



Mobile Homes (Wales) Act 2013

2013 anaw 6

PART 2

LICENSING OF MOBILE HOME SITES ETC.

Breach of condition

18 Compliance notice: offence and multiple convictions

- (1) An owner of land who has been served with a compliance notice which has become operative commits an offence if the owner fails to take the steps specified in the notice under section 17(1)(b) within the period specified in the notice under section 17(1)(c).
- (2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine.
- (3) In proceedings against an owner of land for an offence under subsection (1), it is a defence that the owner had a reasonable excuse for failing to take the steps referred to in subsection (1) within the period referred to in that subsection.
- (4) Subsection (5) applies where—
 - (a) an owner of land is convicted of an offence under subsection (1), and
 - (b) the owner has been convicted on two or more previous occasions of an offence under subsection (1) in relation to the site licence to which the conviction mentioned in paragraph (a) relates.
- (5) On an application by the local authority which served the compliance notice, the court before which the owner of the land was convicted may make an order revoking the site licence on the date specified in the order.
- (6) An order under subsection (5) must not specify a date which is before the end of the period within which notice of appeal (whether by case stated or otherwise) may be given against the conviction mentioned in subsection (4)(a).

Status: This is the original version (as it was originally enacted).

- (7) Where an appeal against the conviction mentioned in subsection (4)(a) is made by the owner of the land before the date specified in an order under subsection (5), the order does not take effect until—
- (a) the appeal is finally determined, or
 - (b) the appeal is withdrawn.
- (8) On an application by the owner of the land or by the local authority who issued the site licence, the court which made the order under subsection (5) may make an order specifying a date on which the revocation of the site licence takes effect which is later than the date specified in the order under subsection (5).
- (9) But the court must not make an order under subsection (8) unless it is satisfied that adequate notice of the application has been given to the owner (if the applicant is the local authority) or to the local authority (if the applicant is the owner).