

CET/24/45

Corporate, Infrastructure and Regulatory Services Scrutiny Committee
27 June 2024

Motorhomes Task Group – Update on Recommendations

Report of the Director of Climate Change, Environment and Transport

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

1) Recommendation

That the Committee note progress on actions agreed at Cabinet on 12th April 2023 following the report from the Motorhomes Task Group to Corporate Infrastructure and Regulatory Services Scrutiny Committee on 23rd March 2023.

2) Background

At the 22nd September 2022 meeting of the Corporate Infrastructure and Regulatory Services Scrutiny Committee it was resolved that a Task Group be established (comprising Councillors Bullivant, Hartnell, Roome and Trail) to consider a county-wide policy for the provision of longer and short term sites for Recreational Vehicles and Campers and that this Task Group be included in the Committee's Work Programme with a view to completion by Easter 2023.

The Group wanted to explore opportunities for the County Council to support motorhome visitors and also take account of the views of residents.

The Task Group met four times, with officers and Members undertaking their own individual research. A number of witnesses were invited to these meetings, or to contribute information for consideration by the Task Group, including Devon County Council staff, officers from District Councils and organisations such as The Caravan Club. This Group provided a report to Corporate Infrastructure and Regulatory Services Scrutiny Committee on 23rd March 2023 and subsequently to Cabinet on 12th April.

It was resolved that recommendations in that report (see appendix A) be supported and that progress be reported to this committee in 6 – 12 month's time.

It was noted that neither the report nor the authority was opposed to the use of these vehicles on the network, but nonetheless, overnight sleeping in vehicles on the highway was of concern to local residents and also nationally, particularly in coastal communities, with all Highway Authorities considering how to manage provision effectively.

3) Progress

In the past 12 months the following progress has been made towards the recommendations laid in the Task Group report:

- i) *Write to invite District Councils to review their policy on motorhomes and motor caravans in liaison with one another to ensure that there is a consistent approach across the county;*

Our traffic management team attends regular meetings held between Parking Managers across Devon, including District, Borough and City authorities, along with representatives from Torbay and Plymouth.

The Group most recently met on 29th February, and the approach to management of motorhomes was included as part of the agenda.

The approach to motorhomes and motor caravans varied considerably between Authorities with some welcoming overnight stays in their car parks and some not. It was agreed that information would be shared and published online on a single page managed by Devon County Council (see point ii) and any significant changes to the approach to managing parking of these vehicles would be discussed as part of future meetings.

- ii) *Devon County Council, in partnership with District Councils to dedicate a webpage to provide clear and accessible information for motorhome users including outlining parking restrictions, good practice and available off street facilities;*

Devon County Council has developed a web page to bring together information on the parking of motorhome both on and off street across the county.

Information that has been provided from District, Borough and City authorities (where available) has been shared and links provided on the web page.

Our webpage can be viewed here: <https://www.devon.gov.uk/roads-and-transport/parking/visiting-devon-in-your-motor-home/>

- iii) *The Council's definition of motorhomes / motor caravans within its Traffic Regulation Order be reviewed to more appropriately reflect current parking practices and enable consistent enforcement of rules with regards to vehicles being used in the manner of a motorhome (but which have not been permanently converted);*

The definition of a motorhome / motorcaravan used by Devon County Council is aligned with the definition of motorcaravan used in Regulation 2(1) of the Motor Vehicles (Type Approval) (Great Britain) Regulations 1984:

“a motor vehicle which is constructed or adapted for the carriage of passengers and their effects and which contains, as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide mobile living accommodation for its users”

Whilst this definition is clear, it may be felt this definition limits our ability to address the concerns of residents, (who also have concerns relating to those sleeping on the highway in vehicles that may not be permanently converted). However it is recommended that this definition is retained.

A benchmarking exercise has been undertaken utilising traffic orders logged with the Traffic Penalty Tribunal for coastal authorities on the south coast of the UK, a request for information was also sent out to peers via the British Parking Association (BPA). (See appendix C).

All examples relied on similar definitions albeit reliant on other legislation including Road Vehicles (Construction and Use) Regulations 1986 and The Motor Vehicles (Type Approval) (Great Britain) Regulations 1984 both of which rely on the same description: *a motor vehicle which is constructed or adapted for the carriage of passengers and their effects and which contains, as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide mobile living accommodation for its users.*

No examples of descriptions other than that used by Devon County Council were found.

Departing from this definition will create ambiguity and bring reputational risk where penalty charge notices need to be cancelled or are found to have been issued incorrectly. For example, a “panel” van parked on a seafront may receive a penalty charge notice on the assumption it is being used for sleeping when it is not, very little evidence could be gathered by a civil parking enforcement officer to corroborate its actual use.

It is noted that it is possible for a bay to be allocated for a specific vehicle type, for example cars only. This would remove motorhome and large vehicles used for ad hoc camping, but it is felt this would be too limiting.

Therefore, no change is recommended to our approach to our Traffic Regulation Order or enforcement.

- iv) *The Council adopts a consistent approach to managing parking for motorhomes and motor caravans for areas that it controls, to allow for consistent enforcement and clarity for motorhome users. This would include consistent times for restrictions to apply. This would typically focus on key destinations such as seafront locations.*

Any request for new restrictions requested regarding motorhomes will be considered and progressed by the Traffic Management Team.

It is typical that requests relate to seafront locations, and extending restrictions into residential areas will impact residents who may own motorhomes, as noted in the original Task Group report.

Requests will be considered on their merit and with consideration of other restrictions and the feedback from elected County Councillors and community representatives.

Additionally, our approach to managing the parking of motorhomes has been reviewed with our legal team. Whilst our approach is common with other authorities and introduced through proper legal and democratic process, it must be noted that any parking management of this class of vehicle does not override the authority's protocol for dealing with unauthorised encampments. This means that vehicles parked in contravention of parking restrictions may be identified as unauthorised encampments and managed in line with our [Handbook for managing unauthorised encampments](https://www.devon.gov.uk/educationandfamilies/document/handbook-for-managing-unauthorised-encampments/) (<https://www.devon.gov.uk/educationandfamilies/document/handbook-for-managing-unauthorised-encampments/>)

An Equality Impact Assessment has been carried out in respect to our approach to the management of parking for motorhomes and is available here:

<https://www.devon.gov.uk/impact/management-of-on-street-parking-of-motorhomes/>

4) Summary

Devon County Council will continue to work to both welcome and manage visitors to the county who choose to travel and stay in motorhomes. Work will be continued with District Councils and restrictions applied where necessary.

Meg Booth

Director of Climate Change, Environment and Transport

Electoral Divisions: All

Cabinet Member for Highway Management: Councillor Stuart Hughes

Local Government Act 1972: List of background papers

Nil

Contact for enquiries:

Name: Chris Rook

Telephone: 01392 383000

Address: County Hall, Exeter EX2 4QD

Motorhomes Task Group – Update on Recommendations

Appendix A to CET/24/45

The Task Group asks the Corporate Infrastructure and Regulatory Services (CIRS) Scrutiny Committee to endorse and the Cabinet to take action on the recommendations below, with a report against progress of the recommendations to the Corporate Infrastructure and Regulatory Services Scrutiny Committee in 9-12 months' time:

	Recommendation	Agency
1	Write to invite District Councils to review their policy on motorhomes and motor caravans in liaison with one another to ensure that there is a consistent approach across the County.	Cabinet Member
2	Devon County Council, in partnership with District Councils to dedicate a webpage to provide clear and accessible information for motorhome users including outlining parking restrictions, good practice and available off street facilities	Communications team in conjunction with Highways
3	The Council's definition of motorhomes / motor caravans within its Traffic Regulation Order be reviewed to more appropriately reflect current parking practices and enable consistent enforcement of rules with regards to vehicles being used in the manner of a motorhome (but which have not been permanently converted).	Highways Team
4	The Council adopts a consistent approach to managing parking for motorhomes and motor caravans for areas that it controls, , to allow for consistent enforcement and clarity for motorhome users. This would include consistent times for restrictions to apply. This would typically focus on key destinations such as seafront locations.	Highways team

Appendix B to CET/24/45

Visiting Devon in your Motorhome

Devon welcomes motorhome users who choose to visit our beautiful county.

When visiting we would always encourage you to use official campsites but accept that on occasion this will not be possible. We would encourage you to consider overnight opportunities offered by our District, Borough and City Councils as an alternative.

What is a Motorhome

We define a motorhome as:

“a motor vehicle which is constructed or adapted for the carriage of passengers and their effects and which contains, as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide mobile living accommodation for its users”

This is aligned with the definition of motorcaravan used in Regulation 2(1) of the Motor Vehicles (Type Approval) (Great Britain) Regulations 1984

Where should I park?

If you are intending to stay over night we would always encourage you to use an official campsite but accept that on occasion this will not be possible. We would encourage you to consider overnight opportunities offered by our District, Borough and City Councils as an alternative.

The following authorities make specific provision for visitors staying in motorhomes:

North Devon District Council

[https:// https://www.northdevon.gov.uk/parking/motorhomes-guidance](https://www.northdevon.gov.uk/parking/motorhomes-guidance)

South Hams District Council

<https://www.southhams.gov.uk/parking/motorhomes>

West Devon Borough Council

<https://www.westdevon.gov.uk/parking/motorhomes> *please note no option to stay overnight is offered by West Devon Borough Council*

Exeter City Council

<https://exeter.gov.uk/car-parking/car-parks/zone-3-car-parks/haven-banks-car-park-three-and-coaches/>

East Devon District Council

<https://eastdevon.gov.uk/parking/car-parking/car-park-locations-and-information/>

Torrige District Council

<https://www.torrige.gov.uk/article/20348/Overnight-parking-for-motorhomes-and-campervans>

Torbay Council

<https://www.torbay.gov.uk/parking/campervans/>

General information on car park facilities is available for other Devon authorities here:

Mid Devon District Council

<https://www.middevon.gov.uk/residents/car-parking/>

Plymouth City Council

<https://www.plymouth.gov.uk/find-somewhere-park>

If there is no option but to stay overnight on the highway we would ask that:

- you comply with parking restrictions, this will help you avoid receiving a Penalty Charge Notice, or in certain circumstances be served an order to move on from that location. All our parking restrictions can be viewed here: [Traffic Orders \(traffweb.app\)](#)

There are restrictions in place in some of our communities to prevent overnight stays in motorhomes following complaints from residents:

Exmouth (Queens Drive)

Prohibition of Motor Caravans At Any Time

Exmouth (Imperial Road, Maer Road & Queens Drive (Eastern Spur))

Prohibition of Motor Caravans 8pm-midnight and midnight-8am

Dartmouth (North Embankment & Rue De Courseulles Sur Mer)

Prohibition of Motor Caravans 6pm –midnight and midnight–9am

Follow guidance provided in the Handbook for Managing Unauthorised Encampments Code of Conduct: <https://www.devon.gov.uk/educationandfamilies/document/handbook-for-managing-unauthorised-encampments/>

Appendix C to CET/24/45 - Benchmarking

Ashford

Motor Caravan means a motor vehicle not exceeding 5.5m in length which provides fixed sleeping arrangements whether or not the same is either a Motor Car or a Heavy Motor Car as the case may be.

Blackpool

Motor caravan has the same meaning as The Motor Vehicles (Type Approval)(Great Britain) Regulations 1984.

Poole

Motor caravan means a motor vehicle, which is constructed or adapted, for the carriage of passengers and their effects and contains, as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide mobile living accommodation for its users.

Canterbury

Motor caravan means a motor vehicle not exceeding 5.5m in length which provides fixed sleeping arrangements whether or not the same is either a motor car or a heavy motor car as the case may be.

Dorset

Campervan has the same meaning as motor caravan in the Road Vehicles (Construction and Use) Regulations 1986 (as amended).