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Llywodraeth Cymru  
Welsh Government

**A guide to camping  
exemption certificates  
under section 269 of the Public Health Act 1936**

**Welsh Government**

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## Contents

### Introduction

What does a camping exemption certificate allow my organisation to do?

What standards do myorganistaion have to meet to qualify for an exemption certificate?

How long is the certificate valid for?

Who can use the certificate?

Information about certificate holders.

How does my organistaion apply for a certificate?

Where to send your application.

### ANNEX 1

Model Code of Conduct

### ANNEX 2

Data Protection Act 1998 – Fair Processing Notice

# Camping Exemption Certificates

## Introduction

1. Under section 269 of the Public Health Act 1936 the use of land as a campsite for more than 42 days consecutively or 60 days in total in any 12 consecutive months requires a site licence from the local authority for the area concerned. In addition, the use of land for tented camping for more than 28 days a year, normally requires an express grant of planning permission<sup>1</sup>. **However, members of recreational organisations which meet certain requirements can camp on land without a site licence and without the need to apply for planning permission if their organisation holds a camping exemption certificate issued under section 269(6) of the 1936 Act.**

2. This guide is for organisations that think they might qualify for a camping exemption certificate. The guide sets out the criteria by which applications are determined, tells you how and where to apply for a certificate and what information to provide in support of your application. It applies only to certificates issued by the Welsh Ministers.

3. The guide is also relevant to caravanning organisations that want to allow tents as well as caravans on the same site. In these circumstances, a camping exemption certificate is normally required in addition to a caravan exemption certificate. See the Touring Exemption Certificates Guide (November 2009) for more information regarding caravan exemptions.

## What does a camping exemption certificate allow my organisation to do?

4. A camping exemption certificate granted under section 269 of the 1936 Act permits the use of any camping ground owned by a recreational organisation (or provided or used by them) to be used for tented camping without the need for a site licence from the local authority. It also permits members of such an organisation to put up tents on any site. A certificate also allows members of the organisation to benefit from the permitted development right under the 1995 Order<sup>2</sup> to use the land for the purposes of recreation or instruction, and to erect or place tents on the land for those purposes.

5. Camping exemption certificates do not permit caravans to be involved in camping activities. The word “caravan” is defined in the 1960 Act and it includes motor homes and campervans but it excludes tents (and by implication, it also excludes trailer tents). So tents and trailer tents must be covered by a camping certificate.

## What standards do my organisation have to meet to qualify for an exemption certificate?

6. Before the Welsh Ministers may issue an exemption certificate they must be satisfied that your organisation is taking reasonable steps to ensure that its campsites are properly managed and kept in good sanitary condition, and that the tents used by its members are

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<sup>1</sup> Part 4, Class B of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (“the 1995 Order”) gives permitted development rights to use land for tented camping for up to 28 days a year.

<sup>2</sup> See Part 27, Class A of Schedule 2 to the 1995 Order

used in a way that they do not give rise to any nuisance. To enable them to decide whether these conditions are met the Welsh Ministers need to be satisfied that your organisation:

- is properly formed, has a constitution, and includes the promotion of recreational or instructional activities in its objectives;
- is applying for the certificate for its own benefit and that of its members and for no-one else;
- has put adequate arrangements in place for the management and supervision of all of its sites and any sites used by its members, and is able to provide evidence of its experience of organising camp sites; and,
- has a code of conduct with which its members are expected to comply at all times.

7. Organisations that hold camping exemption certificates have considerable freedom in arranging camping facilities for their members. They do not require express planning permission or a site licence from a local authority nor are they required to notify anyone that their members will be camping on a particular site for a particular period of time. The Welsh Ministers therefore expect holders of exemption certificates to acknowledge that the freedoms they enjoy implicitly carry certain responsibilities. For example, they would expect them to be responsive to any complaints about the use of a site for camping from people living nearby and to make every effort to reach agreement with those concerned. They would expect this to be possible in the vast majority of cases. There may be instances where there are divisions of opinion which cannot be resolved satisfactorily even after these have been explored thoroughly with the responsible local authority and, in such cases, the Welsh Ministers would ask the camping organisation concerned to give serious consideration to relocating its activities, in particular if it is formally requested to do so by the local authority.

### **How long is the certificate valid for?**

8. Camping certificates are normally issued for 5 years. If you wish to renew your certificate after this period you will be asked to provide information to enable the Welsh Ministers to assess whether your organisation continues to meet the criteria above. If the name of the organisation changes then you will need to apply for a new certificate. If only the address changes you will need to notify the Welsh Ministers of this and they will issue a replacement certificate. When issuing a new or replacement certificate you will be asked to return any certificate which has not expired.

### **Who can use the certificate?**

9. Camping exemption certificates may be used only by the organisation named on the certificate and its members. For example, if an organisation has a central core with a separate regional structure it would have to be able to show that each regional group is a branch or unit of the main organisation if members of that branch or unit are to be covered by a certificate issued in the organisation's name. The Welsh Ministers would expect the regional groups to share the same constitution and rules as the main body. If these differ, it is likely that separate certificates would be required. It is not possible for separate organisations that are merely affiliated to each other to share the same exemption certificate. Each must have a certificate in its own name.

## **Information about certificate holders**

10. The Welsh Government maintains a list of all the organisations holding certificates. For further information on the processing of data please see the Annex 2 – ‘Data Protection Act 1998 – Fair Processing Notice’ of this Guide.

## **How does my organisation apply for a certificate?**

11. You should apply using the appropriate Welsh Government form and include the information and documents listed below with the form:

- a copy of your organisation’s constitution – this should include your organisation’s purposes and identify those objectives which encourage and promote recreation;
- a copy of your organisation’s code of conduct – for your assistance, a model code of conduct is provided in Annex 1 to this guidance;
- details of any branches or units of your organisation and whether these share the same constitution and are governed by the same rules;
- details of your organisation’s camping history (for example, is this solely related to tented camping or does it include caravanning as a separate activity or mixed camping and caravanning);
- any relevant experience your members have as officers or organisers in other organisations as well as your own.

## **Where to send your application**

12. Applications should be sent to –

The Welsh Government  
Environment and Sustainable Development  
Decisions Branch  
Planning Division  
Cathays Park  
Cardiff  
CF10 3NQ.

# Annex 1

## Model Code of Conduct

Applicable where organisations are applying for a camping exemption certificate under section 269 of the Public Health Act 1936 only. If you wish to also apply for a caravan exemption certificate, please see the Guide to Touring Caravan Exemption Certificates.

### **(1) General**

1. One named member of the organisation (“the responsible person”) is to be responsible for the conduct of any camping event and for ensuring that members attending comply with this code.
2. The organisation will use every endeavour not to camp on any site for more than 42 consecutive days or 60 days in any 12 consecutive months. The organisation also will endeavour not to camp on any site being used for camping by other organisations holding camping exemption certificates, if the site would thereby be used for camping for more than 42 consecutive days or 60 days in 12 consecutive months.
3. The responsible person should be aware of the Country Code, the Seashore Code and the Caravan Code.

### **(2) Venue**

4. The organisation will take reasonable steps to satisfy itself that the site proposed for an exempted camping event is not subject to a direction under article 4 of the 1995 Order (if it is, express planning permission is required), and is not one where planning permission has been refused or where enforcement action has been taken.
5. The organisation will agree to move from and avoid any site to which the local authority objects.
6. The organisation will take reasonable steps to ensure that the siting of tents does not unduly interfere with the activities of local people, their privacy or their enjoyment of their property and that the siting of tents does not interfere with the enjoyment by others of the landscape, natural beauty or nature conservation value of the area, particularly in areas designated for their landscape or wildlife qualities.

### **(3) Nuisance**

7. Local people should be able to carry on their normal activities when camping is in progress. The organisation will take reasonable steps to minimise disturbance and will investigate and deal with the causes of any complaint.
8. Care should be taken not to damage the site and the surrounding locality. Trees, fences, buildings, equipment and stock should be respected.

9. Domestic animals belonging to members of the organisation will be kept on a lead, under close control. They will not be allowed to run loose on the site or cause disturbance to local people or animals. They will be exercised away from tents and parts of the site used for communal activities and any mess will be picked up.

10. The responsible person will identify a suitable open space for any games that might otherwise intrude on or constitute a danger or annoyance to campers or others on or around the site.

11. Noise will be kept to a minimum for the comfort of other campers on the site as well as people who live or work nearby.

#### ***(4) Safety and Spacing***

12. The speed of vehicles on the site will be restricted to 5mph.

13. Units will be well spaced and sited so that they do not restrict access to, or exit from any unit or the area in case of emergencies. Emergency vehicles must be able to get access to any tent on the site. Any caravans must be kept entirely separate from tents.

#### ***(5) Fire Precautions***

14. Open fires and barbeques will not be held except with the permission of the responsible person. Where permission is given for open fires or barbeques, they will be sited on open ground, away from tents, awnings and any other structures.

15. A British Standards Institute approved fire extinguisher will be held on site.

#### ***(6) Chemical Toilets and Waste Water Disposal***

16. Organisations will act responsibly when disposing of the contents of chemical toilets and waste water and take full account of the need to safeguard water supplies and prevent the pollution of rivers and streams.

17. On-site disposal of the contents of chemical toilets and waste water will be in accordance with arrangements agreed with the landowner. Neither will be allowed to foul the ground except at designated disposal points. If there is any doubt about the disposal of waste, the organisation or, if appropriate, the responsible person will contact the relevant local authority for advice.

#### ***(7) Refuse Disposal***

18. The responsible person will take steps to ensure that refuse is either taken home or disposed of in accordance with on-site arrangements and that the site is clear of litter at the end of any period of camping.

## Annex 2

### **Data Protection Act 1998 – Fair Processing Notice**

The Welsh Government is the data controller in respect of any personal data that you provide when you complete the Camping Exemption Certificate application form.

The Welsh Government will use your personal data for the purposes of processing applications, administering and maintaining records on the system of Camping Exemption Certificates under the Public Health Act 1936. The Welsh Government may disclose the following data to local authorities when investigating complaints about potential breaches of the Camping Exemption Certificate system: the name and contact address of the organisation, the name of any officers of the organisation, the date or period of any certificates, details of any branches or units of your organisation. The data will also be used to publish a list of organisations holding exemption certificates.

Because the Camping Exemption Certificate system involves expenditure of public money, there is public interest in the way the money is spent. The Welsh Government may, in limited circumstances, be required to release information about your application and certificate, including personal data and commercial information, on request under the Environmental Information Regulations or the Freedom of Information Act 2000. However, Welsh Government will not permit any unwarranted breach of confidentiality nor will we act in contravention of our obligations under the Data Protection Act 1998.

Welsh Government or its appointed agents may use the name, address and other details on your application form to contact you in connection with occasional customer research aimed at improving the services that the Welsh Government provides to you.

If you wish to obtain a copy of your personal data held by Welsh Government, please contact:

The Welsh Government  
Decisions Branch  
Planning Directorate  
Cathays Park  
Cardiff  
CF10 3NQ.

If you believe that any of the information we hold concerning you is incorrect or out of date, please provide us with the accurate information in writing together with supporting evidence (if appropriate).

You should address your correspondence to:

The Welsh Government  
Decisions Branch  
Planning Directorate  
Cathays Park  
Cardiff  
CF10 3NQ.

Tel: Nick Iles – 0300 025 3883



E-mail: Nicholas.iles@gov.wales