



## THE ASSOCIATION OF CARAVAN & CAMPING EXEMPTED ORGANISATIONS

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### THE 28-DAY RULE

Legislation concerning what has become known as the 28 day rule is covered by Paragraph 3 to the First Schedule of the 'Caravan Sites and Control of Development Act 1960'.

Some owners of unlicensed land wrongly believe that caravan rallies can be held for 28 days without the need for the Club concerned to hold an Exemption Certificate. The actual wording of this part of the legislation may appear confusing but the intention is quite clear.

Para' 3(a) refers to land together with any adjoining land in the same occupation (i.e. ownership or tenancy) that has not been built on and is not less than 5 acres, it is permissible to station a caravan anywhere on that land or the said adjoining land for the purposes of human habitation for up to 28 days (not necessarily consecutive) in a period of twelve months without a licence or a planning permission.

Para' 3(b) allows **not more than 3** caravans so stationed at any one time in the said period of 12 months.

The original intention of certain sections of this 40 year old Act of Parliament is unclear in many respects and it was hoped that the outcome of the 1995 review in which ACCEO and other caravanning organisations played a major part would result in the Act being re-drafted to clear up many of the anomalies. Regrettably, this is still awaited and we must form an opinion based upon what we believe to be the 'spirit' of the document in its now outdated form.

It seems unlikely that the exemption permitted by Para's 3(a) and 3(b) was intended to be used in conjunction with the five day (Para' 6) certificates subsequently issued to some 300 Organisations. Nevertheless, The 28 day rule is sometimes used by Clubs to justify a Rally Marshal being on site before the rally opens in order to set up road signs and peg out pitches etc. but it must never be used without making reasonable enquiries of the land owner/tenant to ensure that the 28 day allowance has not been "used up".

You may wonder who keeps count of the 28 days in any one year and we would hope and trust the land owner (or tenant) keeps records as the Local Authority may prosecute him or her if it can be proven (possibly by an aggrieved neighbour, an enthusiastic Local Councillor or L.A. employee who passes by frequently) that this part of the legislation is being abused.