



Planning, Certificates & TRO

Contents

Outline.....	1
Planning.....	2
Planning Permission	2
Motorcaravan Exemption Certificates	2
The legislative background	3
Summary	3
Traffic Regulation Order (TRO)	5
Motorcaravan v Self-contained Motorcaravan.....	5
TRO Contents	6
Model Standards – Background Information.....	7
Appendix 1	9
Extract from Caravan Sites and Control of Development Act 1960	9
Appendix 2	11
TRO Example	11
Appendix 3	12
Documents in this Series.....	12
Introduction to Aires.....	12
Creating Aires and Service Points	12
Recommended Reading in Conjunction with this Document.....	13
Document History	13

Outline

This document outlines steps which may be involved in gaining planning permission/licences/certification to open an Aire along with changes which could be required to Traffic Regulation Orders (TRO) for existing car parking areas.

Planning

The regulations regarding the creation of Aires is complicated and open to interpretation. CAMpRA has been working closely with relevant authorities and associations such as the National Caravan Council, Caravan and Camping Club to try to establish clearer and more relevant guidance to enable Aires to be created around the UK and remains available to assist interested parties and guide them through the process. There are some interesting points to note:

- 1 The Caravan Sites and Control of Development Act 1960 was originally intended to be applied to static caravan and mobile home sites, not to touring caravans or motorcaravans.
- 2 A set of Model Standards was produced in 1963, superseded in 1983 England and Wales, 1990 Scotland, Circular No 17/1990, which acknowledged the existence of touring caravans, but still classified motorcaravans in the same way.
- 3 The Caravan Sites and Control of Development Act 1960 states that councils are exempt from the requirement to have a caravan site licence and have the power to amend the conditions for the licensing for touring sites “including the kinds of holidays which the site is designed to offer” for example as an Aire.
- 4 Exception Certificates can be issued by exempted organisations to simplify the process of creating five van sites for motorcaravans as an Aire.

CAMpRA is working towards the provision of officially accepted and locally backed Aires – safe places to park and sleep overnight.

Planning Permission

There is a distinction between planning permission and site licences. Campsites for touring caravans need both planning permission and a caravan site licence. Council created Aires do not require a site licence or planning permission to set up an Aire. Where a private Aire is to be set up however, then planning permission may be required for vehicular access, the installation of waste facilities etc. A caravan site licence is not necessary if the owner applies for an Exemption Certificate.

The main criteria to be able to use the Exemption Certificate route is that no more than five motorcaravans can be stationed on the site at any one time. If a larger site is planned, then you contact should be made with the relevant local authority.

Guidance for [Designing an Aire](#) and [Providing a Service Point for Motorcaravans](#) can be found on the CAMpRA Business Hub on the website (<https://campra.org.uk/business-hub/>)

Motorcaravan Exemption Certificates

Certain Clubs/Organisations are able to issue certificates which permit owners to have up to five motorcaravans on their land without the need for a caravan site licence. These are often known as a CL or CS.

The issuing body will carry out a site inspection and contact planning to check if there are any local conditions that may effect the issuing the exemption certificate and also consider the impact or objections from neighbours.

Organisations holding this type of exemption have considerable freedoms in arranging and supervising site facilities. They are therefore expected to acknowledge that the freedoms they enjoy implicitly carry certain responsibilities which include annual reviews and keeping records of Exemption Certificates issued. They will also have in place codes of conduct and general guidelines for the operation of the site.

This is an extract from the rules for exemption certification that apply to motorcaravans and are applicable to sites issued an Exemption Certification by The Motor Caravanners Club. For clarity reference to caravans (including motorhome and campervan) have been replaced with **'motorcaravan'** and caravan sites replaced with **'Aire'**

A Motorcaravan exemption certificate is a certificate which, in certain circumstances, allows a recreational vehicle to park on land without a site licence or the need to apply for planning permission.

Motorcaravan Exemption Certificates are intended for organisations that occupy or use non-licensed sites with the landowner's permission for recreational purposes.

The legislative background

Exemption certificates are issued under two separate pieces of legislation for motorcaravans. For land to be used as an Aire it must be licensed and planning permission may be necessary, however:

- Section 2 of, and the First Schedule to the Caravan Sites and Control of Development Act 1960 ("the 1960 Act") provide exemptions from the need for a site licence or planning permission.
- Part 5 Class A of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") permits the use of land as a touring motorcaravan site where a Motorcaravan Exemption Certificate has been issued.

What types of Exemption Certificates are issued and what do they allow an organisation to do?

Appendix 1 is an extract from the 1960 Act called the FIRST SCHEDULE and sets out the law where a site licence is not required - that is, sites can be created as long as they have been issued with an exemption certificate from a club which has been given the right to issue these certificates.

Paragraphs 4, 5 and 6 of the FIRST SCHEDULE cover the activities of exempted organisations but in particular, paragraph 5 states that ability for these Organisations to issue their members with the right to create what CAMpRA call Aires for the purposes of recreation.

Sites Approved by Exempted Organisations have certificates issued to the landowner or occupier. These certificates are valid for up to one year. Non-members are allowed to stay on the site if the organisation and the landowner agree to it, so it is not necessary to be tied to any particular clubs.

Summary

- No more than five caravans can be stationed on an exempted site at any one time.
- Before issuing a Certificate, an exempted organisation is expected to have a system for consulting neighbours and the relevant local licensing authority
- Organisations which issue Certificates are also expected to have systems in place to inspect the sites where certificates have been issued to check that the terms of the Certificate are

being observed; and for dealing with any inquiries or complaints from the public about their sites.

- Certificates are to be issued to the occupiers of the land
- Certificates need to be renewed annually

At the time of writing Motorhome Fun and The Motor Caravanners Club issue exemption certificates for Aires or Nightstops and do not require specific membership to use these. CAMpRA can offer advice to businesses and landowners on how to go about applying for exemption certificates.

Traffic Regulation Order (TRO)

Traffic Regulation Order (TRO) – The Road Traffic Regulation Act 1984 Part IV Parking Places covers the provision for off street parking and in many cases, some changes would be required to the TRO to allow overnight sleeping, for the purpose of creating Aires.

CAMPRA has drafted some guidance on how to amend a TRO to provide for parking of motorcaravans for the purpose of overnight sleeping that is specific to the particular self-contained vehicle type that is referred to by several terms, e.g. motorhome, motorcaravan, campervan.

Information relating to the conversion of existing car parking to motorcaravan parking can be found on CAMPRA's [Business Hub](#) on the website in [Providing a Service Point for Motorcaravans](#)

Motorcaravan v Self-contained Motorcaravan

First the decision which needs to be made is what type of motorcaravan will be allowed to park overnight as this may depend on the facilities available at the location. It is therefore essential to properly define the type of vehicle.

Motorcaravan:

A vehicle meeting the EU Type Approval definition of a M1SP motor caravan, i.e. a motor vehicle with living accommodation space which contains the following equipment as a minimum:

- a) Seats and table.
- b) Sleeping accommodation which may be converted from the seats.
- c) Cooking facilities.
- d) Storage facilities.

This equipment shall be rigidly fixed to the living compartment. However, the table may be designed to be easily removable.

Self-contained Motor Caravan:

As above however in addition:

- a) Onboard toilet, with integral waste storage, which may be fixed or portable.
- b) Onboard fresh water storage of sufficient capacity for the normal use of the occupants.
- c) Onboard waste water storage of sufficient capacity for the normal use of the occupants.

It is appreciated that enforcement of the vehicle type may be problematic, but it is felt that the above definitions are appropriate.

It is important to recognise that the DVLA Body Type, as recorded on a vehicle's V5C document, describes only what the vehicle looks like, not the facilities contained within it. It should not be used as a definition.

Some converted panel vans are fully self-contained despite outward appearances.

TRO Contents

The TRO must include the following provision:

No person shall use any part of a Parking Place or any Vehicle parked in a Parking Place:

(a) for camping, sleeping or cooking other than in a Motor Caravan/Self-Contained Motorcaravan(delete as appropriate) in those Parking Places identified in Schedule xx and in accordance with the conditions set out in that Schedule

Schedule xx

The Schedule to the Order must contain the following details:

- 1) Nominated places where Parking of Motor Caravans Overnight is permitted
- 2) Scale of charges
 - a) The term 'overnight', if used, must be defined as a specific time period, for example 6pm to 8am.
- 3) Constraints on use

It is useful to state the type of activities permitted, for example 'normal domestic activities' which could be considered to include cooking, eating and sleeping. 'Camping' type activities, such as deploying awnings, setting out any external equipment such as tables, chairs, washing lines, generators etc., must be specifically prohibited, as must the emptying of any waste tanks onto the ground or into surface water drains.

4) Parking positions

The locations within the car park(s) where motor caravans are permitted to park. The regulations applicable to motor caravans that do not fit within a single bay should be specified. For example, whether overhanging a second bay is permitted, and if parking fee must be paid for each bay used, during the daytime and at night. Consideration should be given to specifying appropriate spacing between motor caravans.

5) Length of stay

The period of time that motor caravans are permitted to stay must be specified. It may be useful to also specify a period of non-return.

6) Size of vehicles

The construction and/or access to a car park may restrict the size and weight of motor caravans, if this is the case the appropriate details must be specified. Weight limits must be quoted as gross vehicle weight (GVW).

7) Use of designated motorcaravan bays

If motorcaravan overnight parking is to be restricted to designated motorcaravan bays then consideration should be given to prohibiting the use of these designated bays by other vehicles in a similar way to coach bays.

Model Standards – Background Information

In 1960 legislation still used today was introduced “Caravan Sites and Control of Development Act 1960”. This was originally introduced to control the development of Mobile Home and Static Caravan Parks. As this was the only legislation dealing with “campsites” it was adopted by the caravan clubs and used by councils for all caravan sites.

In 1977 the government announced model standards for Holiday Parks, the model standards are guidance to planning authorities on how to apply the legislation intended for residential sites to “Holiday Parks”.

In 1983 (England and Wales) additional Model Standards were introduced to apply to “Touring Caravan Sites”

Scotland have their own Model Standards

There are some key paragraphs in the model standards that we believe give the councils the flexibility to adjust the model standards when applied to Aires for self-contained motorcaravans.

The 1960 act model standards Circular 23/83 (Department of the Environment) States:-

2. Although the current standards may have been taken to apply to sites used for touring caravans, that was not the intention, and the opportunity has now been taken to clarify the situation by the formulation of model standards for touring caravan sites, The 1977 Revised Model Standards will have effect hereafter as applying only to permanent residential sites, to static holiday caravan sites and to sites on which there are both static and touring caravans but where the predominant use is for static holiday sites.

V: In pursuance of his powers under Section 5(6) of the Act, the Secretary of State now specifies Model Standards for sites for touring caravans. Although these represent the standards normally to be expected, as a matter of good practice, the Secretary of State does not wish them to be applied to all sites, regardless of the economic and other implications for the site operators, people using the site and public amenity.

They should be applied with due regard to the particular circumstances of each case, including the physical character of the site, any services or facilities that may already be available within convenient reach, and other local conditions including the kind of holidays which the site is designed to offer. Where usage is restricted to caravans equipped with their own toilet and washing facilities, communal toilet and washing facilities may not be necessary and lower standards than specified may be desirable in some locations for the avoidance of visually intrusive structures or installations.

CAMpRA commissioned a Motorcaravan Spacing Fire Safety Report from a leading fire safety consultancy firm, Fire Decisions Ltd who are members of the FPA - Fire Prevention Association

CAMpRA have produced model standards that we believe can be implemented within the current legislation and within the powers that the councils have under the 1983 regulations, England and Wales and 1990 Scotland .

Our proposal which was raised in the House of Lords is that the modern self-contained motorcaravan bears little resemblance to a caravan as it is designed to be self-sufficient and not for setting up camp, therefore we need to separate motorcaravans from caravans the same as tents are separated with their own legislation. This is still being debated.

An Aire is not a campsite as no camping behaviour such as putting up awnings and setting out tables and chairs is allowed.

Appendix 1

Extract from Caravan Sites and Control of Development Act 1960

Schedules 1 to 6.

<https://www.legislation.gov.uk/ukpga/Eliz2/8-9/62/enacted>

SCHEDULES

FIRST SCHEDULE

Cases where a Caravan Site Licence is not required

Use within curtilage of a dwellinghouse

- 1 A site licence shall not be required for the use of land as a caravan site if the use is incidental to the enjoyment as such of a dwellinghouse within the curtilage of which the land is situated.

Use by a person travelling with a caravan for one or two nights

- 2 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use of land as a caravan site by a person travelling with a caravan who brings the caravan on to the land for a period which includes not more than two nights—
 - (a) if during that period no other caravan is stationed for the purposes of human habitation on that land or any adjoining land in the same occupation, and
 - (b) if, in the period of twelve months ending with the day on which the caravan is brought on to the land, the number of days on which a caravan was stationed anywhere on that land or the said adjoining land for the purposes of human habitation did not exceed twenty-eight.

Use of holdings of five acres or more in certain circumstances

- 3 (1) Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land which comprises, together with any adjoining land which is in the same occupation and has not been built on, not less than five acres—
 - (a) if in the period of twelve months ending with the day on which the land is used as a caravan site the number of days on which a caravan was stationed anywhere on that land or on the said adjoining land for the purposes of human habitation did not exceed twenty-eight, and
 - (b) if in the said period of twelve months not more than three caravans were so stationed at any one time.
- (2) The Minister may by order contained in a statutory instrument provide that in any such area as may be specified in the order this paragraph shall have effect subject to the modification—
 - (a) that for the reference in the foregoing sub-paragraph to five acres there shall be substituted a reference to such smaller acreage as may be specified in the order, or
 - (b) that for the condition specified in head (a) of that sub-paragraph there shall be substituted a condition that the use in question falls between such dates in any year as may be specified in the order,

or subject to modification in both such respects.

- (3) The Minister may make different orders under this paragraph as respects different areas, and an order under this paragraph may be varied by a subsequent order made thereunder.
- (4) An order under this paragraph shall come into force on such date as may be specified in the order, being a date not less than three months after the order is made; and the Minister shall publish notice of the order in a local newspaper circulating in the locality affected by the order and in such other ways as appear to him to be expedient for the purpose of drawing the attention of the public to the order.

Sites occupied and supervised by exempted organisations

- 4 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land which is occupied by an organisation which holds for the time being a certificate of exemption granted under paragraph 12 of this Schedule (hereinafter referred to as an exempted organisation) if the use is for purposes of recreation and is under the supervision of the organisation.

*****Sites approved by exempted organisations*****

- 5 (1) Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use as a caravan site of land as respects which there is in force a certificate issued under this paragraph by an exempted organisation if not more than five caravans are at the time stationed for the purposes of human habitation on the land to which the certificate relates.
 - (2) For the purposes of this paragraph an exempted organisation may issue as respects any land a certificate stating that the land has been approved by the exempted organisation for use by its members for the purposes of recreation.
 - (3) The certificate shall be issued to the occupier of the land to which it relates, and the organisation shall send particulars to the Minister of all certificates issued by the organisation under this paragraph.
 - (4) A certificate issued by an exempted organisation under this paragraph shall specify the date on which it is to come into force and the period for which it is to continue in force, being a period not exceeding one year.

Meetings organised by exempted organisations

- 6 Subject to the provisions of paragraph 13 of this Schedule, a site licence shall not be required for the use of land as a caravan site if the use is under the supervision of an exempted organisation and is in pursuance of arrangements made by that organisation for a meeting for its members lasting not more than five days.

**** This is the recommended route for small 5 van sites**

Appendix 2

TRO Example

Overnight Parking:

No person shall use any part of a Parking Place or any Vehicle parked in a Parking Place for camping, sleeping or cooking other than in a Self-Contained Motorcaravan in those Parking Places identified in Schedule xx and in accordance with the conditions set out in that Schedule

Schedule xx

1) Nominated places where Parking of Motor Caravans Overnight is permitted are located along the rear of the carpark and are clearly signposted.

2) Scale of charges

a) All Day Parking	8 am to 6pm	£5.00
b) Overnight Parking	8pm to 6am	£6.00

3) Constraints on use

Only normal domestic activities within the confines of the Motorcaravan which include cooking, eating and sleeping are permitted. 'Camping' type activities, such as deploying awnings, setting out any external equipment is expressly prohibited. If facilities are unavailable or full, please take all waste including waste waters etc with you.

4) Parking positions

Motorhomes should park in designated bays only. Vehicles longer than the parking bay may overhang the paving/grass. Motorhomes must observe minimum 3m spacing between vans and not park over hatching.

5) Length of stay

Motorcaravans may park for a maximum of 48hours with no return within 7 days.

6) Size of vehicles

Vehicles are limited to 8meters in length and Gross Vehicle Weight of 5 Tonne

7) Use of designated motorcaravan bays

Motorcaravan parking bays are only for use by Motorcaravans.

Appendix 3

Documents in this Series

All these documents can be found on the CAMpRA UK Ltd [Business Hub](#)

Name	Overview
Introduction to Aires	
Aires and Motorcaravans	This document explains what an Aire is, why they are needed, how they are used and what if any benefits there are from them being introduced.
Aires and Tourism	This is a guide to help you understand how Aires can work positively with other tourism sectors such as campsites, bed and breakfast and hotels.
Creating Aires and Service Points	
Steps to Creating an Aire	This document aims to set out the simplified steps for creating an Aire. This document is aimed at Small Businesses and Landowners who wish to create a small Aire.
Designing an Aire	This document aims to give practical advice and offer suggestion for the creation of successful parking spaces for Aires.
Providing a Service Point for Motorcaravans	Service points are very important for responsible and environmentally friendly disposal of waste this document outlines the types of systems used and potential costs for installation and upkeep.
Planning, TRO, Site Licences and Certificates	This document outlines what may be involved in gaining Planning Permission/licences/certification to open an Aire along with changes that might be required to Traffic Regulation Orders (TRO) for existing car parking areas. It also addresses Model Standards.
Fees and Promoting an Aire	This document aims to give practical advice and offer suggestions for what fees if any to charge for the use of an Aire and what methods can be used for promoting the new Aire.
Site Notices and Signs	This document suggests what notices and signs may be of use on an Aire.
CAMpRA Accreditation	This document explains what a CAMpRA Accredited Aire is, what this means to the site and how to get Accreditation.

Recommended Reading in Conjunction with this Document.

Name	Notes
CAMpRA - Strategy for Sustainable Motorcaravan Tourism in the UK	
CAMpRA Fire Safety Report	Commissioned by CAMpRA from and Independent professional Fire Safety Expert.
CAMpRA 2020 Survey	

Document History

Date	Version	Type	Notes
29.10.2021	2.0	Major Revision	Inclusion of following Docs TRO drafting guidance What is an exemption certificate Model Standards
2020	1.0		Previous iterations