

Licence:  
LI24\_000507



**CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960**  
**SECTION 3 AND PUBLIC HEALTH ACT, 1936 S.269**

**SITE LICENCE**

To: **Rosecliston Parks Ltd, 56 The Square, Chagford, Newton Abott, Devon TQ13 8BT.**

1. You applied to **CORNWALL COUNCIL** (hereinafter called "the Council") for a site licence in respect of land at: **Fistral Retreat Park, Rosecliston, Trevemper, Newquay, Cornwall, TR8 5JT. UPRN: 010001206067** (hereinafter called "the land").
2. You are entitled to the benefit of permission (Ref No: PA22/00344), for the use of the land as a caravan site granted under Part III of the Town and Country Planning Act 1990, otherwise than by a Development Order.
3. The Council hereby GRANT a site licence in respect of the land, in accordance with the provisions of Section 3 of the Caravan Sites and Control of Development Act 1960 and the use of the land as a Site for Moveable Dwellings under section 269 of the Public Health Act 1936, subject to the following conditions:
  - a. **A copy of the site licence and conditions MUST be displayed on the site in a conspicuous position.**
  - b. **The site shall comply with all relevant planning consents.**
  - c. **The use of the site shall be limited to no more than:**  
  
**85 Residential Caravans**
  - d. **The site shall comply with the conditions as detailed in the attached schedule.**

**This site Licence supercedes and replaces all previous site licences issued in respect of this land under the provisions of the Caravan Sites & Control of Development Act 1960.**



Signed:

**Issued by Kevin Brader**  
**Head of Service for Public Protection**  
**Dated: 24<sup>th</sup> April 2024**

**IT IS IMPORTANT THAT YOU READ THE NOTES PRINTED ON THIS LICENCE****NOTES****Ensure Compliance with the Regulatory Reform (Fire Safety) Order 2005**

- i. Undertake a suitable and sufficient Fire Risk Assessment of the site and act on significant findings.
- ii. Make available the latest version of the fire risk assessment for inspection by residents and when requested, a copy of the risk assessment shall be made available to the local authority.
- iii. Emergency vehicles should be able to secure access at all times to within 90 metres of any unit on the site.

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 twenty-eight 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 there under 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 not earlier than the expiration of any period within which notice of appeal (whether by case stated or otherwise) may be given against the conviction; 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 magistrates' 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.