

MOBILE HOME RESIDENTS FORUM
Monday 27 April 2015 at 2.15 pm
(informal meeting from 1.45pm)
Rennes Room, Civic Centre, Paris Street, Exeter

	Pages
1 Apologies for absence	
2 Minutes of the meeting held on 28 April 2014, 11 August 2014 and 3 November 2014	3 - 16
3 Site Licences - update on the current position	
4 Items for future meetings	
5 Dates of future meetings	
To consider changing the day of the meeting to a Tuesday from 2016. Potential dates are:	
<ul style="list-style-type: none">• Tuesday 26 April 2016• Tuesday 25 October 2016	
6 Date of next meeting - Monday 26 October 2015	

If you have any enquiry regarding any items on this agenda, please contact Jo Quinnell on Exeter 265197 or email jo.quinnell@exeter.gov.uk

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Agenda Item 2

MOBILE HOME RESIDENTS FORUM

Monday 28 April 2014

Present:

Councillor Heather Morris (Chair)
Councillors D J Henson

Also Present:

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

Also Present:

Environmental Health Manager and Assistant Democratic Services Officer (Committees)

In Attendance:

Caroline Aird	- Age UK Exeter
Colin Anderson	- J & J Crump & Son
Denise Dearden	- Trading Standards
Inspector Tanya Youngs	- Devon & Cornwall Police

1 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Baldwin.

2 **MINUTES OF THE MEETING HELD ON 9 DECEMBER 2013**

The minutes of the meeting held on 9 December 2013 were agreed.

3 **MOBILE HOMES INSULATION - COLIN ANDERSON FROM JJ CRUMP**

The Chair welcomed Colin Anderson from J & J Crump & Sons.

Colin Anderson gave a presentation on Park Homes specialist insulation systems.

Although there is no funding from ECO for park homes at present, this was likely to be introduced in late summer.

An energy survey can be provided at a cost of around £60-90, but this will be taken off the cost of the insulation if the decision is taken to proceed, and this will be the only up-front cost.

In response to a question as to whether the insulation is suitable for aluminium walls, Colin Anderson responded that it should be suitable, but he would check.

In most cases windowsills would be replaced.

Councillor Morris referred to the Green Deal and that she was aware of one firm operating in Exeter allegedly Green Deal approved. The Green Deal logo can be found on the last page of the presentation (attached to the minutes).

Colin Anderson advised that the U-Value of park homes is usually provided in the manufacturers brochure. However, if this is not available, the manufacturer can be contacted direct if still in existence, or another alternative is to approach other owners with the same type of park home. A chartered surveyor can also be contacted to carry out a survey, although there would be a cost to this.

Leaflets were provided.

The Chair thanked Colin Anderson for his presentation.

4

SALE BLOCKING - TRADING STANDARDS

Denise Dearden attended the meeting to discuss sale blocking.

However, representatives at the meeting advised that it was not now particularly an issue since the new legislation had come into force.

Denise advised that she could be contacted if any problems occur and useful information could be found on their website - <http://www.devonsomersettradingstandards.gov.uk/>

A member requested information on how to find out whether cold calling companies or those that distribute flyers are genuine. Denise advised that their website held information on how to check if companies are legitimate and how to check if businesses or charities are registered.

Caroline Aird advised of an ECO scheme for boiler replacement for those with broken mains gas boilers.

The Chair introduced Inspector Tanya Youngs, who encouraged reporting to the Police, as her role sits around quality of life and anti-social behaviour.

A current scam was highlighted that was targetted at older people, particularly in the Torquay area. Telephone calls were being received advising that there had been a fraud in their bank and asking customers to withdraw their money straight away. They requested customers to call them back to verify their identity thinking that they had connected to the bank. Once cash is withdrawn in person, a taxi or courier is waiting to take it to a 'safe place'. There had been over 20 victims in the Devon & Cornwall area. Inspector Youngs reiterated that banks will never call and request details from you, and encouraged Forum members to spread the message.

5

FUTURE MEETINGS OF THE FORUM

Councillor Morris asked members of the Forum for views on how beneficial they found the meetings.

Members felt that the Forum was a useful tool for obtaining information and that it was good that they had a voice. Attendance from the Police and Age UK was welcomed.

It was also a useful way to make contacts, eg following the Fire Service presentation at the last meeting, a presentation was arranged for residents.

Members felt that the Forum was moving in the right direction and that they were more supported.

Inspector Youngs enquired as to whether it would be more useful to have a police presence at residents meetings or at the Forum. It was noted that PCSOs do attend residents meetings when invited. Inspector Youngs asked for any feedback if representation from the police is not consistent as there was a specific role around reassurance and she needed to be confident that PCSOs understand the issues. It was noted that PCSOs visited Ringswell Park on a regular basis.

Councillor Morris put forward the suggestion that the number of meetings be reduced to twice a year. However, the Terms of Reference stated that extraordinary meetings may be called where necessary.

Members of the Forum agreed to reduce the number of meetings to twice a year and the Terms of Reference would be amended.

Councillor Morris also advised that, as stated in the Terms of Reference, the position of Chair shall be held for no more than two years, without re-election. Therefore at the next meeting, an item shall be placed on the agenda to elect a new Chair.

6 **DISCUSSION/IDEAS - HOW TO ENCOURAGE OTHER PARK HOMES SITE MEMBERS TO ATTEND**

Councillor Morris asked Forum members for suggestions as to how to encourage other members to attend. There is currently no representation from Rydon Park.

It was suggested that an article could be placed in the Citizen.

Keith Williams advised that he had spoken to the owners of Rydon Park to suggest representatives, but had not yet received a response.

Newport Park does not have a residents association.

Councillor Morris would ask Councillor Hannaford, as Portfolio Holder, for his thoughts.

7 **DISCUSSION - ANNUAL MEETING WITH OTHER PARK HOME RESIDENTS WITHIN OTHER AREAS, IE THE FIRS, PATHFINDER VILLAGE, CAT & FIDDLE - CAN THE COUNCIL ORGANISE OR ASSIST IN THIS AREA?**

Councillor Morris suggested whether an annual meeting with other park home residents within other areas would be beneficial.

Members advised that they had attempted to do something similar 3-4 years ago, but it did not progress any further.

A Mobile Homes Roadshow was taking place in Cullompton on 1 May, and feedback would be sought at a future meeting as to whether this was useful.

Contact would be made with representatives from South Hams, who attended the last meeting as observers, to see if they found it informative.

8

LICENCE CONDITIONS (WITH EFFECT FROM 1 APRIL 2014)

Members requested that all reference to 'caravans' should be changed to 'park homes'.

Reference was made to the proposal for park owners to reclaim proposed licence fees through the pitch fee paid by residents. Keith Williams advised that the legal advice he had been given was that it will not affect those sites that had a current site licence as the licence was in existence when the changes came into force.

However, park home residents were of the view that it will be added to the pitch fee as park owners were required to apply for a new licence. Keith Williams would obtain clarification and information would be emailed with the minutes.

Exonia Park

The Licence Conditions were agreed.

9

Rydon Park

The Licence Conditions were noted.

10

Ringswell Park

It was noted that all Licence conditions, except Ringswell Park stated that 'roads, communal footpaths and pavements shall be adequately lit, at the park owners' expense...'. Ringswell Park's conditions, however, omitted 'at the park owners' expense'. It also stated that where a porch is installed, only one door may be permitted at that entrance to the home, either on the porch or on the home. The constraint of only having one door had been removed from other park conditions. However, this site licence had been set by the Court.

The park owner will need to approach the City Council in relation to changes to the site licence once planning permission had been granted for the expansion of the site.

11

Newport Park

The Licence Conditions were noted.

12

PARK RULES

Keith Williams advised that he had written to all park owners, and a consultation paper should be sent to residents of all Parks. Once approved, these would be lodged with the Council.

Park Rules for all sites would be discussed in more detail at the next meeting. Wendy Threlfall suggested that Brian Doick, the President of NAPHR could be invited to the meeting.

13 **Newport Park**

There is now a requirement to provide construction details of sheds for the owners' consideration.

14 **PLOT PLANS**

An independent surveyor would produce the plot plans, which would be held within the Site Licence.

15 **ITEMS FOR FUTURE MEETINGS**

Election of Chair and Park Rules will be the only items on the August agenda.

16 **DATES OF FUTURE MEETINGS**

The date of the next meeting was noted as Monday 11 August at 2.15pm.

(The meeting commenced at 2.15 pm and closed at 3.37 pm)

Chair

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MOBILE HOME RESIDENTS FORUM

Monday 11 August 2014

Present:

Councillor Heather Morris (Chair)
Councillors Henson, Bull and Leadbetter

Also Present:

Graeme Guy	Ringswell Park
Val Ewings	Exonia Park
Jan Grundy	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

Also Present:

Environmental Health Manager and Assistant Democratic Services Officer

In Attendance:

Brian Doick	President, National Association of Park Home Residents
Sheila Doick	National Association of Park Home Residents
Sheila Welsh	Ringswell Park
Denise Dearden	Trading Standards (for Min. Nos. 13-15 only)

13

ELECTION OF CHAIR

Councillor Morris was re-elected as Chair, and Councillor Henson was re-elected as Deputy Chair.

14

APOLOGIES FOR ABSENCE

Apologies were received from Councillor Baldwin, Councillor Hannaford and Caroline Aird (Age UK).

15

TRADING STANDARDS

Denise Deardon made available copies of doorstep crime information leaflets for distribution which included a 'no cold callers' sticker. She also had copies of her business card for contact details.

16

PARK RULES - BRIAN DOICK, PRESIDENT OF NAPHR

The Chair welcomed Brian Doick, President of the National Association of Park Home Residents to the meeting to discuss the latest Government proposals on changes to Park Rules.

The Park owner has until 3 February 2015 to bring new Park Rules into force. If the park owner has not completed the process by this time, the Rules currently in existence will be void.

The procedure by the Park owner is as follows:

- The park owner needs to supply the proposal notice to each individual resident and the residents association, which must be signed and hold the address of where responses can be sent. This is a consultation process only.
- There will then be a 28 day period in which to respond. It was suggested that residents respond as a group, with reasons as to why any rules are not agreed.
- Within the next 21 days the park owner needs to respond with the results of the consultation. This will include how many residents had responded, how many were in favour/against a park rule and whether it will stand or not.
- A further 28 days is then available for the residents to make an application to a tribunal if there is no agreement. The tribunal decision will be final.
- The park owner needs to submit the master copy of the Park Rules to the local authority. These will be kept on a register and can also be placed on their website.

The park owner cannot change the rules without going through the whole procedure again. If an individual is issued with a copy of park rules that differ from that lodged with the local authority, eg a new resident, the owner can be prosecuted. New home owners cannot challenge the rules when it has been agreed with other residents.

If the park owner does not start the process by 1 October 2014, it will be very difficult to complete the process by February 2015.

An important factor to take into consideration is that the rules should be necessary.

There are a number of prohibited rules, eg any rule which interferes with the sale of a home - in some cases park owners refused to permit sale boards on site. Any discretionary rules, such as 'dogs are permitted with the permission of the park owner' are prohibited - the rules have to state either it can or cannot be done.

Any rules which are, in any case, a criminal offence, do not necessarily need to be included in the park rules.

However, there was some discussion on rules in relation to the requirement of driving licences and tax/insurance on private land. If vehicles are not taxed, the park owner can assume this to be an abandoned vehicle and remove it. Reference was made to some untaxed cars on a particular site. If this is in breach of the current rules, Brian Doick explained that it is the responsibility of the residents to report this to the site owner.

The local authority has the right to make a charge for the deposit of the master copy, but park owners cannot pass these charges on to residents.

If the owners are in breach of the rules, they can be prosecuted as it is a legal requirement. Under new licensing regulations they can be charged an unlimited figure. If there is a failure, the residents need to bring this to light and it can go to a tribunal. The cost of this is £150 but expenses can be claimed back.

A resident referred to a proposed park rule to make it an open-plan park. However, fences have already been erected within the park. Mr Doick advised that these rules are not retrospective, and that residents can submit their case to object to the rule. If this is not agreed with the park owner, it can go to tribunal. One reason why this may have been included in the proposals is that all fences erected must comply with current fire regulations, which clearly state the distances required between mobile homes, and these must not be breached.

The residents association are entitled to represent all individuals in a park. However, everyone in the residents association needs to sign the document to state that they agree with the proposals.

The local authority has no responsibility for park rules, and is only responsible in relation to the site licensing regulations.

The British Holiday and Park Owners Association are advising all park owners of the changes. NAPHR are trying to reach those residents who do not belong to organisations or residents associations.

It was noted that two of the three parks who were represented at the meeting had already received proposals.

The Chair advised that a page would shortly be set up on the Exeter City Council website, and it was agreed that the Park Rules would be included on this page.

The Chair thanked Mr Doick for his informative presentation.

17 **DATE OF NEXT MEETING - MONDAY 3 NOVEMBER 2014 AT 2.15PM**

The date of the next meeting was noted.

(The meeting commenced at 2.15 pm and closed at 3.10 pm)

Chair

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MOBILE HOME RESIDENTS FORUM

Monday 3 November 2014

Present:

Councillors Bull, Henson and Morris

Also Present:

Jan Grundy	- Exonia Park
Val Ewings	- Exonia Park
Lyndon Carter	- Exonia Park
Alan Southard	- Newport Park
Malcolm Thomas	- Ringswell Park
Sheila Welsh	- Ringswell Park
Wendy Threlfall	- National Association of Park Homes Residents
Geoff Threlfall	- National Association of Park Homes Residents
Richard Allen	- Cornwall Park Homes Forum

Also Present:

Caroline Aird	- Age UK, Exeter
Anthony Tregenna	- LEASE

In Attendance:

Howard Bassett	- Exeter City Council
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18

APOLOGIES FOR ABSENCE

These were received from Councillors Denham, Hannaford, Holland, Leadbetter and Newby, Denise Dearden, Graham Guy and Tanya Youngs.

19

JULIE WALE

The Chair reported that Julie Wale was stepping down as one of the Ringswell Park representatives and would be replaced by Sheila Welsh.

The Chair requested that the thanks of the Forum for Julie's past service be recorded.

20

MINUTES OF THE MEETING HELD ON 28 APRIL AND 11 AUGUST 2014

As members had not received the minutes of the meetings held on 28 April and 11 August 2014 they would be submitted again to the next meeting of the Forum.

WINTER READY INITIATIVE

Caroline Aird of Age UK Exeter updated the Forum on the Winter Ready Initiative. Energy companies were obliged to promote carbon saving. However, other than improvements to boilers, insulation schemes for Park Homes were not generally available. She was working with the Devon Welfare Rights Unit and Exeter CAB who were also lobbying energy companies to include Park Homes in the Energy Companies Obligation (ECO) scheme.

Caroline asked that Park Homes networks encourage residents to contact her at Age UK for advice on potential free/subsidised insulation schemes. Her team at Age UK Exeter would also be happy to talk through concerns about finances particularly in relation to benefits such as Pension Credit.

Caroline would be willing to run a drop in at each of the parks if space could be made available. Caroline can be contacted on 01392 202092.

Malcolm Thomas and others advised of their experience of insulation works and of the reasonable prices available. Under floor heating was also available. Reference was made to a Tedburn St. Mary based firm who undertook insulation works.

PRESENTATION BY ANTHONY TREGENNA - LEASE PARK HOMES ADVICE

The Chair welcomed Anthony Tregenna of LEASE, a Non-Departmental Public Body funded by the Department for Communities and Local Government to provide free legal advice relating to park homes in England. He spoke on the following, responding to queries as set out beneath each category:-

- Pitch Fee Review
 - can discuss maintenance issues with residents if it is felt that the site owner is only undertaking the bare minimum or avoiding their responsibilities. If there is an issue there could be grounds for challenging fee reviews;
 - any Local Authority site charge can only be added to the residents' fee once. At present Exeter City Council is giving consideration to the level of any charge and has to justify any future increase; and
 - cost of appeal to First Tier tribunal is £154 for a resident, If two or more apply this will reduce to £260
- Sales and Gifts
 - commission is payable by the buyer to site owner, the maximum payable remaining at 10%; and
 - gift may be made only to family members. Within 7 days of gift new occupier must send a Notice of Assignment Form to site owner.
- Offences
 - the word "persistently" had been withdrawn from "persistently reduce service" in the Caravan site Act 1968. As such, a local authority has power to prosecute if services are withdrawn as a criminal offence in the Magistrates or Crown Court; and
 - attempts to seek information from Estate Agents on potential buyers with a view to disrupting a sale would be considered professional negligence by the agents

- Licensing
 - from 1 April 2014 a Local Authority has the discretion whether to charge an annual licence fee and the amount. The policy must be published and any increase justified;
 - they have new enforcement powers and can serve a compliance notice setting out details of failures with a deadline for completion of remedial measures. The authority can also demand expenses and the maximum fine is level 5 in the Magistrates Court - £5,000;
 - if the site owner does not pay, a charge can be placed; and
 - an example given of potential breach was unsafe trees and branches which would constitute a health and safety hazard.

- Site rules
 - new rules since 4 February 2014 on bringing new Park Rules into force, the park owner to supply the proposal notice to each individual resident and the residents association;
 - 28 day period in which to respond and it was suggested that residents respond as a group, although individual residents could also respond;
 - costs of appeal can be met by the site owner if it is found that the owner has been unreasonable, for example, tried to introduce a banned rule; and
 - the new framework was a welcome improvement with reasons as to why any rules are not agreed.

The presentation is attached to the minutes.

Contact details for Anthony Tregenna are:-

The Leasehold Advisory Service
020 7832 2525
 info@lease-advice.org
<http://parkhomes.lease-advice.org>
 Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX

The Chair thanked Mr Tregenna for his presentation.

The Chair advised that a Mobile Homes page would be set up on the Exeter City Council website to include Park Rules and that the residents would be advised when this was operational.

She stated that the issue of site licences had been raised at a meeting of the Scrutiny Committee - Community and she stated that details would be brought to the next the Forum meeting.

23

ITEMS FOR FUTURE MEETINGS

The Chair encouraged all present to contact herself or Jo Quinnell should they wish items to be placed on agenda for future meetings.

24

DATES OF FUTURE MEETINGS:

Future meetings were 27 April and 26 October 2015 starting at 2.15pm.

(The meeting commenced at 2.15 pm and closed at 3.55 pm)

Chair