

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)

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ELECTION OF CHAIR

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

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APOLOGIES FOR ABSENCE

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

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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.

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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.

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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