



Mobile Homes (Wales) Act 2013

2013 anaw 6

PART 5 **E+W**

POWERS OF LOCAL AUTHORITIES

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.
- (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

Changes to legislation: There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, Section 57. (See end of Document for details)

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.

Commencement Information

II [S. 57](#) in force at 1.10.2014 by [S.I. 2014/11](#), [art. 3\(1\)\(e\)](#) (with [art. 4](#))

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