



Caravan Sites and Control of Development Act 1960

1960 CHAPTER 62 8 and 9 Eliz 2

[^{F1}PART 1A

LICENSING OF RELEVANT PERMANENT SITES IN SCOTLAND]

[^{F1}Local authority enforcement at relevant permanent sites]

[^{F1}32X Penalty notice where no licence or breach of licence

- (1) A local authority may serve a penalty notice on the occupier of a relevant permanent site if it appears to the local authority that the occupier—
 - (a) has caused or permitted the relevant permanent site to be used as a caravan site without being the holder of a Part 1A site licence in relation to the site, or
 - (b) has been served with an improvement notice and has failed to take the steps specified in the notice within the period so specified.
- (2) A penalty notice is a notice which—
 - (a) sets out the condition in question and details of the failure to comply with it,
 - (b) explains the effect of subsection (3),
 - (c) specifies the period within which the penalty applies,
 - (d) explains the right of appeal conferred by subsection (7).
- (3) Where a penalty notice is served under this section—
 - (a) no amount which a person is required to pay to the occupier of the relevant permanent site in respect of—
 - (i) the right to station a caravan on the site,
 - (ii) rent for the occupation of a caravan on the site, or
 - (iii) the use of the common areas of the site and their maintenance,is payable for the period specified in the notice under subsection (2)(c), and

Changes to legislation: There are currently no known outstanding effects for the Caravan Sites and Control of Development Act 1960, Section 32X. (See end of Document for details)

- (b) no commission on sale payable in accordance with paragraph 8 of Part 1 of Schedule 1 to the Mobile Homes Act 1983 (c.34) is payable to the occupier of the relevant permanent site in respect of a caravan on the site for the period specified in the notice under subsection (2)(c).
- (4) The period specified in a penalty notice under subsection (2)(c) must begin on the later of—
 - (a) the day on which the period during which the person may make an appeal under subsection (7) expires, or
 - (b) where such an appeal is made, the day on which the appeal is finally determined or abandoned.
- (5) The local authority must, as soon as practicable after serving a notice under this section and in such manner as it thinks fit, notify the occupiers of caravans on the site of the existence of the notice.
- (6) The ways in which a notification under subsection (5) may be carried out include by fixing a notice in a prominent place at or near the main entrance to the relevant permanent site.
- (7) The occupier of a relevant permanent site in respect of which a local authority has served a penalty notice may, within the period of 28 days beginning with the day on which the notice was served, by summary application appeal to the sheriff against the decision.]

Textual Amendments

F1 S. 32X inserted (S.) (1.5.2017) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 76**, 104(3); S.S.I. 2016/412, [art. 2](#), [sch.](#)

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