

ALL-PARTY PARLIAMENTARY GROUP ON PARK HOMES

The minutes of the All-Party Parliamentary Group on Park Homes which took place in Interview Room, Norman Shaw North, Westminster, on Monday, 16 July 2018, commencing at 3.00pm.

PRESENT: Sir Christopher Chope MP (convenor and Chairman)
Peter Aldous MP
Sir Peter Bottomley MP
Chris Davies MP
Lee Rowley MP

Robert Bond, representing Steve Double MP

Cynthia Brathwaite, MHCLG
William Tandoh, MHCLG

Brian Doick MBE, National Association of Park Home Residents (NAPHR)
Alicia Dunne, National Caravan Council (NCC)
Nicholas Kissen, Lease
Sonia McColl OBE, Park Home Owners' Justice Campaign (PHOJC)
Ros Pritchard OBE, British Holiday & Home Parks Association (BH&HPA)
Alan Savory MBE, Independent Park Home Advisory Service (IPHAS)
Anna Tomasik, Lease
Anne Webb, volunteer

APOLOGIES: The Lord Best OBE DL
Steve Double MP
Ian Lucas MP
The Lord Teverson

Lisa Osborn, North Somerset Council

1. Approval of Minutes

The meeting approved the minutes of the last meeting of the All-Party Parliamentary Group on Park Homes which took place in Room U, Portcullis House, Westminster on Wednesday, 13 September 2017, commencing at 9.30 am.

Mrs McColl drew attention to an omission which she believed had occurred in the minutes of the meeting held on 13 February 2017. Her recollection was that Gavin Barwell, Minister of State for Housing and Planning, had stated at that meeting that he would reconsider including commission in the review of park home legislation.

2. Update on Government consultation in England and recent legislative developments in Wales

Review of the Mobile Homes Act 2013

The Chairman advised the meeting that Minister, Heather Wheeler MP had told him that the Government response to the review of the 2013 Act would be published in the autumn. Mr Aldous MP asked what could be expected in that response.

Ms Brathwaite confirmed that the Ministry was looking to get the response out in the autumn. The Chairman asked if she could be more specific, adding that all concerned had already been waiting a long time. Ms Brathwaite replied that the Ministry was aiming for September.

The Chairman said that the All-Party Group had a date to meet the Minister in the middle of September which was the date the House rose and had been chosen on the basis that the Government's response would have been published by then. He thought it might be preferable to convene that meeting in October. He added that the sector was currently being plagued by rogue park owners exploiting the current situation with regard to security of tenure, leasehold and illegal charges.

Mr Tandoh said that the Government response would cover both Parts 1 and 2 of the consultation. Ms Brathwaite added that a statement from the Minister about her plans was awaited, but she confirmed that the Ministry was working on a number of options. The Chairman asked if these would need primary legislation and Mr Tandoh said that some of them would.

The Chairman asked about the 10% commission and Ms Brathwaite said they had received a number of responses about that, the Minister was aware of them but Ms Brathwaite could not commit to anything until the Minister had responded.

Mr Bond, representing Steve Double MP, asked whether there had been a Ministerial 'steer', asking that if options were being talked about, what about process. Mr Tandoh said that consultation was originally planned for April last year and was going to be on the effectiveness of the 2013 legislation. Other issues were brought to the attention of the Housing Minister at the time. MHCLG had published the summary of responses and officials were working through options to see what could be done. He added that a number of ministerial changes had been responsible for some of the delay. Ms Brathwaite added that she was confident MHCLG would publish the Government's response by the end of September.

Rogue activity

Mr Doick reported that the owner of a large group of residential parks had recently bought another group, where some of the parks in this newly-acquired group were held on leases with a limited number of years to run (the time scales differed on the various parks).

This situation meant that at the end of the period of the lease, the residents would be homeless. In the case of one park (where the lease had a further 19 years to run), the new park owner had told the existing residents that it would cost £50,000 per pitch to get this changed and the residents would have to pay. He offered to reduce this to £40,000 for them and 'to help them' fund this by increasing the pitch fee by £180 per month. This would then run for the following 19-year period. In some other cases, the monthly amount charged was as high as £240. It was reported that when the park owner was asked by residents about the situation at the end of the 19-year period, he had told them that the charge would not be removed but would continue to be imposed.

The Chairman asked whether this matter had been raised with MHCLG officials and was told that it had happened so recently that there hadn't been time.

The parks concerned were in Nick Gibb MP's constituency and Mr Doick said he would encourage the residents concerned to contact Mr Gibb. He added that all the residents were petrified about what might happen to them.

Mrs Pritchard commented that if the MHCLG were to address this matter, primary legislation would probably be needed, possibly another chapter in the Housing Bill. However, it was noted there might not be another Housing Bill for another year or so. Mr Savory questioned whether it could be resolved through a tribunal as the homeowners concerned lived on a freehold park and were entitled to a Mobile Homes Act agreement. The snag was that they had already signed the lease agreement. Mr Doick added that if there was any legal action, the residents would be involved in solicitors' costs, too.

Ms Brathwaite hoped that there would be something in the Government's responses to help such people.

Another instance of 'rogue' activity was reported by Mrs McColl who mentioned an organisation that had purchased a group of parks but site licences had not been transferred to them. The residents had been told to pay their pitch fees, even though there was no site licence. The local MP was Cheryl Murray and it was not certain whether she had been informed. The Chairman commented that perhaps Peter Aldous MP's Bill should have included a 'fit and proper person' clause after all.

Mrs Pritchard felt that the lack of enforcement was the biggest problem. The Chairman added that it was a matter for the local authorities and, unfortunately, there was no representative from local government at the meeting.

The Chairman also mentioned great concern about the number of holiday parks being changed-over to permanent residential parks but without the proper licence and therefore without the protection of the Mobile Homes Act. Residents on those parks could be charged up to 15% commission should they sell their homes.

APPG Secretariat

Mrs McColl raised the matter of the secretariat of the All-Party Group, saying that her campaign members did not feel it appropriate for the BH&HPA Director-General to serve as the Public Enquiry Point, as there could be some bias. She acknowledged that minute writing was undertaken by Mrs Webb and that the APPG's webpage was not published on BHHPA.org.uk. She asked for the secretariat to be completely independent.

The Chairman noted that this had been discussed at the last meeting (when Mrs McColl had not been present), adding that the group did not have the resources to provide an independent secretariat but would be willing to consider any solution which Mrs McColl might have.

She said that she had mentioned the matter to Mr Sebastian O'Kelly of the Leasehold Knowledge Partnership who said he would be willing to be the 'enquiry point' for the APPG.

Sir Peter Bottomley noted that the Leasehold Knowledge Partnership was a campaigning charity, which could assist Mrs McColl in campaigning but, referring to the roles undertaken by Mrs Pritchard and Mrs Webb, felt the APPG should 'not let go of the nurse'.

Mr Savory said that he did not see any undue influence from the current arrangement.

The Chairman added that everyone in the group was 'on the same side' – residents and the legitimate people involved in the park home industry. He noted it was the rogues who were running amok and the best way to deal with rogues was to be united against them. He said

that the group should be very grateful to Mrs Pritchard and Mrs Webb for providing their support.

Fire safety

Mrs McColl addressed problems on a park in the north of England, owned by one of the large groups. This concerned replacement cladding on some homes where she believed the material used was 'illegal'. Residents were being charged between £1,500 and £2,500 for this material. In view of the Grenfell Tower tragedy, many residents were very concerned. They were advised to contact the local fire officer but, seemingly, were passed from one department to another without getting any resolution. MPs, it seemed to Mrs McColl, did not want to know about the situation either. Kenneth Clarke was the local MP. Sir Christopher Chope asked Mrs McColl to send him details of this case.

Mrs Pritchard said there had been an important initiative to improve insulation in park homes. Model Standards had been adjusted and there was a new British Standard being prepared for the cladding of park homes. She added that last year both trade bodies (IBH&HPA and NCC) published a full statement on fire safety and fire management. All park homes are on the ground floor and fitted with smoke detectors and alarms. There had never been a case of fire spread between park homes. Smoke alarms were vital to the safety of residents so that they were alerted and could evacuate quickly in the event of a fire. Mrs McColl nevertheless maintained that the cladding being used was 'illegal'.

Mrs Pritchard noted that there was currently no Standard covering such cladding.

Mr Savory said that following the Grenfell tragedy, IPHAS had contacted the suppliers of cladding to the park home industry and discovered that their fire rating for the product was zero. He added that Regulatory Reform (Fire Safety) Order 2005 took away the local authorities' powers to address fire safety through site licence conditions and the onus now fell on park owners to have a fire assessment carried out. He added that good park owners would do it, but questioned what the 'rogues' would do.

The Chairman felt that the matter should be taken up with the director of the Fire Service.

Commission on park home sales

Mr Davies MP reported that the Welsh Government had decided to reduce commission charges gradually. He questioned whether England would follow suit. Ms Brathwaite responded by saying that whatever the Ministry did on this matter, it would carry out a thorough economic impact assessment and a proper consultation beforehand. She added that they would wait until September when the conclusions from the consultations were published and would then confirm what was happening going forward. Mr Tandoh added that they would, of course, be taking note of the Welsh Government decision.

Mr Davies MP asked what he and fellow MPs could do to make the Ministry's job easier. Mr Tandoh responded by saying that the Minister would consider the issues throughout the summer. Sir Christopher Chope commented that there were questions about the legality of the Welsh Government's decision and Ms Brathwaite confirmed that an economic impact assessment would be carried out if there was going to be any change.

Mr Savory said that both he and Mr Doick had written to Welsh Government asking them to take the following into consideration when making the legislation. The Welsh Government had proposed reducing commission by 1% per year for five years. On the surface that sounded wonderful, but it was necessary to think ahead. He noted there was an implied term which states that the pitch fee can be increased above the rate of inflation in the event of an enactment having an effect on the costs of management of the site. It could be possible, therefore, that at each pitch fee review during that five-year period, a site owner could want the pitch fee increase to include the claimed loss of income caused by the reduction in commission.

Mr Doick added that if the Welsh decision was to go ahead, residents could be paying a commission charge in their pitch fee without a sale having taken place.

Mrs Pritchard noted that the Welsh Government decision had been made contrary to the economic and accounting evidence.

Mrs McColl said that it had always been said that if there was a change in commission, nothing should be added to the pitch fee to compensate. She confirmed that her campaign's objective was for a thorough, independent review of the commission rate, which she felt had not been properly represented.

Mrs McColl asked if the Minister would take notice of the MPs' resolution from their 2014 debate, calling for a review of the commission. Mr Tandoh noted that the Minister had responded to the Debate, undertaking to establish a Working Group; this had been done. Mrs McColl said that the Working Group had not been effective given the opposing views represented.

Harassment

Sir Peter Bottomley said that it was vital to get the injustices in the sector dealt with, without residents having to take court action. He hoped that the Minister would be able to talk to the various groups and get the issues out into the open. At present there was little that residents could do to improve their lots.

Mr Savory said that one of the problems that elderly residents, in particular, experience was with harassment. He had recently heard of a park owner who had started digging holes on the park and one was on a resident's plot. The park owner had then told the resident that he would have to pay to have it reinstated. That resident was 92 years old and was asked by the park owner the value of his bank balance. The work was for access to water pipes which were the park owner's responsibility so he should pay for the work. Adding that harassment in many different forms was a real problem on parks, Mr Savory said that the police can do little because it is private property – in effect the park owner could do what he liked on his own land.

Mr Doick said that there had been a recent case of a resident committing suicide because he had lost his home to a park owner. He added that these issues of harassment were very serious, and the numbers were growing. Some of these acts were criminal and the police should be involved. He asked whether there could be a round-table meeting with senior police officers to make them aware of the situation on residential parks.

Reference was made by several people to the sterling work carried out by Detective Inspector Mark Colquhoun from West Mercia police which led to long custodial sentences being

handed out to park owners and their associates who had carried out arson attacks in an attempt to get residents to move away (and thus free up plots for them to re-sell). The Chairman asked that the pamphlet written by Detective Inspector Colquhoun advising residents about what they should do if they encountered harassment be published with the minutes.

Note. The Criminality within the Park Home Industry Best Practice Guidance by Detective Inspector Mark Colquhoun has been forwarded by Mr Savory and is available on this [link](#).

The Chairman added that it was difficult to get local authorities to act but suggested that senior police officers should be invited to attend a meeting and be given information about what was happening on parks

3. Date and venue of next meeting

The Chairman suggested that the next meeting should be in October and include the Group's AGM, suggesting a Monday afternoon.

There being no further business, the Chairman closed the meeting at 4.00pm.