



Caravan Sites and Control of Development Act 1960

1960 CHAPTER 62 8 and 9 Eliz 2

PART I

CARAVAN SITES

Licensing of caravan sites

[^{F1}9F] Action under section 9D or 9E: power to demand expenses

- (1) Where a local authority take action under section 9D or emergency action under section 9E, the authority may impose a charge on the occupier of the land as a means of recovering expenses incurred by them—
 - (a) in deciding whether to take the action,
 - (b) in preparing and serving any notice under section 9D or 9E or a demand under subsection (6), and
 - (c) taking the action.
- (2) The expenses referred to in subsection (1) include in particular the costs of obtaining expert advice (including legal advice).
- (3) In the case of emergency action under section 9E, no charge may be imposed under subsection (1) until such time (if any) as is determined in accordance with subsection (4).
- (4) For the purposes of subsection (3), the time when a charge in respect of emergency action may be imposed is—
 - (a) if no appeal against the local authority's decision to take the emergency action is brought under section 9E(9) within the appeal period under section 9G, at the end of that period;
 - (b) if an appeal is brought under that section and a decision on the appeal confirms the authority's decision—

Changes to legislation: There are currently no known outstanding effects for the Caravan Sites and Control of Development Act 1960, Section 9F. (See end of Document for details)

- (i) where the period within which an appeal to the Upper Tribunal may be brought expires without such an appeal having been brought, the end of that period;
 - (ii) where an appeal to the Upper Tribunal is brought, when a decision is given on the appeal confirming the authority's decision.
- (5) For the purposes of subsection (4)—
- (a) the withdrawal of an appeal against a decision by the local authority has the same effect as a decision on the appeal confirming the authority's decision;
 - (b) references to a decision on the appeal confirming the authority's decision are to a decision which confirms that decision with or without variation.
- (6) The power under subsection (1) is exercisable by serving on the occupier of the land a demand for the expenses which—
- (a) sets out the total expenses the local authority seek to recover under subsection (1) (“relevant expenses”),
 - (b) sets out a detailed breakdown of the relevant expenses,
 - (c) where the local authority propose to charge interest under section 9I, sets out the rate at which the relevant expenses carry interest, and
 - (d) explains the right of appeal conferred by subsection (7).
- (7) An occupier of land who is served with a demand under this section may appeal to [^{F2}the tribunal] against the demand (for further provision about appeals under this section, see section 9G).
- (8) A demand under this section must be served—
- (a) in the case of action under section 9D, before the end of the period of two months beginning with the date on which the action is completed;
 - (b) in the case of emergency action under section 9E—
 - (i) before the end of the period of two months beginning with the earliest date (if any) on which a charge may be imposed in accordance with subsection (4), or
 - (ii) if the action has not been completed by the end of that period, before the end of the period of two months beginning with the date on which the action is completed.]

Textual Amendments

F1 Ss. 9D-9F inserted (E.W.) (1.4.2014) by [Mobile Homes Act 2013 \(c. 14\)](#), **ss. 5(1)**, 15(1)

F2 Words in s. 9F(7) substituted (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. 8**

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