

*Status: Point in time view as at 01/04/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Caravan Sites and Control of Development Act 1960, FIRST SCHEDULE. (See end of Document for details)*

## SCHEDULES

### FIRST SCHEDULE

#### CASES WHERE A CARAVAN SITE LICENCE IS NOT REQUIRED

##### *Use within curtilage of a dwellinghouse*

- 1 A site licence shall not be required for the use of land as a caravan site if the use is incidental to the enjoyment as such of a dwellinghouse within the curtilage of which the land is situated.

##### *Use by a person travelling with a caravan for one or two nights*

- 2 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use of land as a caravan site by a person travelling with a caravan who brings the caravan on to the land for a period which includes not more than two nights—
- (a) if during that period no other caravan is stationed for the purposes of human habitation on that land or any adjoining land in the same occupation, and
  - (b) if, in the period of twelve months ending with the day on which the caravan is brought on to the land, the number of days on which a caravan was stationed anywhere on that land or the said adjoining land for the purposes of human habitation did not exceed twenty-eight.

##### *Use of holdings of five acres or more in certain circumstances*

- 3 (1) Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land which comprises, together with any adjoining land which is in the same occupation and has not been built on, not less than five acres—
- (a) if in the period of twelve months ending with the day on which the land is used as a caravan site the number of days on which a caravan was stationed anywhere on that land or on the said adjoining land for the purposes of human habitation did not exceed twenty-eight, and
  - (b) if in the said period of twelve months not more than three caravans were so stationed at any one time.
- (2) The Minister may by order contained in a statutory instrument provide that in any such area as may be specified in the order this paragraph shall have effect subject to the modification—
- (a) that for the reference in the foregoing sub-paragraph to five acres there shall be substituted a reference to such smaller acreage as may be specified in the order, or
  - (b) that for the condition specified in head (a) of that sub-paragraph there shall be substituted a condition that the use in question falls between such dates in any year as may be specified in the order,

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or subject to modification in both such respects.

- (3) The Minister may make different orders under this paragraph as respects different areas, and an order under this paragraph may be varied by a subsequent order made thereunder.
- (4) An order under this paragraph shall come into force on such date as may be specified in the order, being a date not less than three months after the order is made; and the Minister shall publish notice of the order in a local newspaper circulating in the locality affected by the order and in such other ways as appear to him to be expedient for the purpose of drawing the attention of the public to the order.

*Sites occupied and supervised by exempted organisations*

- 4 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land which is occupied by an organisation which holds for the time being a certificate of exemption granted under paragraph 12 of this Schedule (hereinafter referred to as an exempted organisation) if the use is for purposes of recreation and is under the supervision of the organisation.

*Sites approved by exempted organisations*

- 5 (1) Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land as respects which there is in force a certificate issued under this paragraph by an exempted organisation if not more than five caravans are at the time stationed for the purposes of human habitation on the land to which the certificate relates.
- (2) For the purposes of this paragraph an exempted organisation may issue as respects any land a certificate stating that the land has been approved by the exempted organisation for use by its members for the purposes of recreation.
- (3) The certificate shall be issued to the occupier of the land to which it relates, and the organisation shall send particulars to the Minister of all certificates issued by the organisation under this paragraph.
- (4) A certificate issued by an exempted organisation under this paragraph shall specify the date on which it is to come into force and the period for which it is to continue in force, being a period not exceeding one year.

*Meetings organised by exempted organisations*

- 6 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use of land as a caravan site if the use is under the supervision of an exempted organisation and is in pursuance of arrangements made by that organisation for a meeting for its members lasting not more than five days.

*Agricultural and forestry workers*

- 7 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of agricultural land for the accommodation during a particular season of a person or persons employed in farming operations on land in the same occupation.

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- 8 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use of land as a caravan site for the accommodation during a particular season of a person or persons employed on land in the same occupation, being land used for the purposes of forestry (including afforestation).

*Building and engineering sites*

- 9 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land which forms part of, or adjoins, land on which building or engineering operations are being carried out (being operations for the carrying out of which permission under Part III of the Act of 1947 has, if required, been granted) if that use is for the accommodation of a person or persons employed in connection with the said operations.

*Travelling showmen*

- 10 (1) Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use of land as a caravan site by a travelling showman who is a member of an organisation of travelling showmen which holds for the time being a certificate granted under this paragraph and who is, at the time, travelling for the purposes of his business or who has taken up winter quarters on the land with his equipment for some period [<sup>F1</sup>falling between the beginning of October in any year and the end of March][<sup>F1</sup>beginning on or after 20 September in any year and continuing until not later than 16 April] in the following year.
- (2) For the purposes of this paragraph the Minister may grant a certificate to any organisation recognised by him as confining its membership to bona fide travelling showmen; and a certificate so granted may be withdrawn by the Minister at any time.

**Textual Amendments**

- F1** Words “beginning on or after 20 September in any year and continuing until not later than 16 April” substituted (S.) for words “falling between the beginning of October in any year and the end of March” by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), s. 66(1), [Sch. 3 para. 3\(a\)](#)

*Sites occupied by licensing authority*

- 11 A site licence shall not be required for the use as a caravan site of land occupied by the local authority in whose area the land is situated.

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

- C1** [Sch. 1 para. 11](#) extended (E.W.) (19.9.1995) by [1995 c. 25, ss. 70, 125\(2\)](#), [Sch. 9 para. 4\(b\)](#) (with [ss. 7\(6\), 115, 117, Sch. 8 para. 7](#))

*[<sup>F2</sup> Gipsy sites occupied by county councils or regional councils*

**Textual Amendments**

- F2** Para. 11A inserted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 176

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[<sup>F3</sup>11A [<sup>F4</sup>A site licence shall not be required for the use of land occupied by a county council, or in Scotland by a regional council, as a caravan site providing accommodation for [<sup>F5</sup>persons to whom section 24(8A) of this Act applies].]]

**Textual Amendments**

- F3** Para. 11A inserted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 176
- F4** [Sch. FIRST para. 11A](#) repealed (S.) (1.4.2009) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), [sch. 7](#) (with s. 193); [S.S.I. 2009/122](#), art. 3
- F5** Words substituted (S.) by virtue of [Local Government and Planning \(Scotland\) Act 1982 \(c.43, SIF 81:2\)](#), s.66(1), [Sch. 3 para. 3\(b\)](#)

*Certification of exempted organisations*

- 12 (1) For the purposes of paragraphs 4, 5 and 6 of this Schedule the Minister may grant a certificate of exemption to any organisation as to which he is satisfied that it objects include the encouragement or promotion of recreational activities.
- (2) A certificate granted under this paragraph may be withdrawn by the Minister at any time.

*Power to withdraw certain exemptions*

- 13 (1) The Minister may on the application of a local authority by order provide that, in relation to such land situated in their area as may be specified in the order, this Schedule shall have effect as if paragraphs 2 to 10, or such one or more of those paragraphs as may be so specified, were omitted from this Schedule.
- (2) An order under this paragraph—
- (a) shall come into force on such date as may be specified therein, and
- (b) may, on the application of the local authority on whose application it was made, be varied or revoked by a subsequent order made thereunder,
- and, except in the case of an order the sole effect of which is to revoke in whole or part a previous order, the local authority shall, not less than three months before the order comes into force, cause a notice setting out the effect of the order and the date on which it comes into force to be published in the London Gazette or, if the land is in Scotland, in the Edinburgh Gazette and in a local newspaper circulating in the locality in which the land to which the order relates is situated.

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