



# Caravan Sites and Control of Development Act 1960

1960 CHAPTER 62 8 and 9 Eliz 2

## PART I

### CARAVAN SITES

#### *Miscellaneous and supplemental*

#### **25 Registers of site licences.**

- (1) Every local authority shall keep a register of site licences issued in respect of land situated in their area, and every such register shall be open for inspection by the public at all reasonable times.
- (2) Where under subsection (2) or subsection (4) of section ten of this Act a local authority endorse on a site licence the name of any person in the circumstances described in those subsections, they shall record his name, and the date entered in the licence, in the register of site licences.

#### **26 Power of entry of officers of local authorities.**

- (1) Subject to the provisions of this section, any authorised officer of a local authority shall, on producing, if so required, some duly authenticated document showing his authority, have a right at all reasonable hours to enter any land which is used as a caravan site or in respect of which an application for a site licence has been made,—
  - (a) for the purpose of enabling the local authority to determine what conditions should be attached to a site licence or whether conditions attached to a site licence should be altered;
  - (b) for the purpose of ascertaining whether there is, or has been, on or in connection with the land any contravention of the provisions of this Part of this Act;

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- (c) for the purpose of ascertaining whether or not circumstances exist which would authorise the local authority to take any action, or execute any work, under this Part of this Act;
- (d) for the purpose of taking any action, or executing any work, authorised by this Part of this Act to be taken or executed by the local authority:

Provided that admission to any land shall not be demanded as of right unless twenty-four hours notice of the intended entry has been given to the occupier.

[<sup>F1</sup>(1A) A person may not be authorised under subsection (1) to enter and survey or value land in England and Wales in connection with a proposal to acquire an interest in or a right over land (but see section 172 of the Housing and Planning Act 2016).]

- (2) If it is shown to the satisfaction of a justice of the peace—
  - (a) that admission to any land has been refused, or that refusal is apprehended, or that the occupier of the land is temporarily absent and the case is one of urgency, or that an application for admission would defeat the object of the entry; and
  - (b) that there is reasonable ground for entering on the land for any such purpose as is mentioned in subsection (1) of this section,

the justice may by warrant under his hand authorise the local authority by any authorised officer to enter the land, if need be by force:

Provided that such a warrant shall not be issued unless the justice is satisfied either that notice of the intention to apply for the warrant has been given to the occupier, or that the occupier is temporarily absent and the case is one of urgency, or that the giving of such notice would defeat the object of the entry.

- (3) An authorised officer entering any land by virtue of this section, or of a warrant issued thereunder, may take with him such other persons as may be necessary.
- (4) Every warrant granted under this section shall continue in force until the purpose for which the entry is necessary has been satisfied.
- (5) A person who wilfully obstructs any person acting in the execution of this section, or of a warrant under this section, shall be liable on summary conviction<sup>F2</sup>—
  - (a) where the wilful obstruction occurs in relation to land in England, to a fine not exceeding level 4 on the standard scale;
  - (b) where the wilful obstruction occurs in relation to land in Wales,] to a fine not exceeding [<sup>F3</sup>level 1 on the standard scale].

#### Textual Amendments

- F1** S. 26(1A) inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 14 para. 5**; [S.I. 2016/733](#), [reg. 3\(h\)](#) (with [reg. 6](#))
- F2** S. 26(5)(a)(b) inserted (E.W.) (1.4.2014 for E.) by [Mobile Homes Act 2013 \(c. 14\)](#), **ss. 13(2), 15(2)**; [S.I. 2014/816](#), [art. 2](#) (with [art. 3](#))
- F3** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**

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**[<sup>F4</sup>26A Liability of officers of bodies corporate**

- (1) This section applies to an offence under this Act committed in relation to land in England.
- (2) Where a body corporate commits an offence to which this section applies and it is proved that—
  - (a) the offence was committed with the consent or connivance of an officer of the body corporate, or
  - (b) the offence was attributable to neglect on the part of an officer of the body corporate,
 the officer, as well as the body corporate, is guilty of the offence and is liable to be proceeded against and punished accordingly.
- (3) In subsection (2), “officer” means—
  - (a) a director, manager, secretary or similar officer of the body corporate,
  - (b) in the case of a body corporate whose affairs are managed by its members, a member of the body corporate, or
  - (c) a person purporting to act in a capacity mentioned in paragraph (a) or (b).]

**Textual Amendments**

**F4** S. 26A inserted (E.W.) (1.4.2014 for E.) by [Mobile Homes Act 2013 \(c. 14\)](#), **ss. 14, 15(2)**; S.I. 2014/816, **art. 2** (with **art. 3**)

**<sup>F5</sup>27** .....

**Textual Amendments**

**F5** S. 27 repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**  
S. 27 repealed (E.W.) (5.11.1993) by [1993 c. 50](#), s. 1(1), **Sch. 1 Pt. XIII** Group1.

**28 Crown land.**

The provisions of this Part of this Act relating to site licences shall apply to land the occupier of which is not the Crown notwithstanding that an interest in the land belongs to Her Majesty in right of the Crown or of the Duchy of Lancaster, or to the Duchy of Cornwall, or belongs to a government department or is held in trust for Her Majesty for the purposes of a government department.

**29 Interpretation of Part I.**

- (1) In this Part of this Act, unless the context otherwise requires—
  - “caravan” means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include—
    - (a) any railway rolling stock which is for the time being on rails forming part of a railway system, or

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(b) any tent;

“caravan site” has the meaning assigned to it by subsection (4) of section one of this Act;

“development order” means an order made under section thirteen of the Act of 1947 (under which orders may be made which, in some cases, themselves grant permission for development and, in other cases, provide that permission shall be granted on an application in that behalf);

<sup>F6</sup> . . .

<sup>F7</sup> <sup>F8</sup> [“fire authority”, in relation to any land, means the authority discharging in the area in which the land is situated the functions of fire authority under the Fire Services Act 1947;] <sup>F8</sup> [“fire and rescue authority”, in relation to any land, means the fire and rescue authority under the Fire and Rescue Services Act 2004 for the area in which the land is situated;]

“local authority” means a council of a <sup>F9</sup> [London borough or a] . . . <sup>F10</sup> district <sup>F11</sup> [the Common Council of the City of London] and the Council of the Isles of Scilly; <sup>F12</sup> [but, in relation to Wales, means the council of a Welsh county or county borough]

“occupier” has the meaning assigned to it by subsection (3) of section one of this Act and “occupied” and “occupation” shall be construed accordingly;

“<sup>F13</sup> relevant protected site ” has the meaning assigned to it by section 5A(5);

“relevant protected site application” has the meaning assigned to it by section 3(7);]

“site licence” has the meaning assigned to it by subsection (1) of section one of this Act;

“the Minister” means <sup>F14</sup> [the Secretary of State].

<sup>F15</sup> [“tribunal” means the First-tier Tribunal or where determined by or under Tribunal Procedure Rules, the Upper Tribunal.]

- (2) Any reference in this Part of this Act to the carrying out of works shall include a reference to the planting of trees and shrubs and the carrying out of other operations for preserving or enhancing the amenity of land.
- (3) For the purposes of any provision of this Part of this Act relating to the expiration of permission granted under Part III of the Act of 1947 for any use of land, permission granted for the use of land for intermittent periods shall not be regarded as expiring at any time so long as the permission authorises the use of the land for further intermittent periods.
- (4) Any reference in this Part of this Act to permission granted under Part III of the Act of 1947 for the use of land as a caravan site shall be taken as a reference to such permission whether or not restricted in any way or subject to any condition or limitation, and any reference in this Part of this Act to such permission shall include a reference to permission deemed to be granted under the said Part III <sup>F16</sup> [or granted on the designation of an enterprise zone under Schedule 32 to the Local Government, Planning and Land Act 1980].
- (5) In this Part of this Act references to the local planning authority shall, where appropriate, be taken as references to any local authority to whom any of the functions of the local planning authority under Part III of the Act of 1947 have been delegated.

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**Textual Amendments**

- F6** Definition in s. 29(1) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIII** Group 1.
- F7** Definition inserted (E.W) by **Local Government (Miscellaneous Provisions) Act 1982** (c. 30, SIF 81:1), **s. 8(2)(e)**
- F8** Words in s. 29(1) substituted (E.W.) (1.10.2004 for E., 10.11.2004 for W.) by **Fire and Rescue Services Act 2004** (c. 21), s. 61, **Sch. 1 para. 14(4)**; S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- F9** By **Greater London Council (General Powers) Act 1976** (c.xxvi), **s. 11** it is provided that the definition of “local authority” in section 29(1) shall have effect and be deemed to have had effect as from 1 April 1974 as if after the words “of a” there were inserted the words “London borough or a”
- F10** Words repealed by **Local Government Act 1972** (c. 70), **Sch. 30**
- F11** Words inserted by **London Government Act 1963** (c. 33), **Sch. 17 para. 21(1)(b)**
- F12** S. 29(1): words in definition of “local authority” added (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16, para. 16(3)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F13** Words in s. 29(1) inserted (E.W.) (1.4.2014) by **Mobile Homes Act 2013** (c. 14), **ss. 1(7), 15(1)**
- F14** Words substituted by virtue of **S.I. 1965/319, arts. 2, 10(1)(a)** Sch. 1 Pt. I and 1970/1681, arts. 2, 6(3)
- F15** Words in s. 29(1) inserted (18.7.2014) by **The Transfer of Tribunal Functions (Mobile Homes Act 2013 and Miscellaneous Amendments) Order 2014** (S.I. 2014/1900), art. 1, **Sch. 1 para. 11**
- F16** Words inserted by **Planning (Consequential Provisions) Act 1990** (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 8**

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

- C1** Definition of "caravan" amended by **Caravan Sites Act 1968** (c. 52),s. 13
- C2** By **Greater London Council (General Powers) Act 1976** (c.xxvi), **s. 11** it is provided that the definition of "Local Authority" in section 29(1) shall have effect and be deemed to have had effect as from 1 April 1974 as if after the words "of a" there were inserted the words "London borough or a"

**30 Part repeal of s. 269, Public Health Act, 1936.**

(1) Section two hundred and sixty-nine of the <sup>M1</sup>Public Health Act 1936 (which empowers local authorities in England and Wales, excluding London, to control by means of licences the use of movable dwellings within their areas) shall cease to have effect in relation to caravans; . . . <sup>F17</sup>

<sup>F18</sup>(2) . . . . .

**Textual Amendments**

- F17** Words repeal **Public Health Act 1936** (c. 49), **s. 269(5)(ii)**
- F18** S. 30(2) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIII** Group 1.

**Marginal Citations**

- M1** 1936 c. 49.

**31** . . . . . <sup>F19</sup>

**Textual Amendments**

- F19** Ss. 24(9), 31 repealed by **London Government Act 1963** (c. 33), **Sch. 18 Pt. II**

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### 32 Application of Part I to Scotland.

- (1) This Part of this Act shall apply to Scotland with the following modifications:—
- (a) for any reference to the Minister there shall be substituted a reference to the Secretary of State;
  - (b) for any reference to the <sup>M2</sup>Act of 1947 there shall be substituted a reference to the Town and Country Planning (Scotland) Act 1947; and for any reference to any Part or section of the Act of 1947 specified in the first column of the following table there shall be substituted a reference to the Part or section of the Town and Country Planning (Scotland) Act 1947, specified in relation thereto in the second column of that table:—

TABLE

<b>Part or section of Act of 1947</b>	<b>Part or section of Town and Country Planning (Scotland) Act, 1947</b>
Part III . . .	Part II
Section twelve . . .	Section ten
Section thirteen . . .	Section eleven
Section sixteen . . .	Section fourteen
Section twenty-three . . .	Section twenty-one
Section twenty-six . . .	Section twenty-four

- (c) for any reference, in relation to any land, to a magistrates' court <sup>F20</sup>... there shall be substituted a reference to the sheriff having jurisdiction in the place where the land is situated;
- <sup>F21</sup>(d) the reference in subsection (3) of section one of this Act to an estate or interest in land shall be construed as a reference to a right in, or to, land and the references in that subsection and in section twelve of this Act to a licence in respect of land shall be construed as not including a tenancy of land;]
- (e) in section nine, for subsection (2) there shall be substituted the following subsections:—
  - “(2) Where a person convicted under this section for failing to comply with a condition attached to a site licence has on two or more previous occasions been convicted thereunder for failing to comply with a condition attached to that licence, the court before whom he is convicted may, if the court thinks fit, make an order for the revocation of the said site licence.
  - (2A) The holder of a site licence in respect of which an order is made under the last foregoing subsection may, without prejudice to any other form of appeal under any rule of law, appeal against the order in the same manner as against a conviction; and an order so made shall not come into force—
    - (a) until the expiration of the period of fourteen days commencing with the date on which the order was made or such longer or extended period so commencing as may be specified by the court either in the said order or subsequently

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from time to time on application in that behalf by the holder of the site licence; nor

- (b) if an appeal against the order or the conviction which gave rise thereto is duly taken within the said period of fourteen days or, as the case may be, any longer or extended period specified under the foregoing paragraph, until the date when that appeal is determined or abandoned or deemed to have been abandoned.”

and, in subsection (3), for the reference to a simple contract debt there shall be substituted a reference to a civil debt;

<sup>F22</sup>(f) .....

<sup>F22</sup>(g) .....

(h) in section twenty-four—

- (i) in subsection (1), the words “within their area” shall be omitted;
- (ii) in subsection (6), for the reference to the <sup>M3</sup>Acquisition of Land (Authorisation Procedure) Act 1946, there shall be substituted a reference to the <sup>M4</sup>Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947; and

<sup>F23</sup> [in subsection (8), for the words from “includes the” onwards there shall be substituted the words “means a local authority within the meaning of the <sup>M5</sup>Local Government (Scotland) Act 1973 and a regional or district planning authority within the meaning of Part IX of that Act”];

- (i) in section twenty-six, any reference to a justice of the peace shall be construed as including a reference to a sheriff;

<sup>F22</sup>(j) .....

(k) in section twenty-nine—

- (i) in subsection (1), for the definition of “local authority” there shall be substituted the following definition:—

“‘local authority’ means, <sup>F25</sup> a general or district planning authority within the meaning of Part IX of the Local Government (Scotland) Act 1973;”

and the definition of “the Minister” shall be omitted;

- (ii) subsections (5) shall be omitted;

- (l) the following sections shall be omitted, that is to say, section twenty-three, section thirty <sup>F26</sup> . . .

<sup>F27</sup>(m) the modifications in Part 1A.]

(2) On any appeal to the sheriff under section seven or section eight of this Act as modified by this section—

- (a) the procedure (including rules as to expenses) shall be such as the Court of Session may by act of sederunt determine; and
- (b) the decision of the sheriff shall be binding on all parties and shall be final:

Provided that the sheriff may at any stage of the proceedings on the appeal, and shall if so directed by the Court of Session, state a case for the decision of that Court on any question of law arising in connection with the appeal; and an appeal to the <sup>F28</sup>Supreme Court] shall lie, with the leave of the Court of Session or of the <sup>F28</sup>Supreme Court], from any such decision of the Court of Session, which leave may be given on such

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terms as to costs or otherwise as the Court of Session or the [<sup>F28</sup>Supreme Court] may determine.

- (3) Any reference in subsection (2) of section seven, or subsection (3) of section eight, of this Act to the period during which an appeal is pending shall include a reference to any period during which, by virtue of the proviso to the last foregoing subsection, any proceedings following on that appeal may be taken or are pending.
- (4) ..... F29
- (5) ..... F30

#### Textual Amendments

- F20** Words in s. 32(1)(c) repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 110](#), [Sch. 10](#); [S.I. 2005/910](#), art. 3(y)
- F21** S. 32(1)(d) substituted (S.) (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 23](#) (with ss. 58, 62, 75); [S.S.I. 2003/456](#), art. 2
- F22** S. 32(1)(f)(g)(j) repealed (5.11.1993) by [1993 c. 50](#), s. 1(1), [Sch. 1 Pt. XIII](#) Group1.
- F23** S. 32(1)(h)(iii) repealed (S.) by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), s. 66(2), [Sch. 4 Pt. I](#)
- F24** S. 32(1)(h)(iii) substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 23 para. 2\(a\)](#)
- F25** Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 23 para. 2\(b\)](#)
- F26** Words in s. 32(1)(l) repealed (5.11.1993) by [1993 c. 50](#), s. 1(1), [Sch. 1 Pt. XIII](#) Group1.
- F27** S. 32(1)(m) inserted (S.) (1.5.2017) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), [ss. 63\(1\)](#), 104(3); [S.S.I. 2016/412](#), art. 2, sch.
- F28** Words in s. 32(2) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 9 para. 12](#); [S.I. 2009/1604](#), art. 2(d)
- F29** S. 32(4) repealed by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1966 \(c. 19\)](#), s. 10, [Sch. Pt. I](#)
- F30** S. 32(5) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

#### Marginal Citations

- M2** 1947 c. 53.
- M3** 1946 c. 49.
- M4** 1947 c. 42.
- M5** 1973 c. 65.



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