

Environmental Health Consultation Response**Officer****Neale Redfern****Detail: Proposed redevelopment of site for 30 no. holiday chalets,****Flare SRU:****045493****Address: Coars Farm Settle Road Bolton By Bowland
Skipton Lancashire BD23 4SN****Ribble Valley
Borough Council**www.ribblevalley.gov.uk**Application Ref:** 3/2020/1091**Case Officer:** Ms Laura Eastwood**Response Ref:** 3/2020/1091/ENV/01**Issue Date:** 15 January 2021**General Comments/Observations**

- 1.1** Ensure that the development complies with the Caravan Sites & Control of Development Act 1960, holiday site conditions (conditions attached).
- 1.2** The above observations have been provided on the basis of the level of information submitted and the comments contained within this response represent officer opinion only, at the time of writing, without prejudice.
- 1.3** Should you be minded to approve the application, notwithstanding other considerations, I would suggest that the following conditions be attached should you feel they are relevant and jus

Officer:**Neale Redfern**

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT, 1960
Section 3

SITE LICENCE

To

WHEREAS on the day of 20 , you made application for a site licence in respect of land situated at

AND WHEREAS you are entitled to the benefit of permission (ref No.) for the use of the said land as a caravan site granted under Part III of the Town and County Planning Act, 1971, otherwise than by a development order

NOW THEREFORE the RIBBLE VALLEY BOROUGH COUNCIL **HEREBY GRANT** a site licence in respect of the said land pursuant to Section 3 of the Caravan Sites and Control of Development Act 1960, subject to the following conditions, that is to say

DATED

Signed

CHIEF EXECUTIVE

(The officer appointed for this purpose)

**IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES
PRINTED ON THE BACK OF THIS FORM**

NOTES

It is provided by the Caravan Sites and Control of Development Act, 1960, as follows:-

Appeal to Magistrates' Court against conditions attached to site licence

7. (1) Any person aggrieved by any condition (other than the condition referred to in subsection (3) of section five of this Act) subject to which a site licence has been issued to him in respect of any land may, within 28 days of the date on which the licence was so issued, appeal to a Magistrates' Court acting for the petty sessions area in which the land is situated; and the Court, if satisfied (having regard amongst other things to any standards which may have been specified by the Minister under subsection (6) of the said section five) that the condition is unduly burdensome, may vary or cancel the condition.
- (2) In so far as the effect of a condition (in whatever words expressed) subject to which a site licence is issued in respect of any land is to require the carrying out on the land of any works, the condition shall not have effect during the period within which the person to whom the site licence is issued is entitled by virtue of the foregoing subsection to appeal against the condition, nor, thereafter, whilst an appeal against the condition is pending.

Provisions as to breaches of condition

9. (1) If an occupier of land fails to comply with any condition for the time being attached to a site licence held by him in respect of the land, 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.
- (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 an application in that behalf is made at the hearing by the Local Authority in whose area the land is situated, make an order for the revocation of the said site licence to come into force on such date as the Court may specify in the order, being a date after the end of the period of fourteen days mentioned in subsection (1) of section eighty-four and subsection (2) of section eighty-seven of the Magistrates' Courts Act, 1952, as the period within which the person convicted may bring an appeal, whether by case stated or otherwise; and if before the date so specified an appeal is so brought the order shall be of no effect pending the final determination or withdrawal of the appeal.

The person convicted or the Local Authority who issued the site licence may apply to the Magistrates' Court which has made such an order revoking a site licence for an order extending the period at the end of which the revocation is to come into force, and the Magistrate's Court may, if satisfied that adequate notice of the application has been given to the Local Authority or, as the case may be, the person convicted, make an order extending that period.

- (3) Where an occupier of land fails within the time specified in a condition attached to a site licence held by him to complete to the satisfaction of the Local Authority in whose area the land is situated any works required by the condition to be so completed, the Local Authority may carry out those works, and may recover as a simple contract debt in any court of competent jurisdiction from that person any expenses reasonably incurred by them in that behalf.

Transfer of site licences and transmission on death, etc

10. (1) When the holder of a site licence in respect of any land ceases to be the occupier of the land, he may, with the consent of the Local Authority in whose area the land is situated, transfer the licence to the person who then becomes the occupier of the land.
- (2) Where a Local Authority give their consent to the transfer of a site licence, they shall endorse on the licence the name of the person to whom it is to be transferred and the date agreed between the parties to the transfer as the date on which that person is, for the purposes of this Part of this Act, to be treated as having become the holder of the licence.
- (3) If an application is made under subsection (1) of this section for consent to the transfer of a site licence to a person who is to become the occupier of the land, that person may apply for a site licence under section three of this Act as if he were the occupier of the land, and if the Local Authority at any time before issuing a site licence in compliance with that application give their consent to the transfer they need not proceed with the application for the site licence.
- (4) Where any person becomes, by operation of law, entitled to an estate or interest in land in respect of which a site licence is in force and is, by virtue of his holding that estate or interest, the occupier of the land within the meaning of this Part of this Act he shall, for the purposes of this Part of this Act, be treated as having become the holder of the licence on the day on which he became the occupier of the land, and the Local Authority in whose area the land is situated shall, if an application in that behalf is made to them, endorse his name and the said date on the licence.