

ALL-PARTY PARLIAMENTARY GROUP ON PARK HOMES

Minutes of the meeting of the All-Party Parliamentary Group on Park Homes which took place in Committee Room 12 on Monday, 13 March 2017, starting at 16.30.

Present:

Christopher Chope OBE, MP (Chairman)

Gavin Barwell, MP (Minister of State for Housing, Planning and Minister for London)

Peter Aldous MP

Lucy Allan MP

Richard Benyon MP

Chris Davies, MP

Natascha Engel, MP

Rebecca Harris MP

Mark Menzies MP

Lord Best, OBE, DL

Baroness Maddock

Ed Neave, DCLG (PS to Minister)

Chantelle de Villiers (representing Lucy Alan MP)

Anne Double (representing Steve Double, MP)

Simon Gibson (representing Michael Tomlinson MP)

John Hildred (representing Damian Hinds MP)

Milan Skopal (representing Natascha Engel MP)

Rory Tanner (representing Maria Caulfield MP)

Katie Ashton (DCLG)

William Tandoh (DCLG)

Rachael Williamson (DCLG)

Paul Holland (South Oxfordshire District Council and Vale of White Horse District Council)

Lisa Osborn (North Somerset Council)

Richard Hand (LEASE – Park Homes)

Manjit Rai (LEASE – Park Homes)

Sue Linge (Age UK)

Helen Charlesworth (British Holiday & Home Parks Association)

Alicia Dunne (National Caravan Council)

Ros Pritchard OBE (British Holiday & Home Parks Association)

Alan Savory MBE (IPHAS – Independent Park Home Advisory Service)

Sonia McColl OBE (Park Home Owners' Justice Campaign)

Anne Webb (volunteer)

Apologies: Nick Thomas-Symonds MP, Brian Doick MBE (NAPHR – National Association of Park Home Residents)

1. Approval of Minutes

The minutes of the last meeting of the All-Party Parliamentary Group in Room N, Portcullis House, Westminster on Wednesday, 16 March 2016 were approved nem con.

2. The Minister of State for Housing and Planning and Minister for London, Gavin Barwell

The Chairman asked for matters to be raised which could be put to the Minister when he joined the meeting.

Mrs McColl spoke about the petition she and Mr Choze MP would be presenting to No. 10 Downing Street on 21 March, following which about 250 residents would be meeting in the House of Commons to discuss the commission charged by site owners to outgoing residents selling their park homes, and whether cost of living increases in pitch fees should be linked to the CPI rather than the RPI. On that day, she also planned to raise the matter of the assurance, given during a debate in October 2014, that there would be a review of the commission charge. This task had been given to a working group which comprised, among others, industry trade body representatives and residents' representatives which had therefore resulted in no consensus being achieved.

Mr Savory drew attention to the commitment given to review the Mobile Homes Act 2013 in 2017 to see whether it was achieving its aims. He asked how and when this would be done. Mr Choze MP said he had put down a Parliamentary Question and had been told a review would happen in the spring. Mr Choze MP had also asked about the Government's response to the Park Homes Working Group report and had been told both matters were in the pipeline and on the Minister's agenda.

Mrs McColl referred to eco funding for new boilers and insulation which, it seemed, was not available to park home residents. She said the reason given by the DCLG was that park home residents did not own the title to the land. She reported that some park owners refuse access to the homes and that poor insulation and high heating bills were topics that cropped up often on the Justice Campaign's helpline.

Mr Savory mentioned Charis Grants, an organisation which offered grants to people on benefits and these have been given to a number of park home residents to help with their heating bills.

It was noted that Government policy was to deliver green schemes through utility companies.

Mrs McColl reported that residents were having problems getting local authorities to use the powers under the 2013 Act. Mr Savory added that local authorities were given the power but not the duty to police site licences, and said that local authorities were supposed to maintain a register of site licences under the 1960 Act. Mrs Pritchard noted that local authorities were failing to meet their duty to publish site rules that were deposited with them so that purchasers would be aware of their requirements. Also, she reported that 49% of local authorities had yet to publish their site licensing fees policy under the 2013 Act and were failing in their duty to vet applicants before transferring site licences.

Ms Engel MP said that there were problems with enforcement of the new legislation. The police wouldn't act because they said park home issues were a civil matter. She said that local authorities should enforce the Act but even though they now had access to funding, they didn't do so, and she did not know how they could be obliged to act.

Mr Holland mentioned the difficulty that his local authority experienced in vetting site owners seeking licences. His authority had taken barrister's advice and were told that unless the applicant had three criminal convictions, a site licence could not be denied. Mr Holland added that enforcement was taking place in his local authority area.

Mr Choze MP questioned whether local authorities should be working together but Mr Holland explained that there was no time for networking so he was unaware of what was happening in the rest of the country.

Mrs Pritchard noted that the Housing and Planning Act 2016 included a register of rogue landlords and questioned if the same could be done for park homes.

Mr Menzies MP said he had 14 park home sites in his constituency. He was keen to support the work of the All-Party Group.

Mr Tandoh said that most of the issues had been discussed over the years and there was still more to be done, and the review of the 2013 legislation was scheduled before the end of May. It would consider enforcement by local authorities which was key to the legislation and how well local authorities had used the powers given to them, and if not, why not. The working group has finished its work and had put together a report which had been sent to the Minister. Mr Tandoh reported that the response to this report would be part of the review.

The Chairman asked Mr Holland's view of the legislation. He replied that it was a step in the right direction, with its main purpose being to prevent some horrific actions by landlords and intimidation. He thought it had stopped some of the worst excesses although it was clear that it was work in progress. He said that the issue of local authorities not complying fully with the requirements of the Act was one that he had come across.

Mrs McColl raised the matter of sale blocking and a situation where the notice board on a park stated that all enquiries should be referred to the park office. Anyone coming to the park to see a home privately advertised by a resident who saw this notice, would contact the park office and could then be persuaded to buy a home from the park owner, completely by-passing the resident with a home to sell. Mrs McColl asked if this could be construed as sale blocking. Ms Rai said it was an offence under the Mobile Homes Act 2013 to block a sale and she considered the interference reported by Mrs McColl was a way of blocking a sale. Mrs Pritchard did not think there was a law that prevented a business from advertising. Mrs McColl responded that residents are not allowed to advertise their homes for sale with a board outside, merely a sign in the window. Mrs Pritchard noted however that any rules preventing sales boards being displayed outside residents' homes had been outlawed. Ms Rai thought that it would be an offence if the park notice board stated that all sales inquiries should go to the park office.

Lord Best raised fit and proper person requirements, commenting that this was included in the Housing and Planning Act 2016 and suggesting that park homes could be tacked onto this. Mr Tandoh thought it would be difficult to include park homes in the housing legislation but if the law was seen to be ineffective in that area, amendments will be made to the Mobile Homes Act.

Ms Engel MP questioned why mobile homes couldn't be addressed through housing legislation – the homes were permanent where people lived all year round. Mr Tandoh responded that in law, mobile homes are classed as caravans. Ms Engel MP added that mobile homes were not 'mobile' - they were static. She accepted that they did not have foundations but to all intents and purposes they are people's homes. Mr Tandoh said that it was something on which the Department could take advice. Ms Engel MP suggested that including park homes under leasehold legislation would make local authorities' work simpler. Mr Tandoh agreed that it might be possible but legal advice would be needed, adding that such a change would affect all types of housing.

Mr Barwell MP joined the meeting. Welcoming him, the Chairman commented that he was a very hands-on Housing Minister who had taken a keen interest in park homes, the welfare of park home residents and the implementation of rules.

Addressing the meeting, Mr Barwell said that his Department had an existing commitment to review the legislation this year and he was keen to get on with it and get the legislation right because he had been made aware that abuses were still ongoing by three parliamentary colleagues. He wanted to hear more evidence.

Mr Chope MP asked if the review would be launched before the end of May and was told that was the plan.

Mrs Pritchard referred to the 'Inside Out' television programme which had highlighted abuses by one park owner, reporting that industry members had been shocked by its revelations. She confirmed that the park owner concerned was not a trade association member.

The Minister responded that there were lots of people running perfectly responsible businesses and he didn't want to demonise the whole industry, but to drive out the rogues without hurting the good guys.

Ms Engel MP said that one of the patterns that had emerged was that the older generation of responsible park owners was dying out and the sector was being taken over by those only in it to make a lot of money. She added that there was now a David and Goliath situation with park home residents being, in the main, elderly and vulnerable. She spoke about the imbalance between park owners and residents, saying that park owners spoke with a unified voice through their trade associations but it was only the Justice Campaign, IPHAS and NAPHR that brought residents together on an ad hoc, volunteer basis. She felt that in terms of exercising their rights, residents had a hard deal.

Mrs McColl commented that whatever legislation was brought forward, it wouldn't be any good unless it was properly enforced. Mr Barwell MP felt that local authorities might not currently have the support they required. He said there was a need to examine whether the fees charged for licences were covering the costs and wondered whether lack of funding, lack of will or lack of tools or a combination of these was the reason for inactivity by some local authorities.

Mr Holland said that one of the problems local authorities encountered was when park owners constantly appealed their site licences; while those applications were ongoing, it was not possible to take enforcement action. The Minister said that the review must expose this, noting the main challenges were getting the law right and ensuring that local authorities had sufficient resources to enforce it.

Mrs McColl reported that support was not available, neither from local authorities, nor from the Ombudsman, nor from the police. She cited a case in her area where an elderly lady had been barricaded in her park home by the site owner's actions for four years and help had not been forthcoming from the local authority. She said the council was either not using or choosing not to use its powers.

The Minister said there was a need to understand why local authorities were not using the powers, whether it was a case of funds not being sufficient, and enforcement of parks not seen as a priority. He said the review would be used to fully identify the problems.

Mr Davies MP asked about the rating of park homes and whether there was likely to be any changes as a result of the review. The Minister said that he didn't envisage rating would be addressed, adding that this was a matter for the Valuation Office.

Lord Best asked the Minister why park homes could not be included within the Housing and Planning Act 2016 fit and proper person criteria, in the same way as the private-rented sector.

Ms Engel MP asked why it was not possible to integrate the housing and park homes sectors' legislation, keeping the holiday sector separate. The Minister said that it was something that could be investigated.

Mrs Pritchard noted that the bureaucracy brought by the 2013 Act - for example the eight-page pitch fee review forms - had led some owners to sell their parks. She said that parks coming onto the market tended to be bought by the same small group of existing operators with poor reputations. Mr Savory agreed that rogues were buying more parks and said that although there might only be a handful of rogues as had been claimed, they were buying up large numbers of parks and were riding roughshod over the legislation.

The Minister commented that under the Mobile Homes Act 2013, the Secretary of State was empowered to introduce 'fit and proper person' legislation.

Mr Holland said that when operators acquired parks, they changed arrangements and the local authority then received letters of complaint about amenity.

Baroness Maddock said that park homes must be considered separately from holiday homes. She said they provide excellent housing for elderly people, creating communities where people looked after one another. She said it was a pity that residents didn't get the protection they deserved. She said she assumed that local government was party to the review and thought there must be someone within the LGA responsible for this.

Mrs McColl raised the topic of commission which she said was important to residents. She spoke about the rally that was to take place in Westminster the following week, saying that it was being incredibly well supported because residents were very concerned about being trapped in their homes. This was because once they had given the park owner 10% of their selling price, often they would have insufficient money to buy other property or to fund the care they may need in later life. She reminded Mr Barwell MP that the previous Minister had said he would set up a working group to consider a wider review of the issues. Mrs McColl was a member of that working party but she felt there was never going to be agreement because there were representatives from two opposing groups – the park owners and the residents. The commission rate was a big problem for residents, she stressed, and that was why they were coming to London to present a petition to No. 10 Downing Street. She recalled that there had been research into the economics of the park home industry in the past but claimed that the samples had been too small. She added that residents were not asking for the commission charge to be abolished but for the matter to be investigated more thoroughly than previously including certified accounts from park owners. She referred to the 2016 study into park home economics conducted by the Welsh Government, and invited the Minister to attend the campaign meeting the following week so that he could address residents directly about commission.

Mr Chope MP raised the matter of eco funding for insulation and boilers in park homes. He said that residents feel they are discriminated against by the system. Attempts had been made to get an energy minister engaged in this but so far without success. Ms Harris MP was also

concerned by the lack of competitive utilities market available to park homes and that they had no access to eco schemes. The Minister agreed to raise the matter with the appropriate department and minister.

The Chairman thanked the Minister for attending the meeting and for answering the questions.

3. **Any other business**

There being no further business, the Chairman closed the meeting.

4. **Date and venue of next meeting**

The Chairman felt the next meeting should address eco funding for park homes. No date or venue was agreed.