



Information Sheet 16.

THE ASSOCIATION OF CARAVAN & CAMPING EXEMPTED ORGANISATIONS
6 THORNES OFFICE PARK, MONCKTON ROAD, WAKEFIELD. WF2 7AN 07423 652581 www.acceo.org

Exemption for Clubs in Accordance with Paragraph 4 to the First Schedule of the 1960 Act

In order to decide whether or not your Club would benefit from a Para'4 exemption, it is necessary to examine the wording of Paragraph 6 to the First Schedule of the **Caravan Sites and Control of Development Act 1960** and to understand the wording by which all certificate holders are governed. The wording of Para' 6 is as follows: -

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 5 days.*

This means that only bona-fide fully paid up members of the Club holding the Certificate may attend meetings (rallies) organised by that Club and there are no circumstances where non-members or even visitors from another Club may attend. i.e. joint rallies are not permitted.

The rally is limited to 5 days in duration following which all caravans must be removed as soon as reasonably practicable.

The wording of Para' 4 is as follows: -

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 the purposes of recreation and is under the supervision of the organisation.*

The significant differences between this exemption and Para' 6 are: -

1. There is no stated limit in the Act on the duration of the site use although all Organisations operating Para' 4 have given an undertaking not to exceed 28 days.
2. Whilst the caravan site (rally) has to be 'Supervised' and 'Occupied' by the exempted organisation concerned, (and this means supervision by bona-fide members of that organisation) there is no requirement in this part of the Act limiting attendance to the members of the Certificate holding organisation.

THE CONDITIONS FOR PARA' 4 EXEMPTION

It should be noted that Organisations authorised to use the Para'4 Exemption and who are also Exempted under Para' 6 and may continue to arrange rallies of up to 5 days duration without the additional condition listed below.

- For rallies in excess of 5 days duration the legislation requires the organiser to "occupy" or take an "interest" in the land.

This means they must be "entitled to possession" for the period of the meeting (rally).

Such an interest is satisfied by a lease, which does not necessarily have to be in writing but the person/persons, or organisation named in the lease agreement must have "sufficient status".

The following would be likely to provide the status required: -

The leaseholder(s) should be a Trustee or Trustees of the Organisation/Club or the Organisation should be a limited Company. Some Clubs operate as Companies limited by Guarantee and provided their main activity is 'recreation' the legislation should be satisfied.

Alternatively, Clubs may appoint a principal Officer or Officers to act in the capacity of "Trustee" for this purpose.

The following wording should be added to your Club Constitution

- *Interest in land may be acquired by purchase, lease or licence for the purpose of holding rallies or meetings as permitted by legislation or by Local Planning Authorities or for any other Club activities.*
- *We agree to consult the relevant local authority regarding any unlicensed site we propose to occupy for more than 5 days and agree not to use any site to which the local authority objects.*
- *Such rallies will be limited to a maximum of 28 days on site.*

For information on how to apply go to: <https://www.gov.uk/guidance/camping-and-caravanning-site-exemption-certificates-know-the-rules-and-how-to-apply>

Sheet No. 16 in a series of ACCEO Information Sheets.

First issued November 1999 (this revision December 2014)