



What is a Motorcaravan Exemption Certificate?

This is an extract from the rules for exemption certification that apply to motorcaravans and are applicable to sites issued an “Aire” Exemption Certificate 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”

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

The legislative background

1.4 (b) 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 is usually necessary. However, Section 2 of, and the First Schedule to, the Caravan Sites & 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 & Country Planning (General Permitted Development) Order 1995 (“the 1995 Order”) permits the use of land as a touring motorcaravan Aire where a Motorcaravan Exemption Certificate has been issued.

3. Motorcaravan Exemption Certificates

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

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

3.3 The First Schedule to the 1960 Act sets out where a site licence is not required. Paragraphs 4, 5 and 6 of the Schedule cover the activities of exempted organisations, Paragraph 5 deals with motorcaravans.

Paragraph 5: Sites Approved by Exempted Organisations

With this exemption, an organisation can select sites for its members to stay on, by issuing certificates 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.

Organisations exempted under Paragraph 5 may issue certificates (valid for up to one year) for particular sites, stating that the land has been approved by the organisation for the use of its members for the purposes of recreation. These sites are known as “Aires”

Additionally:

- No more than 5 caravans can be stationed on a Paragraph 5 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 their sites to check that the terms of the Certificate are being observed and for dealing with any enquiries or complaints from the public about their sites.
- Certificates are to be issued to the occupiers of the land