



# Caravan Sites Act 1968

## 1968 CHAPTER 52

### E+W+S

An Act to restrict the eviction from caravan sites of occupiers of caravans and make other provision for the benefit of such occupiers; to secure the establishment of such sites by local authorities for the use of gipsies and other persons of nomadic habit, and control in certain areas the unauthorised occupation of land by such persons; to amend the definition of “caravan” in Part I of the Caravan Sites and Control of Development Act 1960; and for purposes connected with the matters aforesaid. [26th July 1968]

#### Extent Information

- E1** Act does not extend to Scotland or Northern Ireland; [Pt. I](#) and ss. 13, 14(1), 16 and 17(1)(3) extend to England and Wales and Scotland.

#### Commencement Information

- II** Act not in force at Royal Assent see [s. 17\(2\)](#); Act wholly in force at 1. 4. 1970 see [S.I. 1970/199](#). Act: transfer of functions (w.) (1.7.1999) by [S.I. 1999/672, art. 2, Sch. 1](#)

### PART I E+W+S

#### PROVISIONS FOR PROTECTION OF RESIDENTIAL OCCUPIERS

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

- C1** [Pt. I](#) (ss. 1–5) applied by [Local Government Finance Act 1988 \(c. 41, SIF 81:1\)](#), [ss. 66\(8\), 142](#)

### 1 Application of Part 1. E+W+S

- (1) This Part of this Act applies in relation to any licence or contract (whether made before or after the passing of this Act) under which a person is entitled to station a caravan on a protected site (as defined by subsection (2) below) and occupy it as his residence, or

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*Changes to legislation: There are currently no known outstanding effects for the Caravan Sites Act 1968. (See end of Document for details)*

to occupy as his residence a caravan stationed on any such site; and any such licence or contract is in this Part referred to as a residential contract, and the person so entitled as the occupier.

- (2) For the purposes of this Part of this Act a protected site is any land in respect of which a site licence is required under Part I of the <sup>M1</sup>Caravan Sites and Control of Development Act 1960 or would be so required if [<sup>F1</sup>paragraph 11 or 11A of Schedule 1 to that Act (exemption of gypsy and other local authority sites)] were omitted, not being land in respect of which the relevant planning permission or site licence—
- (a) is expressed to be granted for holiday use only; or
  - (b) is otherwise so expressed or subject to such conditions that there are times of the year when no caravan may be stationed on the land for human habitation.
- (3) References in this Part of this Act to the owner of a protected site are references to the person who is or would apart from any residential contract be entitled to possession of the land.

#### Textual Amendments

**F1** Words in s. 1(2) substituted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), **ss. 209(2), 270(3)(a)** (with s. 209(3))

#### Marginal Citations

**M1** 1960 c. 62.

## 2 Minimum length of notice. **E+W+S**

In any case where a residential contract is determinable by notice given by either party to the other, a notice so given shall be of no effect unless it is given not less than four weeks before the date on which it is to take effect.

## 3 Protection of occupiers against eviction and harassment. **E+W+S**

- (1) Subject to the provisions of this section, a person shall be guilty of an offence under this section—
- (a) if, during the subsistence of a residential contract, he unlawfully deprives the occupier of his occupation on the protected site of any caravan which the occupier is entitled by the contract to station and occupy, or to occupy, as his residence thereon;
  - (b) if, after the expiration or determination of a residential contract, he enforces, otherwise than by proceedings in the court, any right to exclude the occupier from the protected site or from any such caravan, or to remove or exclude any such caravan from the site;
  - (c) if, whether during the subsistence or after the expiration or determination of a residential contract, with intent to cause the occupier—
    - (i) to abandon the occupation of the caravan or remove it from the site, or
    - (ii) to refrain from exercising any right or pursuing any remedy in respect thereof,
 he does acts [<sup>F2</sup>likely to interfere] with the peace or comfort of the occupier or persons residing with him, or persistently withdraws or withholds services or

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facilities reasonably required for the occupation of the caravan as a residence on the site.

[<sup>F3</sup>(1A) Subject to the provisions of this section, the owner of a protected site or his agent shall be guilty of an offence under this section if, whether during the subsistence or after the expiration or determination of a residential contract—

(a) he does acts likely to interfere with the peace or comfort of the occupier or persons residing with him, or

(b) he persistently withdraws or withholds services or facilities reasonably required for the occupation of the caravan as a residence on the site,

and (in either case) he knows, or has reasonable cause to believe, that that conduct is likely to cause the occupier to do any of the things mentioned in subsection (1)(c)(i) or (ii) of this section.

(1B) References in subsection (1A) of this section to the owner of a protected site include references to a person with an estate or interest in the site which is superior to that of the owner.]

(2) References in this section to the occupier include references to the person who was the occupier under a residential contract which has expired or been determined and, in the case of the death of the occupier (whether during the subsistence or after the expiration or determination of the contract), to any person then residing with the occupier being—

(a) the widow or widower of the occupier; or

(b) in default of a widow or widower so residing, any member of the occupier's family.

(3) A person guilty of an offence under this section shall, without prejudice to any liability or remedy to which he may be subject in civil proceedings, [<sup>F4</sup>be liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding 12 months, or to both;

(b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding 2 years, or to both.]

(4) In proceedings for an offence under paragraph (a) or (b) of subsection (1) of this section it shall be a defence to prove that the accused believed, and had reasonable cause to believe, that the occupier of the caravan had ceased to reside on the site.

[<sup>F5</sup>(4A) In proceedings for an offence under subsection (1A) of this section it shall be a defence to prove that the accused had reasonable grounds for doing the acts or withdrawing or withholding the services or facilities in question.]

(5) Nothing in this section applies to the exercise by any person of a right to take possession of a caravan of which he is the owner, other than a right conferred by or arising on the expiration or determination of a residential contract, or to anything done pursuant to the order of any court.

#### Textual Amendments

**F2** Words in s. 3(1) substituted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), **ss. 210(2)**, 270(3)(a) (with s. 210(6))

**F3** S. 3(1A)(1B) inserted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), **ss. 210(3)**, 270(3)(a) (with s. 210(6))

**F4** S. 3(3)(a)(b) and words substituted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), **ss. 210(4)**, 270(3)(a) (with s. 210(6)(7))

**F5** S. 3(4A) inserted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), **ss. 210(5)**, 270(3)(a) (with s. 210(6))

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

- C2** S. 3(3): **Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), s. 289E** (as inserted by **Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 54**) (in relation to liability on first and subsequent convictions) applies (S.)
- C3** S. 3(3): **Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 35** (in relation to liability on first and subsequent convictions) s. 38 (increase of fines) and s. 46 (substitution of references to levels on the standard scale) apply (E.W.)

**4 Provision for suspension of eviction orders. E+W+S**

- (1) If in proceedings by the owner of a protected site the court makes an order for enforcing in relation thereto any such right as is mentioned in paragraph (b) of subsection (1) of section 3 of this Act, the court may (without prejudice to any power apart from this section to postpone the operation or suspend the execution of an order, and subject to the following provisions of this section) suspend the enforcement of the order for such period not exceeding twelve months from the date of the order as the court thinks reasonable.
- (2) Where the court by virtue of this section suspends the enforcement of an order, it may impose such terms and conditions, including conditions as to the payment of rent or other periodical payments or of arrears of such rent or payments, as the court thinks reasonable.
- (3) The court may from time to time, on the application of either party, extend, reduce or terminate the period of suspension ordered by virtue of this section, or vary any terms or conditions imposed thereunder, but shall not extend the period of suspension for more than twelve months at a time.
- (4) In considering whether or how to exercise its powers under this section, the court shall have regard to all the circumstances, and in particular to the questions—
  - (a) whether the occupier of the caravan has failed, whether before or after the expiration or determination of the relevant residential contract, to observe any terms or conditions of that contract, any conditions of the site licence, or any reasonable rules made by the owner for the management and conduct of the site or the maintenance of caravans thereon;
  - (b) whether the occupier has unreasonably refused an offer by the owner to renew the residential contract or make another such contract for a reasonable period and on reasonable terms;
  - (c) whether the occupier has failed to make reasonable efforts to obtain elsewhere other suitable accommodation for his caravan (or, as the case may be, another suitable caravan and accommodation for it).
- (5) Where the court makes such an order as is mentioned in subsection (1) of this section but suspends the enforcement of that order by virtue of this section, the court shall make no order for costs unless it appears to the court, having regard to the conduct of the owner or of the occupier, that there are special reasons for making such an order.
- (6) The court shall not suspend the enforcement of an order by virtue of this section [<sup>F6</sup>if—
  - (a) no site licence under Part 1 of that Act is in force in respect of the site, and
  - (b) paragraph 11 or 11A of Schedule 1 to the Caravan Sites and Control of Development Act 1960 (c. 2) does not apply;

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and where a site licence in respect of the site is expressed to expire at the end of a specified period, the period for which enforcement may be suspended by virtue of this section shall not extend beyond the expiration of the licence.

#### Textual Amendments

- F6** S. 4(6)(a)(b) and word substituted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), **ss. 211(1), 270(3)(a)** (with [s. 211\(2\)](#))

#### [<sup>F7X1</sup>5 **Supplementary.** **E+W**

- (1) In this Part of this Act “the court” means the county court; and any powers of a county court in such proceedings as are mentioned in subsection (1) of section 4 of this Act may be exercised with the leave of the judge by any registrar of the court, except in so far as rules of court otherwise provide.
- (2) The power of the court under section 4 of this Act to suspend the enforcement of an order shall extend to any order made but not executed before the commencement of this Part of this Act.
- (3) Nothing in this Part of this Act shall affect the operation of section 13 of the <sup>M2</sup>Compulsory Purchase Act 1965.
- (4) Subsection (1) of section 12 of the Caravan Sites and Control of Development Act 1960 (power of site occupier to take possession and terminate a licence or tenancy in case of contravention of section 1 of that Act) shall have effect subject to the foregoing provisions of this Part of this Act.
- (5) [<sup>F8</sup>the Protection from Eviction Act 1977] (protection against harassment and eviction without due process of law) shall not apply to any premises being a caravan stationed on a protected site.]

#### Editorial Information

- X1** S. 5 commencing “In this Part of this Act any reference” substituted (S.) for s. 5 commencing “In this Part of this Act “the court”” by [Mobile Homes Act 1975 \(c. 49, SIF 46:3\)](#), **Sch. Pt. II para. 2**

#### Textual Amendments

- F7** S. 5 commencing “In this Part of this Act any reference” substituted (S.) for s. 5 commencing “In this Part of this Act “the court”” by [Mobile Homes Act 1975 \(c. 49, SIF 46:3\)](#), **Sch. Pt. II para. 2**
- F8** Words substituted by Protection from [Eviction Act 1977 \(c. 43, SIF 75:1\)](#), s. 12, **Sch. 1 para. 3**

#### Marginal Citations

- M2** 1965 c. 56.

#### [<sup>F33X2</sup>5 **S**

- (1) In this Part of this Act any reference to the court shall be construed as a reference to the sheriff having jurisdiction in the place where the protected site is situated.

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- (2) The power of the court under section 4 of this Act to suspend the enforcement of an order shall extend to any order made but not executed before the commencement of this Part of this Act.
- (3) Nothing in this Part of this Act shall affect the operation of section 89 of the <sup>M13</sup>Lands Clauses Consolidation (Scotland) Act 1845.
- (4) Section 12(1) of the <sup>M14</sup>Caravan Sites and Control of Development Act 1960 (power of site occupier to take possession and terminate a licence or tenancy in case of contravention of section 1 of that Act), when read with section 32(1)(d) of that Act, shall have effect subject to the foregoing provisions of this Part of this Act.
- (5) Part III of the <sup>M15</sup>Rent Act 1965 (protection against harassment and eviction without due process of law) shall not apply to any premises being a caravan stationed on a protected site.].

#### Editorial Information

- X2** S. 5 commencing “In this Part of this Act any reference” substituted (S.) for s. 5 commencing “In this Part of this Act “the court”” by [Mobile Homes Act 1975 \(c. 49, SIF 46:3\)](#), [Sch. Pt. II para. 2](#)

#### Textual Amendments

- F33** S. 5 commencing “In this Part of this Act any reference” substituted (S.) for s. 5 commencing “In this Part of this Act “the court”” by [Mobile Homes Act 1975 \(c. 49, SIF 46:3\)](#), [Sch. Pt. II para. 2](#)

#### Marginal Citations

- M13** 1845 c. 19.  
**M14** 1960 c. 62.  
**M15** 1965 c. 75.

## <sup>F9</sup>PART II **E+W**

#### Textual Amendments

- F9** Pt. II (ss. 6-12) repealed (3.11.1994) by [1994 c. 33, ss. 80\(1\)\(3\)\(4\), 168\(3\)](#), [Sch. 11](#)

*Provision of sites by local authorities*

*Control of unauthorised encampments*

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## PART III **E+W+S**

### MISCELLANEOUS

#### 13 **Twin-unit caravans.** **E+W+S**

- (1) A structure designed or adapted for human habitation which—
- is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices; and
  - is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer),
- shall not be treated as not being (or as not having been) a caravan within the meaning of Part I of the <sup>M4</sup>Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be so moved on a [<sup>F26</sup>highway][<sup>F26</sup>road] when assembled.
- (2) For the purposes of Part I of the Caravan Sites and Control of Development Act 1960, the expression “caravan” shall not include a structure designed or adapted for human habitation which falls within paragraphs (a) and (b) of the foregoing subsection if its dimensions when assembled exceed any of the following limits, namely—
- length (exclusive of any drawbar): 60 feet (18.288 metres);
  - width: 20 feet (6.096 metres);
  - overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 10 feet (3.048 metres).
- (3) The Minister may by order made by statutory instrument after consultation with such persons or bodies as appear to him to be concerned substitute for any figure mentioned in subsection (2) of this section such other figure as may be specified in the order.
- (4) Any statutory instrument made by virtue of subsection (3) of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### Textual Amendments

**F26** Word “road” substituted (S.) for word “highway” by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 128(1), [Sch. 9 para. 65](#)

#### Marginal Citations

**M4** 1960 c. 62.

#### 14 **Offences.** **E+W+S**

- (1) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who is purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (2) Proceedings for an offence under this Act may be instituted by any local authority.



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## 15 Financial provision. **E+W**

There shall be defrayed out of moneys provided by Parliament any increase which may arise in consequence of this Act in the sums payable out of moneys so provided in respect of rate support grant under the <sup>M5</sup>Local Government Act 1966.

### Marginal Citations

**M5** 1966 c. 42.

## 16 Interpretation. **E+W+S**

In this Act the following expressions have the following meanings that is to say—

“caravan” has the same meaning as in Part I of the <sup>M6</sup>Caravan Sites and Control of Development Act 1960, as amended by this Act;

<sup>F27</sup> . . .

“local authority” has the same meaning as in section 24 of the <sup>M7</sup>Caravan Sites and Control of Development Act 1960;

“the Minister” means, in England other than Monmouthshire, [<sup>F28</sup>the Secretary of State], and in Wales and Monmouthshire the Secretary of State;

“planning permission” means permission under [<sup>F29</sup>Part III of the Town and Country Planning Act 1990].

In this Act, unless the context otherwise requires—

“caravan” has the same meaning as in Part I of the Caravan Sites and Control of Development Act 1960, as amended by this Act;

“local authority” means a local authority within the meaning of the <sup>M8</sup>Local Government (Scotland) Act 1973 and the regional or district planning authority within the meaning of Part IX of that Act;

“the Minister” means the Secretary of State;

“planning permission” means permission under Part III of the <sup>M9</sup>Town and Country Planning (Scotland) Act 1972.

[<sup>F30</sup>In this Act, unless the context otherwise requires—

“caravan” has the same meaning as in Part I of the Caravan Sites and Control of Development Act 1960, as amended by this Act;

“local authority” means a local authority within the meaning of the <sup>M10</sup>Local Government (Scotland) Act 1973 and the regional or district planning authority within the meaning of Part IX of that Act;

“the Minister” means the Secretary of State;

“planning permission” means permission under Part III of the <sup>M11</sup>Town and Country Planning (Scotland) Act [<sup>F31</sup>1997] .]

### Textual Amendments

**F27** Definition in s. 16 repealed (3.11.1994) by 1994 c. 33, ss. 80(1)(3)(4), 168(3), **Sch. 11**

**F28** Words substituted by virtue of **S.I. 1970/1681**, **arts. 2**, 6(3)

**F29** Words substituted by virtue of **Planning (Consequential Provisions) Act 1990** (c. 11, SIF 123:1,2) s. 4, Sch. 2 para. 21(2)

**F30** S. 16 commencing "In this Act, unless the context" substituted (S.) for s. 16 commencing "In this Act the following expressions" by **Mobile Homes Act 1975** (c. 49, SIF 46:3), **Sch. Pt. II para. 3**



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**F31** Word in s. 16 substituted (S.) (27.5.1997) by 1997 c. 11, ss. 4, 56(2), **Sch. 2 para. 16**

#### Marginal Citations

**M6** 1960 c. 62.

**M7** 1960 c. 62.

**M8** 1973 c. 65.

**M9** 1972 c. 52.

**M10** 1973 c. 65.

**M11** 1972 c. 52.

## 17 Short title, commencement and extent. **E+W+S**

(1) This Act may be cited as the Caravan Sites Act 1968.

(2) This Act, except Part II, shall come into force at the expiration of the period of one month beginning with the day on which it is passed, and Part II shall come into force on such date as the Minister may by order made by statutory instrument appoint.

[<sup>F32</sup>(3) Part I and sections 13, 14(1), 16 subsection (1) above and this subsection shall extend to Scotland as read with section 8 of and the Schedule to the <sup>M12</sup>Mobile Homes Act 1975, but otherwise this Act does not extend to Scotland or Northern Ireland.]

#### Textual Amendments

**F32** S. 17(3) substituted by Mobile Homes Act 1975 (c. 49, SIF 46:3), s. 8, **Sch. Pt. I para. I**

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

**C8** 1.4.1970 appointed under s. 17(2) by S.I. 1970/199

#### Marginal Citations

**M12** 1975 c. 49.

**Status:**

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**Changes to legislation:**

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