

SCHEDULE 1

Article 3(1)

Consequential Amendments of Primary Legislation

Caravan Sites and Control of Development Act 1960

1. The Caravan Sites and Control of Development Act 1960(1) is amended as follows.
2. In section 3 (application for site licence), in subsection (5C)(a)(2), for “a residential property tribunal” substitute “the tribunal”.
3. In section 5A (relevant protected sites: annual fee)(3)—
 - (a) in subsection (3), for “a residential property tribunal” substitute “the tribunal”;
 - (b) in subsection (4), for “a residential property tribunal” substitute “the tribunal”.
4. In section 7 (appeals against conditions attached to site licence)(4)—
 - (a) in subsection (1), for “a residential property tribunal” substitute “the tribunal”;
 - (b) in subsection (1A), for “a residential property tribunal” substitute “the tribunal”.
5. In section 8 (power of local authority to alter conditions attached to site licences)(5)—
 - (a) in subsection (2), for “a residential property tribunal” substitute “the tribunal”;
 - (b) in subsection (4), for “a residential property tribunal” substitute “the tribunal”.
6. In section 9A (breach of condition: relevant protected sites in England)(6), in subsection (3), for “a residential property tribunal” substitute “the tribunal”.
7. In section 9E (power to take emergency action)(7), in subsection (9), for “a residential property tribunal” substitute “the tribunal”.
8. In section 9F (action under section 9D or 9E: power to demand expenses), in subsection (7), for “a residential property tribunal” substitute “the tribunal”.
9. In section 9G (appeals under section 9A, 9E or 9F)(8), in subsection (3), for “A residential property tribunal” substitute “The tribunal”.
10. In section 10 (transfer of site licence), in subsection (1E)(9), in paragraph (a), for “a residential property tribunal” substitute “the tribunal”.
11. In section 29 (Interpretation of Part 1), at the end of subsection (1), after the definition of “the Minister” insert—

““tribunal” means the First-tier Tribunal or where determined by or under Tribunal Procedure Rules, the Upper Tribunal.”.

Housing Act 2004

12. The Housing Act 2004(10) is amended as follows.

(1) 1960 c. 62

(2) Section 3(5C) was inserted by section 2(2) of the Mobile Homes Act 2013 (c. 14).

(3) Section 5A was inserted by section 1(3) of the Mobile Homes Act 2013 (c. 14).

(4) Section 7 and its heading was amended, and section 7(1A) was inserted by, section 3 of the Mobile Homes Act 2013 (c. 14).

(5) Section 8(2) and (4) were amended by section 3(3) of the Mobile Homes Act 2013 (c. 14).

(6) Section 9A was inserted by section 4(2) of the Mobile Homes Act 2013 (c. 14).

(7) Sections 9E and 9F were inserted by section 5 of the Mobile Homes Act 2013 (c. 14).

(8) Section 9G was inserted by section 6 of the Mobile Homes Act 2013 (c. 14).

(9) Section 10(1E) was inserted by section 2(3) of the Mobile Homes Act 2013 (c. 14).

(10) 2004 c. 34. Sections 231A to 231D of the Housing Act 2004 were inserted by paragraph 176 of Schedule 1 to the Transfer of Tribunal Functions Order 2013, S.I. 2013/1036.

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- 13.** In section 231A (additional powers of First-tier Tribunal and Upper Tribunal)—
- (a) in subsection (1), after “by or under” insert “the Caravan Sites and Control of Development Act 1960,”;
 - (b) after subsection (3), insert—

“(3A) When exercising jurisdiction under the Caravan Sites and Control of Development Act 1960, the directions which may be given by a tribunal under its general power include (where appropriate) directions requiring the payment of money by one party to the proceedings to another by way of compensation, damages or otherwise.”.
- 14.** In section 231B (transfer from court to First-tier Tribunal), in subsection (4) after “in this Act” insert “, in the Caravan Sites and Control of Development Act 1960”.
- 15.** In section 231C (appeals from the First-tier Tribunal), before paragraph (a) of subsection (1) insert—

“(za) the Caravan Sites and Control of Development Act 1960,”.
- 16.** In section 231D (enforcement), after “in connection with” insert “the Caravan Sites and Control of Development Act 1960,”.

Mobile Homes Act 2013

- 17.** In section 8 (requirement for manager of site to be fit and proper person)(**11**) of the Mobile Homes Act 2013, in the inserted new sections 12A to 12E of the Caravan Sites and Control of Development Act 1960—
- (a) in section 12A(2) (requirement for fit and proper person), for “a residential property tribunal” substitute “the tribunal”;
 - (b) in section 12C(7) (application for inclusion in register), for “a residential property tribunal” substitute “the tribunal”;
 - (c) in section 12D(5)(a) (removal from register, variation of conditions etc), for “a residential property tribunal” substitute “the tribunal”.

SCHEDULE 2

Article 3(2)

Consequential and Miscellaneous Amendments of Subordinate Legislation

The Assured Tenancies and Agricultural Occupancies (Forms) Regulations 1997

- 1.** The Assured Tenancies and Agricultural Occupancies (Forms) Regulations 1997(**12**) are amended as follows.
- 2.** In regulation 3 (prescribed forms), in paragraph (b), for “rent assessment committee” substitute “tribunal”.
- 3.—**(1) The Schedule (forms prescribed for the purposes of Part 1 of the Housing Act 1988) is amended as follows.
 - (2) In Form No. 1—

(11) Section 8, which inserts sections 12A to 12E of the Caravan Sites and Control of Development Act 1960 (c. 62), is not yet in force.

(12) S.I. 1997/194, as amended by S.I. 2002/337, S.I. 2003/260, S.I. 2003/307 and S.I. 2013/1036.

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- (a) in the instructions preceding paragraph 1, for “a rent assessment panel” substitute “the tribunal”;
 - (b) after the final instruction preceding paragraph 1, insert—

“Note: If your property is in England, “tribunal” means the First-tier Tribunal or the Upper Tribunal. If your property is in Wales, “tribunal” means a rent assessment committee.”;
 - (c) in the instructions headed “What to do if this notice is served on you”—
 - (i) for “your local rent assessment committee” substitute “the tribunal”;
 - (ii) for “to a Rent Assessment Committee” substitute “to a Tribunal”;
 - (iii) for “a rent assessment panel” substitute “the tribunal”;
 - (iv) for “The rent assessment committee” substitute “The tribunal”.
- (3) In the heading to Form No. 2, for “Rent Assessment Committee” substitute “Tribunal”.
- (4) In Form No. 2—
- (a) in the instructions preceding paragraph 1—
 - (i) for “your local rent assessment panel” substitute “the tribunal”;
 - (ii) at the end of those instructions, insert—

“Note: If your property is in England, “tribunal” means the First-tier Tribunal or the Upper Tribunal. If your property is in Wales, “tribunal” means a rent assessment committee.”;
 - (b) in paragraph 11(a) and (b) for “rent assessment committee” substitute “tribunal”.
- (5) In Form No. 4B(13)—
- (a) in the Guidance notes for tenants—
 - (i) in paragraph 3, for “your local rent assessment committee” substitute “the tribunal”;
 - (ii) for paragraph 4, substitute—

“To refer the notice to the tribunal, you must use the form *Application referring a notice proposing a new rent under an Assured Periodic Tenancy or Agricultural Occupancy to a Tribunal*. You can obtain this from the tribunal or a legal stationer.”;
 - (iii) in paragraph 5—
 - (aa) for “rent assessment committee” substitute “tribunal”;
 - (bb) for “committee”, in both places, substitute “tribunal”;
 - (iv) after paragraph 5, insert—

“5A In these Guidance notes for agricultural occupants, the “tribunal” means the First-tier Tribunal or the Upper Tribunal.”;
 - (b) in the Guidance notes for landlords, in paragraph 9, for “a rent assessment panel” substitute “the First-tier Tribunal”.
- (6) In Form No. 4C—
- (a) in the Guidance notes for agricultural occupants—
 - (i) in paragraph 3, for “your local rent assessment committee” substitute “the tribunal”;
 - (ii) for paragraph 4 substitute—

“To refer the notice to the tribunal, you must use the form *Application referring a notice proposing a new rent under the Assured Periodic Tenancy or Agricultural Occupancy to a Tribunal*. You can obtain this from the tribunal or a legal stationer.”;

(13) Form 4B was inserted by [S.I. 2003/260](#).

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(iii) in paragraph 5—

(aa) for “rent assessment committee” substitute “tribunal”;

(bb) for “committee”, in both places, substitute “tribunal”;

(iv) after paragraph 5 insert—

“5A In these Guidance notes for agricultural occupants, the “tribunal” means the First-tier Tribunal or the Upper Tribunal.”;

(b) in the Guidance notes for landlords, in paragraph 9, for “a rent assessment panel” substitute “the First-tier Tribunal”.

(7) In Form No. 5, in paragraph 12(a) and (b), for “rent assessment committee”, in both places substitute “tribunal”.

The First-tier Tribunal (Property Chamber) Fees Order 2013

4. Schedule 1 (fees to be taken) to the First-tier Tribunal (Property Chamber) Fees Order 2013⁽¹⁴⁾ is amended as follows.

5. For entry 3 in the left hand column substitute “Applications and appeals in respect of mobile homes and caravan sites”.

6. After entry 3.1B⁽¹⁵⁾, insert—

“3.1C On an appeal under section 7(1) of the Caravan Sites and Control of Development Act 1960 (appeal against conditions attached to a site licence)	£155
3.1D On an appeal under section 8(2) of the Caravan Sites and Control of Development Act 1960 (appeal against alteration of conditions attached to site licence or a refusal of a local authority to vary conditions)	£155
3.1E On an appeal under section 9A(3) of the Caravan Sites and Control of Development Act 1960 (appeal against a compliance notice)	£155
3.1F On an appeal under section 9E(9) of the Caravan Sites and Control of Development Act 1960 (appeal against local authority taking emergency action)	£155
3.1G On an appeal under section 9F(7) of the Caravan Sites and Control of Development Act 1960 (appeal against a demand for recovery of expenses in connection with emergency action or works in default)	£155
3.1H On an appeal under regulation 6 of the Mobile Homes (Site Licensing) (England) Regulations 2014 ⁽¹⁶⁾ (appeal against a local	£155”

⁽¹⁴⁾ S.I. 2013/1179, as amended by S.I. 2013/2302 and S.I. 2014/182.

⁽¹⁵⁾ Fees 3.1A and 3.1B were inserted by S.I. 2014/182.

⁽¹⁶⁾ S.I. 2014/442

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authority's decision not to issue, or consent to the transfer of, a caravan site licence in respect of a relevant protected site)	
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