitute “ A ”,
 - (iv) in sub-paragraph (8)(a), omit “(in the case of a protected site in England)”, and
 - (v) in sub-paragraph (11), omit “in England”,
 - (h) in Chapter 2, in paragraph 18—
 - (i) in paragraphs (aa) and (ab) of sub-paragraph (1), omit “in the case of a protected site in England,”,
 - (ii) omit paragraph (b) of that sub-paragraph,
 - (iii) in sub-paragraph (ba) of that sub-paragraph, omit “in the case of a protected site in England,”,
 - (iv) omit paragraph (c) of that sub-paragraph,
 - (v) in sub-paragraph (1A), omit “, in the case of a pitch in England,”,
 - (i) in Chapter 2, in paragraph 19(3) and (4), for “In the case of a protected site in England, when” substitute “ When ”,
 - (j) in Chapter 2, in paragraph 20—
 - (i) in sub-paragraph (A1), for “In the case of a protected site in England, unless” substitute “ Unless ”, and
 - (ii) omit sub-paragraphs (1) and (2),
 - (k) in the headings of Chapters 3 and 4, omit “IN ENGLAND AND WALES”,
 - (l) in Chapter 4, omit paragraphs 6A and 6B,
 - (m) in Chapter 4, in paragraph 8, omit sub-paragraph (1A),
 - (n) in Chapter 4, in paragraph 16—
 - (i) in sub-paragraph (2), for “In the case of a protected site in England, when” substitute “ When ”, and
 - (ii) omit sub-paragraph (2A),
 - (o) in Chapter 4, in paragraph 18—
 - (i) in sub-paragraph (2), for “In the case of a protected site in England, there” substitute “ There ”, and
 - (ii) omit sub-paragraphs (1A) and (1B),
 - (p) in Chapter 4, in paragraph 26—
 - (i) in sub-paragraph (2), for “In the case of a protected site in England, when” substitute “ When ”, and
 - (ii) omit sub-paragraph (2A), and
 - (q) in Chapter 4, paragraph 27, omit the definition of “consumer prices index”.
- (10) Omit Part 3 of Schedule 1.

Modifications etc. (not altering text)

- C1 Sch. 4 para. 4: consequential amendments to be treated as not having effect until 1.10.2014 by virtue of [The Mobile Homes \(Wales\) Act 2013 \(Commencement, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/11\)](#), [art. 3\(2\)](#)

Local Government Finance Act 1988 (c. 41)

- 5 In paragraph 2B(5) of Schedule 6 to the Local Government Finance Act 1988, in the definition of “caravan site”—

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- (a) for “that Act” substitute “ the Caravan Sites and Control of Development Act 1960 or Part 2 of the Mobile Homes (Wales) Act 2013 ”, and
- (b) for “the Act” substitute “ the Caravan Sites and Control of Development Act 1960 or paragraph 4 and paragraph 11 of Schedule 1 to the Mobile Homes (Wales) Act 2013 ”.

Town and Country Planning Act 1990 (c. 8)

- 6 (1) The Town and Country Planning Act 1990 is amended as follows.
- (2) In section 71(4), after “caravan site” insert “ or under Part 2 of the Mobile Homes (Wales) Act 2013 authorising the use of the land as a site for mobile homes (within the meaning of that Act) ”.
- (3) In section 191(7)(a), after “1960” insert “ or section 7(1) of the Mobile Homes (Wales) Act 2013; ”.

Local Government (Wales) Act 1994 (c. 19)

- 7 In Schedule 16 to the Local Government (Wales) Act 1994, omit paragraph 16(1) and (2).

Environment Act 1995 (c.25)

- 8 (1) Schedule 9 to the Environment Act 1995 is amended as follows.
- (2) In paragraph 1(2)(c), after “commons)” insert “ or section 57 of and Schedule 3 to the Mobile Homes (Wales) Act 2013 (power of local authority in Wales to prohibit caravans on commons) ”.
- (3) After paragraph 4 insert—
- “4A In the Mobile Homes (Wales) Act 2013—
- (a) section 56 (power of local authority to provide mobile home sites), and
 - (b) paragraph 11 of Schedule 1 (no site licence required by land owned by local authority),
- shall have effect as if a National Park Authority were a local authority for the purposes of that Act and as if the relevant Park were that Authority's area.”

Housing Act 2004 (c. 34)

- 9 (1) The Housing Act 2004 is amended as follows.
- (2) In section 230—
- (a) in subsection (5ZA), after “the Caravan Sites and Control of Development Act 1960” insert “ or Part 2 of the Mobile Homes (Wales) Act 2013 ”,
 - (b) in subsection (5A), after “1983” insert “ or Part 4 of the Mobile Homes (Wales) Act 2013 ”, and
 - (c) in subsection (5B)—
 - (i) in the definition of “mobile home” and “protected site”, after “Act)” insert “ or the Mobile Homes (Wales) Act 2013 (see sections 2 and 60 of that Act) ”,

Status: Point in time view as at 05/11/2013.

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- (ii) in the definition of “pitch”, for “that Act” substitute “ the Mobile Homes Act 1983 or section 55 of the Mobile Homes (Wales) Act 2013 ”, and
- (iii) in the definition of “pitch fee”, for “that Act, as the case may be” substitute “ the Mobile Homes Act 1983 (as the case may be) or section 60 of the Mobile Homes (Wales) Act 2013 ”.

(3) In Schedule 13—

- (a) in paragraph 3(6), for “or the Mobile Homes Act 1983” substitute “ , the Mobile Homes Act 1983 or the Mobile Homes (Wales) Act 2013 ”, and
- (b) in paragraph 8(2), for “or of the Mobile Homes Act 1983” substitute “ , any provision of the Mobile Homes Act 1983 or any provision of the Mobile Homes (Wales) Act 2013 ”.

Regulatory Enforcement and Sanctions Act 2008 (c. 13)

- 10 In Schedule 3 to the Regulatory Enforcement and Sanctions Act 2008, after the entry relating to the Mines and Quarries (Tips) Act 1969 insert— “ Mobile Homes (Wales) Act 2013 ”.

Equality Act 2010 (c. 15)

- 11 In paragraph 30D(5) of Schedule 3 to the Equality Act 2010—
- (a) in the definition of “mobile home agreement”, after “1983” insert “ or Part 4 of the Mobile Homes (Wales) Act 2013 ”, and
 - (b) in the definition of “owner”, “protected site” and “mobile home”, after “Act” insert “ or that Part of that Act ”.

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