



Caravan Sites and Control of Development Act 1960

1960 CHAPTER 62

PART I

CARAVAN SITES

Special provisions as to existing sites

13 Existing sites

In this Part of this Act the expression " existing site " means—

- (a) land which is in use as a caravan site at the commencement of this Act and which was also used as a caravan site on the ninth day of March, nineteen hundred and sixty, and
- (b) land begun to be used as a caravan site after the said ninth day of March, nineteen hundred and sixty, and so used at the commencement of this Act, where permission for the use of the land as a caravan site at the commencement of this Act has been granted under Part III of the Act of 1947 otherwise than by a development order, and
- (c) land (whether or not land which is in use as a caravan site at the commencement of this Act) for the use of which as a caravan site permission under the said Part III is at the commencement of this Act, by virtue of subsection (5) of section twelve of the Act of 1947, not required.

14 Exemption for existing sites from requirements of section one of this Act

No offence shall be committed under section one of this Act in respect of an existing site at any time within the period of two months beginning with the commencement of this Act, and if within that period the occupier of an existing site duly makes an application under this Part of this Act for a site licence, no offence shall be committed under section one of this Act in respect of the existing site at any time after the

expiration of the said period, and before a site licence is first issued in respect of that existing site.

15 Further exemption from section one

Where land used as a caravan site at the commencement of this Act was taken into use as such after the ninth day of March, nineteen hundred and sixty, and the occupier was, at the time, entitled to the benefit of a permission in that behalf granted by a development order (and not in pursuance of an application in that behalf), no offence shall be committed under section one of this Act in respect of the land during the period of three months beginning with the commencement of this Act.

16 Restriction on increase in number of caravans on existing sites

- (1) Subject to subsection (3) of this section, the occupier of an existing site shall not at any time before a site licence is first issued in respect thereof cause or permit the number of caravans stationed thereon for the purposes of human habitation to exceed at any one time whichever of the following numbers is the greatest (that is to say):—
 - (a) the number so stationed at the commencement of this Act; or
 - (b) where the occupier is entitled to the benefit of any permission granted under Part III of the Act of 1947 for the use of the land as a caravan site subject to a condition limiting the number of caravans which may be stationed on the existing site, the number so limited for the time being ; or
 - (c) where the occupier is the holder of a licence under section two hundred and sixty-nine of the Public Health Act, 1936, or under any local enactment, which is subject to a condition limiting the number of caravans on the existing site, the number so limited for the time being.
- (2) If the Occupier of an existing site contravenes subsection (1) of this section he shall be guilty of an offence and liable on summary conviction, in the case of the first offence to a fine not exceeding one hundred pounds, and, in the case of a second or subsequent offence, to a fine not exceeding two hundred and fifty pounds.
- (3) In any proceedings for an offence under this section it shall be a defence to show that the existing site is one to which paragraph (c) of section thirteen of this Act applies and that the number of caravans stationed thereon for the purposes of human habitation at the time at which the offence is alleged to have been committed did not exceed the greatest number so stationed at any one time during the period of two years ending with the commencement of this Act.
- (4) This section shall not apply so as to make unlawful the stationing of caravans on land in circumstances in which, by virtue of section two of this Act, a site licence would not be required for the use of the land as a caravan site if it were not an existing site.

17 Existing caravan sites not covered by permission granted on an application: modification of planning control

- (1) This section shall apply to any application for a site licence in respect of an existing site which is made within two months of the commencement of this Act, or within such longer period as the local authority to whom the application is made may, having regard to the special circumstances of the case, allow, other than an application in respect of a site which has at the date of the application the benefit of a permission for

the use of the land as a caravan site granted under Part III of the Act of 1947 otherwise than by a development order.

- (2) On the making of an application to which this section applies, the local authority to whom the application is made shall take any steps required for transmitting the application to the local planning authority and the local planning authority may grant permission for the use of the existing site as a caravan site under Part III of the Act of 1947 as if the application for the site licence were an application for such permission (and as if compliance with sections thirty-six and thirty-seven of the Town and Country Planning Act, 1959 (which impose requirements to be complied with before certain applications for planning permission are entertained), were not required).
- (3) Unless—
- (a) before the expiration of a period of six months beginning with the date on which the application is made permission has been granted in pursuance of the last foregoing subsection for the use of the land to which the application relates as a caravan site, or
 - (b) before the expiration of the said period, and either before or after the commencement of this Act, the owner and occupier (within the meaning of the Act of 1947) of the land have been served with an enforcement notice under section twenty-three of that Act requiring the use of the land as a caravan site to be discontinued or with notice of an order submitted to the Minister under section twenty-six of that Act and requiring that use to be discontinued,
- permission for the use of the land as a caravan site shall be deemed for all purposes to have been granted at the end of that period under the said Part III of the Act of 1947 without any condition or limitation.
- (4) If at any time within the said period of six months beginning with the date on which the application to which this section applies is made the land as respects which the application is made is not being used as a caravan site, the local planning authority may serve any such enforcement notice under the said section twenty-three of the Act of 1947, or make any such order under the said section twenty-six of that Act, as they would have had power to serve or make if the land was then being used as a caravan site.
- (5) Where, on an application to which this section applies, permission for the use of the land as a caravan site is granted under Part III of the Act of 1947 by virtue of subsection (2) of this section, and is so granted subject to conditions or limitations, section sixteen of the Act of 1947 (which provides for appeals to the Minister) shall apply in relation to the said application as if it had been an application for permission to develop the land.

18 Existing caravan sites with short term planning permission granted before commencement of this Act

Where an application for a site licence is made in respect of an existing site and—

- (a) the existing site has at the date of the application the benefit of a permission for the use of the land as a caravan site granted under Part III of the Act of 1947 otherwise than by a development order, but
- (b) the said permission was granted before the commencement of this Act and in terms such that it will expire within a period of six months beginning with the date of the application,

no account shall be taken of the said permission either for the purposes of section three of this Act or for the purposes of the last foregoing section; and the last foregoing section shall have effect in relation to the said application as if for the references in subsections (3) and (4) thereof to a period of six months beginning with the date on which the application is made there were substituted references to a period of six months beginning with the date on which the said permission will expire.

19 Conditions requiring reduction in number of caravans on existing sites

- (1) Without prejudice to the provisions of section five of this Act, conditions attached to a site licence in respect of an existing site may, where the local authority who issue the licence consider that, having regard to any standards which have been specified by the Minister under subsection (6) of section five of this Act, the number of caravans stationed on the existing site for the purposes of human habitation is excessive, and that the reduction of that number may involve the displacement of persons who are resident on the existing site—

- (a) impose requirements for the purpose of securing that where a person or family ceases to dwell in a caravan, their place shall not be taken by any other person or family, or that where a caravan is taken away from a site it shall not be brought back or replaced, and
- (b) impose other requirements for the purpose of securing that the number of caravans on a caravan site are progressively reduced,

so, however, that the conditions shall not be framed so as to require the reduction of the number of caravans below the greatest number which can in the opinion of the local authority, and having regard to the said standards, be properly stationed on the land.

- (2) Conditions restricting the total number of caravans stationed on a caravan site, other than conditions of the description in paragraph (a) of the foregoing subsection, shall not be attached to a site licence in respect of an existing site unless the local authority who issue the licence are satisfied that, if the imposition of those conditions leads to the displacement of persons who are resident on the existing site, suitable alternative accommodation is or will be available for them.

20 Conditions to secure termination of use of existing site

- (1) On the grant of permission under Part III of the Act of 1947 for the use of an existing site as a caravan site subject to a condition such that the permission will expire at the end of a specified period the local planning authority or, as the case may be, the Minister, if of opinion that the permission ought not to be granted but for the need to afford time for persons resident on the existing site to secure other accommodation, may issue with the permission a direction that conditions may be attached to any site licence for the existing site for the purpose of securing that its use as a caravan site will be terminated in due course.
- (2) Section sixteen of the Act of 1947 (which provides for appeals to the Minister against conditions attached to planning permission) shall apply in relation to the decision of a local planning authority to grant permission under Part III of the Act of 1947 with a direction under the foregoing subsection as if references in that section to conditions included references to such a direction.
- (3) Where a direction has been issued as respects an existing site under subsection (1) of this section (not being a direction which has been discharged on an appeal under the said section sixteen) conditions imposed for the purpose of securing that the number

of caravans on the existing site are progressively reduced may, subject to the limitation specified in subsection (2) of the last foregoing section as respects the availability of suitable alternative accommodation, be attached to a site licence for the existing site for the purpose of securing that the use of the existing site as a caravan site is terminated in due course.

- (4) For the purposes of deciding any appeal under section seven, or under subsection (2) of section eight, of this Act a condition attached to a site licence for an existing site in pursuance of this section shall not be regarded as unduly burdensome solely on the ground that it will have the effect of terminating in due course its use as a caravan site, but this subsection shall not apply in relation to an appeal under the said subsection (2) against the refusal of a local authority of an application by the holder of a site licence for the alteration of conditions attached in pursuance of this section where the direction by reference to which those conditions were attached has been discharged on an appeal under section sixteen of the Act of 1947.