

SCHEDULE 2

Regulation 5

DEFINITION OF DWELLING—EXCLUSIONS

Huts, sheds and bothies

1. Any lands and heritages—
 - (a) which constitute a hut, shed, bothy or a similar structure or building;
 - (b) which are not the sole or main residence of any person; and
 - (c) which either—
 - (i) in accordance with any licence or planning permission regulating the use of their sites, or for any other reason, are not allowed to be used for human habitation throughout the whole year; or
 - (ii) by reason of their construction or the facilities which they do, or do not, provide, are unfit so to be used.

Self-catering holiday accommodation

2. Any lands and heritages—
 - (a) which are not the sole or main residence of any person; and
 - (b) which either—
 - (i) are made available by a relevant person for letting, on a commercial basis and with a view to the realisation of profits, as self-catering accommodation for short periods amounting in the aggregate to 140 days or more in the financial year; or
 - (ii) if they have not been made so available for letting in that year, are intended by a relevant person to be made so available for letting in that year and the interest of the relevant person in the lands and heritages is such as to enable him to let them for such periods.

Women's refuges

3. Any lands and heritages managed by a voluntary organisation for the temporary accommodation of persons who have left their homes as a result of—

- (a) physical violence or mental cruelty; or
- (b) threats of such violence or cruelty,

from persons to whom they are married or with whom they are or were cohabiting, other than any part of such lands and heritages which constitutes the sole or main residence of any person employed by the voluntary organisation.