
Changes to legislation: There are currently no known outstanding effects for the Mobile Homes Act 1983, Cross Heading: Owner's obligations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

AGREEMENTS UNDER ACT

PART I

TERMS IMPLIED BY ACT

[^{F1}CHAPTER 2

AGREEMENTS RELATING TO PITCHES ^{F2}... EXCEPT PITCHES ^{F3}... ON LOCAL AUTHORITY
GYPSY AND TRAVELLER SITES AND COUNTY COUNCIL GYPSY AND TRAVELLER SITES]

Textual Amendments

- F1** Sch. 1 Pt. 1 renumbered as Sch. 1 Pt. 1 Ch. 2 (E.) (30.4.2011) by [The Mobile Homes Act 1983 \(Amendment of Schedule 1 and Consequential Amendments\) \(England\) Order 2011 \(S.I. 2011/1003\)](#), art. 1(1), **Sch. 1 para. 2** (with art. 1(3))
- F2** Words in Sch. 1 Pt. 1 Ch. 2 heading omitted (W.) (1.10.2014) by virtue of [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), s. 64(1), **Sch. 4 para. 4(9)(b)** (with Sch. 5 para. 7); S.I. 2014/11, art. 3(2)
- F3** Words in Sch. 1 Pt. 1 Ch. 2 heading omitted (10.7.2013) by virtue of [The Mobile Homes Act 1983 \(Amendment of Schedule 1 and Consequential Amendments\) \(Wales\) Order 2013 \(S.I. 2013/1723\)](#), arts. 1(1), **2(3)(a)** (with art. 1(3))

^{X1}[^{F4}*Owner's obligations*

Editorial Information

- X1** The cross-heading "Owner's obligations" inserted (S.) before Sch. 1 Pt. 1 para. 25 in the Scottish version of Sch. 1 Pt. 1 (1.9.2013) by [The Mobile Homes Act 1983 \(Amendment of Schedule 1\) \(Scotland\) Order 2013 \(S.S.I. 2013/219\)](#), arts. 1, **2(8)** (with art. 1(2)(3), 4)

Textual Amendments

- F4** Sch. 1 Pt. 1 paras. 10-29 and cross-headings substituted for Sch. 1 Pt. 1 para. 10 and cross-heading (E.) (1.10.2006) by [The Mobile Homes Act 1983 \(Amendment of Schedule 1\) \(England\) Order 2006 \(S.I. 2006/1755\)](#), arts. 1(1), 2(6) (with arts. 1(2)(3), 4) and (W.) (30.11.2007) by [The Mobile Homes Act 1983 \(Amendment of Schedule 1\) \(Wales\) Order 2007 \(S.I. 2007/3151\)](#), arts. 1(1), **2(6)** (with arts. 1(2)(3), 4)

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- (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 such 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, about all matters which relate to the operation and management of, or improvements to, the protected site and may affect the occupiers either directly or indirectly.
- 23 The owner shall not do or cause to be done anything which may adversely affect the ability of the occupier to perform his obligations under paragraph 21(c) and (d) above.
- 24 For the purposes of paragraph 22(e) above, 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.
- 25 For the purposes of paragraph 22(f) above, to “consult” a qualifying residents' association means—
- (a) to give the association at least 28 clear days' notice in writing of the matters referred to in paragraph 22(f) which—
 - (i) describes the matters and how they may affect the occupiers either directly or indirectly in the long and short term; and

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- (ii) states when and where the association can make representations about the matters; and
- (b) to take into account any representations made by the association, in accordance with paragraph (a)(ii), before proceeding with the matters.
- [^{F5}25A (1) The document referred to in paragraph 17(2A) and (6A) must—
- (a) be in such form as the Secretary of State may by regulations prescribe,
 - (b) specify any percentage increase or decrease in the [^{F6}consumer prices index] calculated in accordance with paragraph 20(A1),
 - (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(c) to (e) and the owner's obligations in paragraph 22(c) and (d), and
 - (f) refer to the owner's obligations in paragraph 22(e) and (f) (as glossed by paragraphs 24 and 25).
- (2) Regulations under this paragraph must be made by statutory instrument.
- (3) The first regulations to be made under this paragraph are subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) But regulations made under any other provision of this Act which are subject to annulment in pursuance of a resolution of either House of Parliament may also contain regulations made under this paragraph.]]

Textual Amendments

- F5** Sch. 1 Pt. 1 Ch. 2 para. 25A inserted (E.W.) (27.5.2013) by [Mobile Homes Act 2013 \(c. 14\)](#), **ss. 11(6), 15(3)** (with s. 11(7))
- F6** Words in Sch. 1 Pt. 1 Ch. 2 para. 25A(1)(b) substituted (E.W.) (2.7.2023) by [Mobile Homes \(Pitch Fees\) Act 2023 \(c. 11\)](#), **ss. 1(2)(a), 3(2)** (with s. 2)

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