



# Caravan Sites and Control of Development Act 1960

1960 CHAPTER 62 8 and 9 Eliz 2

## PART I

### CARAVAN SITES

#### *Caravans on commons*

#### **23 Power of rural district councils to prohibit caravans on commons.**

- (1) This section applies to any land [<sup>F1</sup>in England] in the area of a [<sup>F2</sup>district council] which is or forms part of a common, not being land falling within any of the following descriptions, that is to say—
  - (a) land to which section one hundred and ninety-three of the <sup>M1</sup>Law of Property Act 1925 (which relates to the rights of the public over certain commons and waste lands), for the time being applies;
  - (b) land which is subject to a scheme under Part I of the <sup>M2</sup>Commons Act 1899 (under which schemes may be made for the regulation and management of certain commons);
  - (c) land as respects which a site licence is for the time being in force.
- (2) [<sup>F3</sup>The council of a district] may make with respect to any land in their area to which this section applies an order prohibiting, either absolutely or except in such circumstances as may be specified in the order, the stationing of caravans on the land for the purposes of human habitation.
- (3) Without prejudice to the provisions of section one of this Act, any person who stations a caravan on any land in contravention of an order under this section for the time being in force with respect to the land shall be guilty of an offence and liable on summary conviction to a fine not exceeding [<sup>F4</sup>level 1 on the standard scale].
- (4) It shall be the duty of a [<sup>F2</sup>district council] to take all reasonable steps to secure that copies of any order under this section which is for the time being in force with respect

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to any land in their area are so displayed on the land as to give to persons entering thereon adequate warning of the existence of the order, and the council shall have the right to place on the land such notices as they consider necessary for the performance of their duty under this subsection.

- (5) An order under this section may be revoked at any time by a subsequent order made thereunder by the [<sup>F2</sup>district council], or may be so varied either 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.
- (6) Where the whole or a part of any land with respect to which an order under this section is in force ceases to be land to which this section applies, the said order shall thereupon cease to have effect with respect to the said land or part; and where an order ceases under this subsection to have effect with respect to a part only of any land, the [<sup>F2</sup>district council] shall cause any copy of the order which is displayed on that part of the land with respect to which the order continues in force to be amended accordingly.
- (7) The provisions of the Second Schedule to this Act shall, subject as therein provided, have effect with respect to orders under this section.
- (8) In this section the word “common” includes any land subject to be enclosed under the Inclosure Acts 1845 to 1882, and any town or village green.
- [<sup>F5</sup>(9) [<sup>F6</sup>This section and the Second Schedule to this Act shall apply in relation to land in Wales as if for every reference to a district council or to the district council (however expressed), or which falls to be construed as such a reference, there were substituted a reference to a Welsh county council or county borough council or (as the case may be) the Welsh county council or county borough council.]]

#### Textual Amendments

- F1** Words in s. 23(1) inserted (E.W.) (5.11.2013) by [Mobile Homes \(Wales\) Act 2013 \(anaw 6\), s. 64\(1\), Sch. 4 para. 1\(3\)\(a\)](#) (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))
- F2** Words substituted by [Local Government Act 1972 \(c. 70\), Sch. 29 para. 14](#)
- F3** Words substituted by [S.I. 1975/1636, art. 4\(3\)](#)
- F4** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), ss. 38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), ss. 289F, 289G](#)
- F5** S. 23(9) added (1.4.1996) by [1994 c. 19, s. 66\(6\), Sch. 16, para. 16\(1\)](#) (with [ss. 54\(5\)\(7\), 55\(5\), Sch. 17 paras. 22\(1\), 23\(2\)](#)); [S.I. 1996/396](#), art. 4, [Sch. 2](#)
- F6** S. 23(9) omitted (E.W.) (5.11.2013) by virtue of [Mobile Homes \(Wales\) Act 2013 \(anaw 6\), s. 64\(1\), Sch. 4 para. 1\(3\)\(b\)](#) (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))

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

- C1** S. 23 extended (E.W.) by [Norfolk and Suffolk Broads Act 1988 \(c. 4, SIF 81:1\), ss. 2\(5\)\(6\), 23\(2\), 27\(2\), Sch. 3 para. 38\(1\)\(c\)](#)
- C2** S. 23 extended (E.W.) (19.9.1995) by [1995 c. 25, ss. 70, 125\(2\), Sch. 9 para. 1\(2\)\(c\)](#) (with [ss. 7\(6\), 115, 117, Sch. 8 para. 7](#))
- C3** S. 23 functions made exercisable concurrently (E.W.) (with effect in accordance with art. 25(1) of the amending S.I.) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\), arts. 1, 25\(2\)\(xiii\)](#) (with art. 35)

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- C4** S. 23 functions made exercisable concurrently (E.W.) (with effect in accordance with art. 25(1) of the amending S.I.) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\)](#), arts. 2, **25(1)(2)(xiii)** (with art. 35)

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**Marginal Citations**

**M1** [1925 c. 20.](#)

**M2** [1899 c. 30.](#)

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