

## **MOBILE HOME RESIDENTS FORUM**

Monday 9 December 2013

### Present:

Councillor Heather Morris, (Chair)  
Councillors Morris, Bull, Hannaford, D J Henson and Newby

### Also Present:

Graeme Guy	- Ringswell Park
Jan Grundy	- Exonia Park
Val Ewings	- Exonia Park
Alan Southard	- Newport Park
Malcolm Thomas	- Ringswell Park
Geoff Threlfall	- National Association of Park Home Residents
Wendy Threlfall	- National Association of Park Home Residents
Julie Wale	- Ringswell Park
Marlene Gribble	- Exonia Park

### Also Present:

Licensing Solicitor, Environmental Health Manager and Assistant Democratic Services Officer (Committees)

### In Attendance:

Alison Adams	- South Hams District Council
Susan Heyes	- Ashburton Park Residents Association
Susan Evans	- Ashburton Park Residents Association
Hans Wardle	- South Hams District Council

30

### **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Baldwin, Councillor Leadbetter, Caroline Aird (Age UK Exeter), Denise Dearden (Trading Standards) and Marlene Gribble (Exonia Park).

31

### **MINUTES OF THE MEETING HELD ON 19 AUGUST 2013**

The minutes of the meeting held on 19 August 2013 were agreed.

#### **Minute No. 26 – Model Site Licence**

It had been suggested that a site plan is included in the Licence to mark areas that the owner is responsible for maintaining.

Keith Williams advised the Model Site Licences had now been agreed by all park owners. Site owners will be asked to provide a plan in the New Year. Newport Park had recently been granted planning permission for 22 new homes and a revised plan showing these will be requested.

**SAFETY IN PARK HOMES - DEVON & CORNWALL FIRE PREVENTION**

The Chair welcomed Mickey Turner, Community Officer with the Devon & Somerset Fire and Rescue Service.

Mickey stressed the importance of having both smoke alarms and carbon monoxide alarms in homes. It was important to test the alarms every week by pressing the test button. It was acknowledged that some people have difficulty reaching smoke alarms, and Mickey demonstrated a tool for reaching the test button. If officers attend a home to carry out a home safety visit, they will leave one of these tools if they think it is required by the homeowner.

Home safety checks are carried out free of charge if the criteria is met. The general enquiry line is 01392 872200.

An alarm can also be provided for people who are deaf or have hearing difficulties. The alarm alerts you with a flashing light and a vibrating pad which can be placed under a pillow.

Carbon Monoxide can be present in any fuel burning device such as boilers, cookers, gas fires and open fires. These alarms are tested the same way as a fire alarm by pressing the test button. New alarms are generally fitted with a 10 year battery and can be bought as sealed units.

A representative from Ringswell Park enquired as to whether the information provided on the website is available in leaflet form, as many residents do not have access to a computer. Mickey Turner would arrange for some copies.

A representative enquired as to fire demonstrations that had previously taken place in park home sites, and asked whether this was a regular service. Mickey Turner advised that various events do take place, but this does depend on resources. There had been a 40% drop in fires in homes and he felt that this was down to the good work on the ground providing information to the public.

Concern was raised in relation to fire points and fire hydrants, It was, however, noted that if fire hydrants are on site then this complies. The Fire Service would test these on a regular basis, but the frequency will depend on the location and risk. There is enough water in the vehicle in the event of any failure in the water main. Mickey Turner would check that these had been tested, and re-iterated that rather than trying to tackle a fire, premises should be vacated as quickly as possible. Everyone should check that their alarms are tested and an escape plan is in place.

Further information on fire safety can be found on the Devon & Somerset Fire & Resuce Service website - <http://www.dsfire.gov.uk/YourSafety/SafetyInTheHome/Index.cfm?siteCategoryId=4&T1ID=35>

The Chair thanked Mickey for his informative presentation.

**UPDATED MODEL SITE LICENCE**

The Model Site Licence was agreed.

Site owners are not obliged to provide every resident with a copy, but should display the Licence on site.

Keith Williams advised that one copy could be sent to residents associations and a copy could be made available at the next meeting.

It was suggested whether the Licence could be placed on the website. Councillor Hannaford advised that although the Council would be moving more towards a transactional website, there still needs to be an element of information available. It was considered that it would be useful to have a Park Homes section on the website to back up the work of this Forum.

34 **JUSTICE CAMPAIGN PETITION ON THE 10% COMMISSION CHARGE**

A copy of the petition was circulated.

The petition was to campaign for a review of the right for site owners to charge a commission of up to 10% upon the private sale of park homes.

If 100,000 signatures are received on a petition and is supported by an MP, the House of Commons Back Bench Committee will be obliged to look into whether a debate should be held. 100,000 signatures does not automatically bring about a debate but starts the process.

It was suggested whether the national media could be contacted to raise the profile, as with only four park homes in Exeter it was going to be difficult to raise many signatures. Councillor Hannaford asked if details could be sent to him, as a Devon County Councillor, to enable him to liaise with other districts.

It was also suggested that the Express & Echo may be interested in publicising this.

The e-petition can be found here - <http://epetitions.direct.gov.uk/petitions/54396>

35 **ANNUAL FEE - PARK OWNERS TO RECLAIM PROPOSED LICENSE FEES THROUGH THE PITCH FEE PAID BY RESIDENTS**

Wendy Threlfall introduced the proposal for park owners to reclaim proposed Licence Fees through the Pitch Fee paid by residents. The consultation period ends on 6 January 2014, and the opportunity to provide feedback should be used.

Keith Williams provided the Devon response, which will be attached to the minutes.

It was agreed that this response should be sent from Exeter.

Reference was made to a 'fit and proper person'. Elaine Kale advised that the 2013 Act has not yet come into force, and would not do so until this issue had been resolved. However, in Licensing terms, these tend to be very general and very wide tests, but this would be a matter for the licensing authority.

36 **CAR PARKING AT RINGSWELL PARK**

The issue of the number of car parking spaces available at Ringswell Park was raised, as residents considered that there were not sufficient parking spaces.

The Council had visited the site on several occasions to inspect the site and had concluded that there were more than 32 spaces available. Keith Williams would check whether these had been marked on the site plan in order to confirm the number of spaces.

The Council was unable to mark the parking bays as this was private property.

37

### **PARK RULES**

The Park Rules from all sites were noted.

It was noted that the Local Authority is not responsible for negotiating changes to individual site park rules. However, the park rules for each site were attached to the agenda in order for each member to see how their rules do/do not differ from other sites, and might help in negotiating rules in the future. Any changes to the rules should be in consultation with the residents association.

Reference was made to the erection of sale boards within park sites, and although it does not state that this cannot be done within the rules, they are discouraged and removed by some park owners. It was considered that this could form an element of sale blocking.

As sale blocking was a Trading Standards matter, it was agreed that a representative should be invited to the next meeting to discuss in further detail.

38

### **ITEMS FOR FUTURE MEETINGS**

Trading Standards would be invited to the next meeting to discuss sale blocking.

39

### **DATES OF FUTURE MEETINGS:**

The dates of future meetings were noted.

(The meeting commenced at 2.15 pm and closed at 3.30 pm)

Chair

## Park Homes - Discussion Paper

### Site Licensing: Changing the licence holder

November 2013

**Responses from:-** East Devon District Council; West Devon District Council; South Hams District Council; North Devon District Council; Exeter City Council

#### Questions

1. Do you agree that these are the matters a local authority should be required to consider when deciding a licensing application? (Para 33 – 34)

If not, explain?

- YES

2. Do you think there are any other issues a local authority should have regard to when deciding a licensing application? (Para 34)

If so, what are these?

- Additional sites owned/managed within the district or elsewhere in the country.

3. Do you agree that a local authority should be able to seek an undertaking in connection with its approval of a transfer or grant of a licence? (Para 35)

- How does an undertaking relate to the conditions attached to a licence?

4. Do you agree with the matters that such an undertaking could relate to? Are there other matters? (Para 36)

- YES

5. Do you agree with the proposed structure for notification and appeals? (Para 39 – 42)

- YES

6. Do you think the tribunal should only award compensation for significant loss or should it also be able to take account of expenditure incurred in relation to the site which would not have been incurred but for the local authority's decision? (Para 47)

- This depends on the type of expenditure.

7. Do you think the other factors that the tribunal should have regard to in considering a compensation application are the right ones? If not why? (Para 47)

- Require clear definitions of 'significant'; 'genuine'; and 'wholly unreasonable'

8. Do you agree that this type of information should be required to be given when applying for a transfer of a licence? (Para 53)

- YES with the addition of Ownership and/or management of other sites both within the district and elsewhere in the country and a history of compliance with relevant legislation and regulations.

9. Do you agree that this type of additional information should be required to be given when applying for a grant of a licence? (Para 61)

- YES with the addition of Ownership and/or management of other sites both within the district and elsewhere in the country and a history of compliance with relevant legislation and regulations.

Responses from - East Devon District Council, West Devon District Council, East Devon District Council, North Devon District Council, Exeter City Council

Questions

1. Do you agree that there are the matters a local authority should be required to consider when deciding a licensing application? (Para 32 - 34)

If not explain?

• YES

2. Do you think there are any other issues a local authority should have regard to when deciding a licensing application? (Para 34)

If so, what are these?

• Additional sites owned/managed within the district or elsewhere in the country  
3. Do you agree that a local authority should be able to seek an undertaking in connection with the approval of a transfer or grant of a licence? (Para 35)

• How does an undertaking relate to the conditions attached to a licence?

4. Do you agree with the matters that such an undertaking could relate to? Are there other matters? (Para 36)

• YES

5. Do you agree with the proposed structure for notification and appeals? (Para 38 - 42)

• YES

6. Do you think the tribunal should only award compensation for significant loss or should it also be able to take account of expenditure incurred in relation to the site which would not have been incurred but for the local authority's decision? (Para 43)

• This depends on the type of expenditure.

7. Do you think the other factors that the tribunal should take regard to in considering a compensation application are the right ones? If not why? (Para 43)

• Require clear definitions of 'significant', 'genuine', and 'wholly unreasonable'

8. Do you agree that this type of information should be required to be given when applying for a transfer of a licence? (Para 33)

• YES with the addition of Ownership and/or management of other sites both within the district and elsewhere in the country and a history of compliance with relevant legislation and regulations

9. Do you agree that this type of additional information should be required to be given when applying for a grant of a licence? (Para 37)