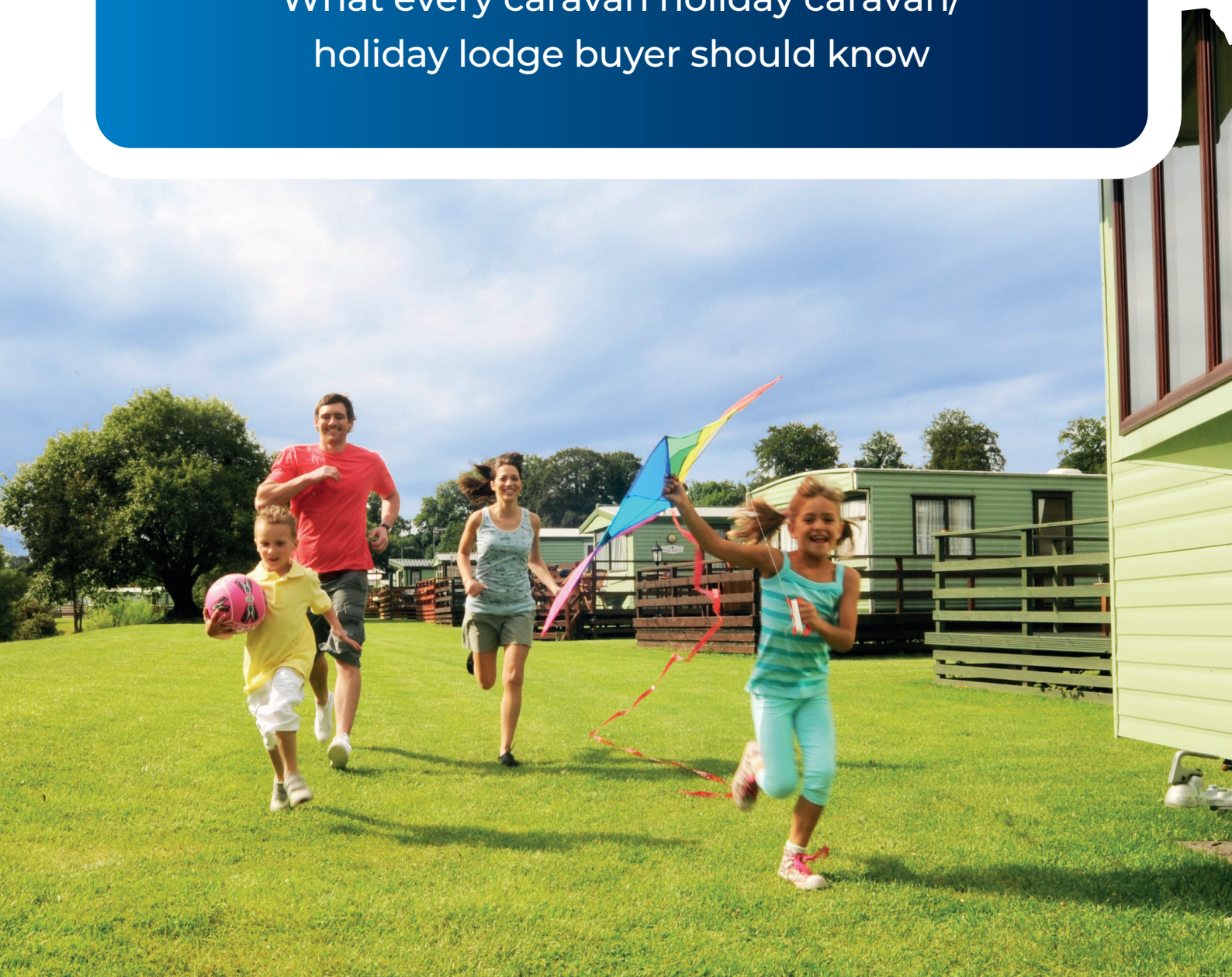


# Making the best use of your holiday caravan/ holiday lodge

What every caravan holiday caravan/  
holiday lodge buyer should know







**This is essential reading if you are a holiday caravan/holiday lodge owner or considering buying a holiday caravan or lodge on a holiday park.**

Owning a holiday caravan/holiday lodge is a big commitment and can represent a significant outlay. When you have found that perfect spot, somewhere you 'want to keep coming back to', naturally you will want to enjoy using it as often as you can, with friends and family. But owning a holiday caravan/lodge is just that – somewhere for leisure or holiday purposes. The following questions and answers will help you understand when the caravan/lodge can be used and how you can get the best from it.

### **What is a holiday park?**

Land which has planning permission and is licensed by the local authority as a park for holiday and recreational use. Parks can be by the sea or in the countryside, some with lots of facilities, and others designed to offer peace and tranquillity.

### **When can I use my holiday caravan/lodge?**

Your holiday caravan/holiday lodge is for leisure and recreational use, to be enjoyed when you take a break away from your main residence. Depending on the licence, holidays can be taken there during the months the park is open; this could be every weekend, or for longer periods during the spring and summer when the children are on holiday. **It cannot be used as your main residence.**

### **Can I move permanently into my holiday caravan/lodge?**

No. You must have a main residence which is where you live and can return to after you have holidayed in your holiday caravan/holiday lodge. If you cannot occupy your permanent main residence for whatever reason (such as but not limited to house renovations or a house move), you cannot stay in your holiday caravan/lodge temporarily until you are able to return to your permanent main residence. You must make alternative temporary arrangements. You must always be able to leave the park and return to your main residence in the event of a park closure.

When you first buy your holiday caravan/holiday lodge, you will be asked to provide evidence of that address (e.g. a utility or Council Tax bill in your name for the property). A holiday caravan/lodge is for holiday or recreational purposes only. Living permanently in your holiday caravan/lodge would be in breach of the licence agreement you will have signed when you purchased it. It could have serious legal consequences for you and the park operator. Also you can have your licence agreement terminated, and be asked to leave the park and to remove your holiday caravan/lodge from it.



**Use it as your main home and you will be asked to leave and to remove it from the park**

### Does the Mobile Homes legislation apply to holiday parks?

No. The Mobile Homes legislation protects the rights of owners of residential park homes on **licensed residential parks**. It does **not apply** to holiday caravans/holiday lodges sited on holiday parks where the park is licensed to operate as a holiday park.

### I am funding the purchase of my holiday caravan/holiday lodge from the proceeds of the sale of my house. Is there anything I should know?

If you are buying a holiday caravan/holiday lodge then you can use it for holidays or recreational purposes only. You must have a main and permanent residence where you live when you are not on holiday in your holiday caravan/lodge. Even if your chosen park is available for you to use your holiday caravan/holiday lodge at any time during the year this doesn't mean you can live there. You can't, and it is very likely you will be asked to leave immediately. Make sure you have sufficient funds from the sale of your house to buy somewhere else to live as well as continuing to use your holiday caravan or holiday lodge for holidays and recreation.

### I have bought a holiday caravan/holiday lodge to use now I am retired and have more leisure time. Are there any restrictions about how long I can live on the park?

One of the benefits of being 'retired' or working less is, of course, that you have more opportunities to enjoy your leisure time. But you still can't live on the park and use your holiday caravan/holiday lodge as your main residence. You can only use the holiday caravan/holiday lodge when the park is open and then for leisure breaks only.



### If I provide my son or daughter's address as my main residence and I provide evidence that this is my permanent place of residence, will I be meeting the holiday use requirement?

Not necessarily. If you genuinely live with relatives, then this would be permitted, but you must provide adequate proof to the holiday park owner that your relative's address is your permanent main residence, and you must use it as such. This means, for example, that you must be able to return to this - your permanent main residence - if there was a serious incident such as a flood at the park and the park was required to close by the local authority. You cannot use a relative's address as a postal address. If the holiday park owner has reason to believe that you don't live with your relative and are using your holiday caravan/lodge for anything other than holiday use, it is very likely they will take action against you for breach of your licence agreement. This could include a warning to remedy the breach, and if not remedied could result in the termination of your agreement.

## What about spending consecutive months in the unit?

Any plans to use your holiday caravan/holiday lodge for long term stays should be discussed with the park owner/manager **before you make the purchase**. Many holiday park rules stipulate a maximum period when the caravan or lodge can be occupied e.g. no longer than 60 consecutive days. This may be dictated by the local authority site licence conditions that govern the operation of the park and/or the agreement you sign with the park.



## What's wrong with long term occupation?

Parks licensed for holiday use may have consent to open for 12 months, allowing holiday caravan/holiday lodge owners to use and enjoy their holiday caravan/holiday lodge for frequent breaks throughout the year. But this doesn't allow the holiday caravan/holiday lodge to be 'lived' in all year round. You should not do this because:

- it is a breach of your agreement with the park
- it is very likely that you will be asked to leave and remove your holiday caravan/holiday lodge from the park
- the local authority has powers to enforce planning permissions – this could have serious consequences for the park and for you as a holiday caravan/holiday lodge owner e.g. an Enforcement Notice requiring the park to take action.

While holiday caravans/holiday lodges have been designed and manufactured to provide comfortable, high-quality 'home-from-home' accommodation as you would expect, they are restricted to **holiday and recreational use only**, not permanent all-year-round living.

## What is the usual length of the holiday season on a holiday park?

The English dictionary defines a holiday as *"a period of time during which you can relax and enjoy yourself away from your home"*. When you can take this period of time will differ from park to park. Some parks are permitted to open for 12 months which gives many opportunities for you to visit and stay at the holiday caravan/holiday lodge at different times of the year to enjoy time away from your home, but it doesn't allow you or anyone else to use it or to live there permanently as their only residence. Check with the park before you buy to ensure it will allow you the access you want during the year.

## Who decides the length of the season?

The local planning authority sets the maximum period that the park is permitted to be open for business each year. Holiday parks want holiday caravan/holiday lodge owners to be able to use their caravan/lodge as often as they wish, and to maximise their holiday and leisure time and enjoy their time away from home. As outlined earlier, while many parks have been granted permission to open 12 months a year it is more common to find parks don't open for the whole period and restrict access to the park for 10 or 11 months.

## Why might the park decide on a different shorter period?

There may be a number of reasons, but ultimately it is down to the park to decide when they will be open for use by holiday caravan/holiday lodge owners. During the closed period the park can carry out essential maintenance and improvement work, without any disruption to you as a holidaymaker.







### **Can I use my holiday caravan/holiday lodge in the winter?**

Only if the park is open during the winter months. But check that the holiday caravan/lodge you intend to buy is built with appropriate winter pack which provides a greater insulation level to deal with cooler temperatures, as not all holiday caravans/holiday lodges are intended for occupation in winter weather conditions. The NCC has developed a Structural Thermal Rating Scheme, designed to give purchasers of a holiday caravan/holiday lodge built to BS EN 1647/BS3632 an indication of its likely thermal efficiency. A rating label is attached to the holiday caravan/holiday lodge and is a visible indicator of the degree of efficiency achieved by a particular model. There is a leaflet explaining more at <https://www.thencc.org.uk/downloads/NCC%20Leaflet%20-%20Structural%20Thermal%20Rating%20HC.pdf>

NB – some holiday lodges are built to BS 3632, which usually provides higher levels of insulation and indicates the likely energy consumption and carbon dioxide (CO<sub>2</sub>) emissions of the home. If a holiday caravan - particularly an older one - is used a lot for leisure breaks in colder months, you should expect higher energy costs and a higher level of condensation, both visible and unseen, which could affect its life and future value.

### **I want to enjoy spending lots of time in my holiday caravan/holiday lodge, but my health isn't as good as it used to be. Can I register with the doctor's surgery close to the holiday park?**

If someone is taken ill whilst on holiday, they can usually contact the local GP's surgery as a temporary resident, so it should not be necessary to register whilst you are using your holiday caravan/holiday lodge for holidays/leisure breaks. If you have a specific medical condition, then your local GP at your home may be able to pass information to the surgery local to your holiday home. Registering permanently with a doctor close to the holiday park may be an indication that you are using or intending to use your holiday caravan/holiday lodge for purposes other than a holiday, which is not permitted under your licence agreement.

### **I have lived abroad for many years and my main residence is outside the UK. I still have friends and family in the UK and want to own a holiday caravan/holiday lodge to allow me to see them and spend time enjoying their company. Can my home overseas be considered as my main residence?**

Yes – but it needs to be clear that the residence abroad is your **main residence** (i.e. not a holiday let/rental) and will also depend upon whether you own it, how much time you spend in it and how much time you spend in your holiday caravan/holiday lodge here in the UK. You must provide documents to show evidence of ownership/the right to occupy the property abroad as your only main residence.

## **I have been told that second homes are required to pay Council Tax. Does this apply to holiday caravans/holiday lodges and should I register with the local council, particularly if I need help with paying pitch fees?**

Owners of holiday caravans/holiday lodges pay a contribution towards the business rates of the holiday park in their annual pitch fees and are therefore **not required to pay Council Tax**. Payment of Council Tax or the receipt of housing benefit to help with pitch fees would suggest that the holiday caravan/holiday lodge is being used as a permanent main residence, rather than as a holiday caravan/holiday lodge and this would be in breach of your agreement as outlined above.



## **I own a holiday caravan/holiday lodge to earn some rental income as well as enjoying it for personal leisure breaks. Is this possible and what information do I need to provide the park about those that rent my holiday lodge?**

Hiring out your holiday caravan/holiday lodge can offer you a regular source of income, but it is crucial to check that your chosen holiday park allows the caravan/lodge to be hired out - or sub-let - (either under a private hiring agreement and/or a hiring scheme managed by the park). If private hiring is possible, then the park may well require you to provide evidence of the rental agreements which may be limited to a certain period of time e.g. no more than 28 days at a time - to ensure that any one holidaymaker doesn't outstay their welcome and put you in breach of your agreement with the park. The thing to remember is hiring out your own holiday caravan/holiday lodge, where permitted, is not considered to be a business (although the income is likely to be taxable - you should take expert advice) but if you own more than one holiday caravan/holiday lodge purely to sub-let then this is going to be regarded as a commercial operation. The other thing to be aware of is that you can only hire the holiday caravan/holiday lodge to people who will use it for the purposes of enjoying a holiday. People hiring the holiday caravan/holiday lodge as a base to travel to work or whilst moving house, for example, is not permitted. You should be aware that as the owner of the holiday caravan/holiday lodge you are responsible for how anyone you give permission to occupy your caravan/lodge uses it, and occupying it for anything other than for a holiday or short leisure break will breach your licence agreement with the park. Check with the park first.

## **I have seen advertisements encouraging me to downsize to buy a holiday caravan/holiday lodge. Does this mean I can sell my house and use the holiday caravan/holiday lodge instead?**

Downsizing is an option you may choose to free up some capital to purchase the holiday caravan/holiday lodge but you will still need to have a main residence that you live in and can return to when you are not on holiday in your holiday caravan/holiday lodge (i.e. you can downsize your existing property to a smaller/more affordable one and use the cash this releases to help fund a holiday caravan/holiday lodge but the requirement to have a main residence still applies).

## **What about running a business from my holiday caravan/holiday lodge?**

Many people have chosen to carry on their business commitments and business communications (email etc) when away from their permanent residence. This is usually for short periods and tagged onto a holiday or short leisure break. Most holiday parks have rules dealing with this and many do not permit holiday caravan/holiday lodge owners to run a business from their holiday caravan/holiday lodge, so it is best to check with the park in the first instance before committing to ownership.

## So what are my rights?

Your rights are contained within the written Licence Agreement - the contract that you and the park will sign when you buy the holiday caravan/holiday lodge. This agreement includes your right to keep the holiday caravan/holiday lodge on the park **for a given period of years** and the times during which you can use it. If you purchase a new holiday caravan/holiday lodge, then the licence period should be no less than 12 years if you purchase from a NCC member holiday park. If you want to change your caravan/lodge during that time, or move to another park, that is fine and the procedures for this will be detailed in your agreement.

The agreement will also contain a clause that prohibits using the holiday caravan/lodge as a main residence and you will be required to sign that you understand this.

## Does the agreement say anything more?

It certainly does – ***it is an important document that should clearly and fairly set out the rights you have as an owner. It will include, for example, the ways you can sell your caravan/lodge and details of pitch fees (the charges you must pay each year to keep your caravan/lodge on the park).*** It is essential that you read the agreement thoroughly beforehand and only commit yourself to it if you are happy with its contents. If there is anything you don't understand, ask the park to explain or clarify for you before you sign. It is also recommended that you seek professional advice before you sign - you can ask for time to seek such advice from a solicitor or advisor. The agreement is there to ensure that everyone gets the most out of their holiday caravan/holiday lodge and that you can look forward to great holidays, maximising your leisure time and enjoying holiday caravan/holiday lodge ownership.

## What about insurance cover?

It is essential that you insure your holiday caravan/holiday lodge. When you buy from an NCC member park, it will be a condition of the agreement that you sign that your holiday caravan/holiday lodge is correctly insured. The park is usually able to offer policies to its owners, but you are not obliged to use theirs, so long as you provide evidence that the caravan/lodge is properly insured. It is important to bear in mind that the cover provided for holiday caravan/holiday lodges is not the same as that for your permanent residence when it comes to providing 'alternative accommodation.'

For holiday caravans/holiday lodges, the insurance cover reflects the fact that this is not you - the owner's - permanent residence. The cover usually does not extend to providing temporary re-housing in the event of damage to the holiday caravan/holiday lodge. The Licence Agreement contains more detail about the levels of insurance that can be taken out on the caravan/lodge.

## Finally, what happens if my circumstances change and the only place I can stay in is my holiday caravan/holiday lodge?

It is important to realise that your holiday caravan/holiday lodge **cannot** be used as a permanent or temporary residence even if your circumstances change. Crucially, even if you lose access to your main residence, for whatever reason, you cannot just move into your holiday caravan/holiday lodge and live there instead. In such circumstances, seek urgent advice about accessing emergency accommodation. This may be via the local authority where your home is based or through the citizens advice service.



**The important thing to remember is a holiday caravan/holiday lodge is for holiday and recreation use ONLY, whatever the circumstances.**

## What documentation do I need to provide about my permanent residence?

Some local authorities will stipulate in the planning permission for the park the sort of documentation which it requires the park owner to retain. Others may include this in the conditions of the site licence. It is important that when asked you provide evidence to verify you and your main permanent address on the park's record. HMRC lists the following as any one appropriate document which can be provided to show that you have a permanent residence:

- **Recent utility bill in your name showing your permanent address** (e.g. gas, electricity or phone) **or a certificate from a supplier of utilities confirming the arrangement to pay for the services on pre-payment terms**  
(Please note that mobile telephone bills are not acceptable as they can be sent to different addresses). Utility bills in joint names are permissible
- **Local authority council tax bill in your name for your permanent address** valid for the current year
- **A recent HM Revenue and Customs tax notification in your name and current permanent address** (i.e. tax assessment, statement of account, notice of coding) a P45 or P60 is not acceptable.
- **Financial statement** (e.g. bank, building society, credit card or credit union statement) in your name and containing your current address\*
- Most recent **mortgage statement on the permanent residence from a recognised lender**
- **Current benefit book or card or original notification letter from Department of Work and Pensions (DWP) confirming the rights to benefit (for example, child allowance, pension)**
- **Current local council rent card or tenancy agreement**
- **Confirmation from an electoral register search** that you live at the address

Documents that are typically **not** counted as proof of address include:  
Passports; birth certificates; outdated statements, bills or driving licence

## My partner and I have decided to buy a holiday caravan with the proceeds of a small inheritance from my grandfather and a contribution from my partner's mother. We both want to be named as joint owners on the licence agreement. My partner lives with their father who pays all the bills and the house is in his father's sole name. I rent a room from my aunt. Is it acceptable to just give my partner's address on the licence agreement?

The holiday park will require each named owner under the licence agreement to provide proof of their permanent main residence - where they live when not using the holiday caravan. Make sure that you can provide this evidence using one of the documents listed above. It may be helpful to seek professional advice before going ahead with the purchase.



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