

Status: Point in time view as at 07/01/2014. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, Cross Heading: Owner's other obligations. (See end of Document for details)

SCHEDULE 2

TERMS OF MOBILE HOME AGREEMENTS

PART 1

TERMS IMPLIED BY ACT

CHAPTER 2

AGREEMENTS RELATING TO PITCHES EXCEPT THOSE ON LOCAL AUTHORITY GYPSY AND TRAVELLER SITES

Owner's other obligations

VALID FROM 01/10/2014

- 22 (1) The owner must—
- (a) if requested by the occupier, and on payment by the occupier of a charge of not more than £30, provide accurate written details of—
 - (i) the size of the pitch and the base on which the mobile home is stationed, and
 - (ii) the location of the pitch and the base within the protected site, and the details must include measurements between identifiable fixed points on the protected site and the pitch and the base,
 - (b) if requested by the occupier, provide (free of charge) documentary evidence in support and explanation of—
 - (i) any new pitch fee,
 - (ii) any charges for gas, electricity, water, sewerage or other services payable by the occupier to the owner under the agreement, and
 - (iii) any other charges, costs or expenses payable by the occupier to the owner under the agreement,
 - (c) be responsible for repairing the base on which the mobile home is stationed and for maintaining any gas, electricity, water, sewerage or other services supplied by the owner to the pitch or to the mobile home,
 - (d) maintain in a clean and tidy condition those parts of the protected site, including access ways, site boundary fences and trees, which are not the responsibility of any occupier of a mobile home stationed on the protected site,
 - (e) consult the occupier about improvements to the protected site in general, and in particular about those which the owner wishes to be taken into account when determining the amount of any new pitch fee, and
 - (f) consult a qualifying residents' association (if there is one) or (otherwise) occupiers of mobile homes stationed on the protected site, about all matters which relate to the operation and management of, improvements to, or any proposed change of use of, the protected site and may affect the occupiers either directly or indirectly.

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- (2) For the purposes of sub-paragraph (1)(e), to “consult” the occupier means—
- (a) to give the occupier at least 28 clear days' notice in writing of the proposed improvements which—
 - (i) describes the proposed improvements and how they will benefit the occupier in the long and short term,
 - (ii) details how the pitch fee may be affected when it is next reviewed, and
 - (iii) states when and where the occupier can make representations about the proposed improvements, and
 - (b) to take into account any representations made by the occupier about the proposed improvements, in accordance with paragraph (a)(iii), before undertaking them.
- (3) For the purposes of sub-paragraph (1)(f), to “consult” a qualifying residents' association or occupiers means—
- (a) to give the association or occupiers at least 28 clear days' notice in writing of the matters referred to in sub-paragraph (1)(f) which—
 - (i) describes the matters and how they may affect the occupiers either directly or indirectly in the long and short term, and
 - (ii) states when and where the association or occupiers can make representations about the matters, and
 - (b) to take into account any representations made by the association or occupiers, in accordance with paragraph (a)(ii), before proceeding with the matters.

- 23 The document referred to in paragraph 17(4) and (9) must—
- (a) be in such form as the Welsh Ministers may by regulations prescribe,
 - (b) specify any percentage increase or decrease in the consumer prices index calculated in accordance with paragraph 20,
 - (c) explain the effect of paragraph 17,
 - (d) specify the matters to which the amount proposed for the new pitch fee is attributable,
 - (e) refer to the occupier's obligations in paragraph 21(1)(c) to (e) and the owner's obligations in paragraph 22(1)(c) and (d), and
 - (f) refer to the owner's obligations in paragraph 22(1)(e) and (f) (as glossed by paragraph 22(2) and (3)).

Commencement Information

II Sch. 2 para. 23 in force for specified purposes at 7.1.2014 by S.I. 2014/11, art. 2(b)

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