
STATUTORY INSTRUMENTS

1990 No. 673

RATING AND VALUATION

The Non-Domestic Rating (Caravan Sites) Regulations 1990

<i>Made</i>	- - - -	<i>19th March 1990</i>
<i>Laid before Parliament</i>		<i>21st March 1990</i>
<i>Coming into force</i>	- -	<i>1st April 1990</i>

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred on them by sections 55(2) and (6), 64(3), 65(4), 143(1) and (2) and 146(6) of the Local Government Finance Act 1988 ⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Non-Domestic Rating (Caravan Sites) Regulations 1990 and shall come into force on 1st April 1990.

Interpretation

2. In these Regulations —

- (a) “caravan” has the same meaning as it has for the purposes of Part I of the Caravan Sites and Control of Development Act 1960 ⁽²⁾ (“the 1960 Act”);
- (b) “caravan site” means any land in respect of which a site licence is required under Part I of that Act, or would be so required but for paragraphs 4, 11 and 11A of Schedule 1 to that Act ⁽³⁾ (exemption of certain land);
- (c) a caravan pitch is a “pitch for a leisure caravan” if in accordance with any licence or planning permission regulating the use of the caravan site a caravan stationed on the pitch is not allowed to be used for human habitation throughout the year;
- (d) “relevant site” means a caravan site which —
 - (i) includes some property which is not domestic, and
 - (ii) has an area of 400 square yards or more; and

⁽¹⁾ 1988 c. 41. Section 55 is amended by paragraph 30 of Schedule 5 to the Local Government and Housing Act 1989 c. 42

⁽²⁾ 1960 c. 62

⁽³⁾ Paragraph 11A was inserted by section 176 of the Local Government, Planning and Land Act 1980 c. 65

- (e) “site operator” means the person who is for the purposes of Part I of the 1960 Act the occupier of the caravan site.

Treatment of pitches etc. as one hereditament

3.—(1) Where pitches for leisure caravans on a relevant site constitute separate hereditaments by virtue of their being occupied by persons other than the site operator, those pitches shall, subject to paragraph (2), together with so much of the site as constitutes a hereditament in the occupation of that site operator, be treated as one hereditament and as occupied by that site operator.

(2) Paragraph (1) does not apply to any pitch which is occupied by a charity or trustees for a charity, and which is wholly or mainly used for charitable purposes (whether of that charity or of that and other charities).

(3) For the purposes of this regulation a caravan pitch, and any area comprising it, shall be taken as including the caravan for the time being on the pitch if apart from this regulation the caravan would be included as part of a rateable hereditament.

Supplementary

4.—(1) Where on the compilation of a local rating list or by virtue of the alteration of such a list there is included in the list a hereditament which falls to be treated as such solely by virtue of regulation 3, the valuation officer shall within one month of that compilation or, as the case may be, alteration, inform the site operator in writing that the hereditament is so included, and shall also state in writing —

- (a) how many caravans occupied by persons other than the site operator are included in that hereditament, and
- (b) how much (if any) of the rateable value of the hereditament is attributable to those caravans, together with their pitches.

(2) Where it appears to a valuation officer that information given under paragraph (1) in relation to a hereditament is no longer accurate, but no alteration of the local rating list is required, he shall forthwith inform the site operator of that fact, and shall supply to him a further statement of the matters mentioned in paragraph (1)(a) and (b).

(3) Any person occupying a pitch for a leisure caravan on a relevant site may after giving reasonable notice to the valuation officer at any reasonable time and without payment inspect a copy of any statement supplied to the operator of that site under this regulation.

19th March 1990

Chris Patten
Secretary of State for the Environment

19th March 1990

Peter Walker
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations deal with the treatment of caravan sites for the purposes of non-domestic rating under the Local Government Finance Act 1988, which takes effect on 1st April 1990.

Regulation 3 provides that pitches on caravan sites which are not occupied by the site occupier are to be treated, together with any area of the site occupied by that occupier, as one hereditament and as occupied by him. An exception is made in respect of pitches occupied for the purposes of a charity.

Regulation 4 requires the valuation officer to supply to site occupiers affected by regulation 2 information as to the treatment of their sites, and enables occupiers of pitches to inspect copies of statements of information so supplied.