

**Changes to legislation:** There are currently no known outstanding effects for the Caravan Sites and Control of Development Act 1960, Cross Heading: Procedure for making orders imposing prohibitions. (See end of Document for details)

## SCHEDULES

### SECOND SCHEDULE

#### FURTHER PROVISIONS AS TO ORDERS RELATING TO COMMONS

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

- C1** Sch. 2 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)

##### *Procedure for making orders imposing prohibitions*

- 2 Before making any order under the said section twenty-three, other than an order the sole effect of which is to revoke or vary a previous order under that section, the . . . <sup>F1</sup> district council shall publish in one or more local newspapers circulating in the locality in which the land is situated a notice—
- (a) stating the general effect of the order;
  - (b) specifying a place in the said locality where a copy of the draft order may be inspected by any person free of charge at all reasonable hours during a period of twenty-eight days from the date of the first publication of the notice; and
  - (c) stating that, within the said period, any person may by notice to the council object to the making of the order.

##### Textual Amendments

- F1** Word repealed by Local Government Act 1972 (c. 70), Sch. 30

- 3 (1) Not later than the date on which the said notice is first published the . . . <sup>F2</sup> district council shall serve a copy thereof on every person entitled as lord of the manor or otherwise to the soil of the land.

[<sup>F3</sup>Provided that where][<sup>F3</sup>unless the council are satisfied that] the persons entitled to the soil of the land are numerous, or cannot after diligent inquiry be ascertained, [<sup>F4</sup>the Minister may dispense with the service of notices under this sub-paragraph.]

- (2) A notice under the foregoing sub-paragraph may be served on any person by sending it in a registered letter addressed to him at his usual or last known address.

##### Textual Amendments

- F2** Word repealed by Local Government Act 1972 (c. 70), Sch. 30  
**F3** Words “unless” to “satisfied that” substituted (E.W.) for words “Provided that where” by Local Government Act 1974 (c. 7), s. 35, Sch. 6 para. 13

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**F4** Words repealed (E.W.) by [Local Government Act 1974 \(c. 7\)](#), **Sch. 8**

- 4 (1) If before the expiration of a period of twenty-eight days beginning with the date of the first publication of a notice under paragraph 2 of this Schedule an objection to the making of the order to which the notice relates is duly made to the . . . <sup>F5</sup> district council by any person entitled to the soil of the land, and the notice is not subsequently withdrawn, the . . . <sup>F5</sup> district council shall not proceed with the making of the order.
- (2) Subject as aforesaid, the council may, at any time within one year after the expiration of the said period, make an order in the terms of the draft order; but if any objection to the making of the order was duly made within the said period by a person who was not entitled to the soil of the land, and the objection has not been withdrawn at the date on which the order is made, the order shall not take effect until it is confirmed by the Minister.
- (3) Where the council submit an order to the Minister for his confirmation, they shall send to the Minister a copy of every such objection as is referred to in the last foregoing sub-paragraph; and the Minister, after considering every such objection and causing if he thinks fit a local inquiry to be held, may confirm or refuse to confirm the order and, if he confirms it, may do so subject to such modifications (if any) as he may think desirable.

#### Textual Amendments

**F5** Word repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

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