



**PUBLIC HEALTH ACT, 1936, s.269**

**Licence to use land as a Site for Moveable Dwellings**

The Suffolk Coastal District Council

**HEREBY GRANT** to Dr. Claire Norton

Of St. Margaret's House, Hollesley Road, Shottisham, IP12 3HD

a Licence to use the parcel of land within the District known as:

**THE SHOTTISHAM CAMPSITE, ST.MARGARET'S HOUSE, HOLLESLEY ROAD, SHOTTISHAM, IP12 3HD**

as a site for moveable dwellings, subject to the conditions set out below.

**Number and Classes of moveable dwellings  
which may be kept thereon at the same time:**

Number:	Class:
25	Tents

**Space to be kept free between any two tents:** Six metres

**Water supply:** No pitch shall be further than 90 metres from a water tap. At each tap there shall be a soakaway or gully.

**The following provisions shall be observed for securing sanitary conditions:**

- a) The washing and sanitary provisions currently provided should be made available for the tent occupants.
- b) Suitable refuse containment facilities shall be provided on the site and all refuse shall be properly disposed of on at least a weekly basis.
- c) Waste water disposal points shall be provided so that no pitch shall be further than 90 metres from a disposal point.

You are advised to have regard to the statutory provisions governing the issue and use of licences for land used as a site for moveable dwellings, the relevant paragraphs of which attached. Any appeal in pursuance of subsection (4) must be brought within 21 days of the receipt of this Licence.

Dated: 19 December 2018

Signed .....  .....

Mrs S. Allison  
Environmental Health Technical Officer  
(The authorised officer for and on behalf  
of Suffolk Coastal District Council)

**IT IS IMPORTANT THAT YOU SHOULD READ THE ATTACHED NOTES**

## PUBLIC HEALTH ACT 1936

### Section 269

1. For the purpose of regulating in accordance with the provisions of this section the use of moveable dwellings within their district, a local authority may grant –
  - i. licences authorising persons to allow land occupied by them within the district to be used as sites for moveable dwellings: and
  - ii. licences authorising persons to erect or station, and use, such dwelling with the district; and may attach to any such licence such conditions as they think fit –
    - a) in the case of a licence authorising the use of land, with respect to the number and classes of moveable dwellings which may be kept thereon at the same time, and the space to be kept free between any two such dwellings, with respect to water supply, and for securing sanitary conditions;
    - b) in the case of a licence authorising the use of a moveable dwelling, with respect to the use of that dwelling (including the space to be kept free between it and any other such dwelling) and its removal at the end of a specified period, and for securing sanitary conditions.

2. Subject to the provisions of this section, a person shall not allow any land occupied by him to be used for camping purposes on more than **42** consecutive days or more than **60** days in any **12** consecutive months, unless either he holds in respect of the land so used such a licence from the local authority of the district as is mentioned in paragraph (i) of the preceding sub-section, or each person using the land as a site for a moveable dwelling holds in respect of that dwelling such a licence from that authority as is mentioned in paragraph (ii) of the said sub-section.

For the purposes of this sub-section, land which is in the occupation of the same person, as and within **100** yards of, a site on which there is during any part of any day a moveable dwelling shall be regarded as being used for camping purposes on that day.

3. Subject to the provision of this section, a person shall not keep a moveable dwelling on any one site, or on two or more sites in succession, if any one of those sites is within **100** yards of another of them, on more than **42** consecutive days, or **60** days in any **12** consecutive months, unless either he holds in respect of that dwelling such a licence from the local authority of the district as is mentioned in paragraph (ii) of sub-section 1 of this section, or the occupier of each piece of land on which the dwelling is kept holds in respect of that land such a licence from that authority as is mentioned in paragraph (i) of the said sub-section.
4. Where under this section an application for a licence is made to a local authority, the authority shall be deemed to have granted it unconditionally, unless with **4** weeks from the receipt thereof they give notice to the applicant stating that his application is refused, or stating the conditions subject to which a licence is granted, and, if an applicant is aggrieved by this refusal of the authority to grant him a licence, or by any condition attached to a licence granted, he may appeal to a magistrates' court.
5. Nothing in this section applies –
  - i. to a moveable dwelling which –
    - a) is kept by its owner on land occupied by him in connection with his dwelling house and is used for habitation only by him or by members of his household; or
    - b) is kept by its owner on agricultural land occupied by him and is used for habitation only at certain seasons and only by persons employed in farming operations on that land; or
  - ii. to a moveable dwelling while it is not in use for human habitation and is being kept on premises the occupier of which permits no moveable dwellings to be kept thereon except such as are for the time being not in use for human habitation.

6. If an organisation satisfies the Secretary of State that it takes reasonable steps for securing –
  - a) that camping sites belonging to or provided by it, or used by its members, are properly managed and kept in good sanitary condition; and
  - b) that moveable dwellings used by its members are so used as not to give rise to any nuisance, the Secretary of State may grant to that organisation a certificate of exemption.

A certificate so granted may be withdrawn at any time, but while in force shall for the purpose of this section have the effect of a licence –

- i. authorising the use as a site for moveable dwellings of any camping ground belonging to, provided by or used by members of, the organisation;
- ii. authorising any member of the organisation to erect or station on any site, and use, a moveable dwelling.

In this sub-section the expression “member” in relation to an organisation includes a member of any branch or unit of, or formed by, the organisation.

7. A person who contravenes any of the provisions of this section, or fails to comply with any condition attached to a licence granted to him under this section, shall be liable to a fine not exceeding level 1 on the standard scale\*, and to a further fine not exceeding £2 for each day on which the offence continues after conviction therefore.

8. For the purposes of this section –

- i. the expression “moveable dwelling” includes any tent, any van or other conveyance whether on wheels or not, and, subject as hereinafter provided, any shed or similar structure, being a tent, conveyance or structure which is used either regularly, or at certain seasons only, or intermittently, for human habitation:\*\*  
Provided that it does not include a structure to which building regulations apply;
- ii. the owner of land which is not let shall be deemed to be the occupier thereof;
- iii. if a moveable dwelling is removed from the site on which it stands, but within **48** hours is brought back to the same site or to another site within **100** yards thereof, then, for the purpose of reckoning any such period of **42** consecutive days as is mentioned in sub-section 2) or sub-section 3) of this section, it shall be deemed not to have been removed, or as the case may be to have been moved direct from one site to the other.

\* \* \* \*

\*Currently £200, subject to alteration by Order.

\*\*Section 269 of the Public Health Act, 1936, does not now apply to a **caravan** which is defined as “any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, “but does not include:  
any railway rolling stock which is for the time being on rails forming part of a railway system, or any tent.

(Caravan Sites and Control of Development Act 1960, sections 29 and 30)