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The Chief Executive
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The Town Clerk, City of London
The Clerk, Council of the Isles of Scilly
The Sub-Treasurer, Inner Temple
The Under-Treasurer, Middle Temple
The Secretary, NHBC Building Control Services Ltd

13th January 1993

Dear Sir

DEPARTMENT OF THE ENVIRONMENT CIRCULAR 13/92
WELSH OFFICE CIRCULAR 29/92

THE BUILDING REGULATIONS 1991 - CARAVANS AND MOBILE HOMES

1. Paragraph 25 of Annex B to the above Circular sought to explain the reasons for the omission from Schedule 2 of the Building Regulations 1991 (SI 1991 No. 2768) of the former exemption of mobile homes from the provisions of those Regulations. This was because mobile homes, as previously defined in that exemption, were not considered to be buildings for the purposes of the Building Regulations and there was therefore no need to exempt them.

2. The guidance in paragraph 25 goes on to advise that building control authorities will need to come to a view, in each particular case, as to whether or not similar structures are buildings for the purposes of the Building Regulations. This guidance was intended to remind authorities of their responsibilities in relation to structures falling within the "grey area"; for example, those which may purport to be mobile homes, but which do not fall within the statutory definition. However, it has been brought to the Department's attention that some building control authorities appear to have misunderstood this advice, and the Department has therefore decided to clarify the guidance by substituting paragraph 25 with the following:

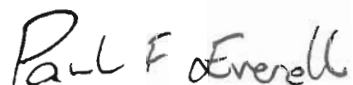
"25. The removal of the specific exemption for mobile homes, which appeared in Class IV of Schedule 3 to the Building Regulations 1985, from the schedule of buildings which are exempt from the Building Regulations 1991 (Schedule 2), does not in the

Department's view alter the law in relation to the application of Building Regulations to mobile homes and caravans. The position remains that caravans, mobile homes, 'park homes' etc. which are treated as caravans within the meaning of section 29(1) of the Caravan Sites and Control of Development Act 1960 (as read with section 13 of the Caravan Sites Act 1968), do not ordinarily fall within the definition of building in regulation 2 of the Building Regulations 1991. It is not therefore, in the Department's view, open to building control authorities to control such structures under the Building Regulations.

25A. The fact that a structure does not come within the statutory definition of caravan or mobile home, or has been altered or added to in some way, does not necessarily mean that it can be controlled under the Building Regulations. Building control authorities will still need to satisfy themselves that the structure comprises a 'building' within the meaning of the Regulations."

3. To further clarify this matter, the Department would like to point out that most "twin-unit" caravans (those which are delivered in two sections and bolted together on site) fall within the definition of "caravan" as referred to above. The siting of such structures is therefore unlikely to constitute the erection of a building for the purpose of the Building Regulations.

Yours faithfully



PAUL F EVERALL
Building Regulations Division