



Mobile Homes Act 2013

2013 CHAPTER 14

Pitch agreements

9 Site rules

(1) After section 2B of the Mobile Homes Act 1983 insert—

“2C Site rules

- (1) In the case of a protected site in England (other than a gypsy and traveller site) for which there are site rules, each of the rules is to be an express term of each agreement to which this Act applies that relates to a pitch on the site (including an agreement made before commencement or one made before the making of the rules).
- (2) The “site rules” for a protected site are rules made by the owner in accordance with such procedure as may be prescribed which relate to—
 - (a) the management and conduct of the site, or
 - (b) such other matters as may be prescribed.
- (3) Any rules made by the owner before commencement which relate to a matter mentioned in subsection (2) cease to have effect at the end of such period beginning with commencement as may be prescribed.
- (4) Site rules come into force at the end of such period beginning with the first consultation day as may be prescribed, if a copy of the rules is deposited with the local authority before the end of that period.
- (5) Where a site rule is varied, the rule as varied comes into force at the end of such period beginning with the first consultation day as may be prescribed, if—
 - (a) the rule is varied in accordance with such procedure as may be prescribed, and
 - (b) a copy of the rule as varied is deposited with the local authority before the end of that period.

- (6) Where a site rule is deleted, the deletion comes into force at the end of such period beginning with the first consultation day as may be prescribed, if—
 - (a) the rule is deleted in accordance with such procedure as may be prescribed, and
 - (b) notice of the deletion is deposited with the local authority before the end of that period.
- (7) Regulations may provide that a site rule may not be made, varied or deleted unless a proposal to make, vary or delete the rule is notified to the occupiers of the site in question in accordance with the regulations.
- (8) Regulations may provide that site rules, or rules such as are mentioned in subsection (3), are of no effect in so far as they make provision in relation to prescribed matters.
- (9) Regulations may make provision as to the resolution of disputes—
 - (a) relating to a proposal to make, vary or delete a site rule;
 - (b) as to whether the making, variation or deletion of a site rule was in accordance with the applicable prescribed procedure;
 - (c) as to whether a deposit required to be made by virtue of subsection (4), (5) or (6) was made before the end of the relevant period.
- (10) Provision under subsection (9) may confer functions on a tribunal.
- (11) Regulations may—
 - (a) require a local authority to establish and keep up to date a register of site rules in respect of protected sites in its area;
 - (b) require a local authority to publish the up-to-date register;
 - (c) provide that any deposit required to be made by virtue of subsection (4), (5) or (6) must be accompanied by a fee of such amount as the local authority may determine.

2D Section 2C: supplementary provision

- (1) This section applies for the purposes of section 2C.
- (2) “Commencement” means the commencement of that section.
- (3) “First consultation day” means the day on which a proposal made under regulations under subsection (7) of that section is notified to the occupiers of the site in accordance with the regulations.
- (4) A reference to the local authority is a reference to the local authority in whose area the protected site in question is situated.
- (5) A reference to a gypsy and traveller site is a reference to a county council gypsy and traveller site or a local authority gypsy and traveller site (each of which has the meaning given by paragraph 1(4) of Chapter 1 of Part 1 of Schedule 1).
- (6) “Prescribed” means prescribed in regulations; and the power to make regulations is exercisable by the Secretary of State.
- (7) The regulations must be made by statutory instrument and may—

- (a) make different provision for different cases or descriptions of case, including different provision for different areas;
 - (b) contain incidental, supplementary, transitional or saving provisions.
- (8) The regulations are subject to annulment in pursuance of a resolution of either House of Parliament.”
- (2) In section 1(2)(c) of the Mobile Homes Act 1983 (requirement for proposed express terms to be set out in written statement), after “to be contained in the agreement” insert “(including any site rules (see section 2C))”.
- (3) In section 1(5) of that Act (enforcement of express terms), after “any express term” insert “other than a site rule (see section 2C)”.
- (4) In section 2(3) of that Act (application to tribunal to vary express term etc.)—
 - (a) in paragraph (a), after “any express term of the agreement” insert “other than a site rule (see section 2C)”, and
 - (b) in paragraph (b), after “any express term to which section 1(6) above applies” insert “other than a site rule (see section 2C)”.