

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Article 6(2)

Written Statement in relation to the Mobile Homes Act 1983

IMPORTANT – PLEASE READ THIS STATEMENT CAREFULLY AND KEEP IT IN A SAFE PLACE. IT SETS OUT THE TERMS ON WHICH YOU ARE ENTITLED TO KEEP YOUR MOBILE HOME ON SITE AND TELLS YOU ABOUT THE RIGHTS WHICH ARE GIVEN TO YOU BY LAW. IF THERE IS ANYTHING YOU DO NOT UNDERSTAND YOU SHOULD GET ADVICE (FOR EXAMPLE FROM A SOLICITOR OR A CITIZENS ADVICE BUREAU).

PART 1

Express Terms (other than those specified in Part 4)

1. The Mobile Homes Act 1983 (“the 1983 Act”) applies to the agreement.

Parties to the agreement

2. The parties to the agreement are—

.....
(Name and address of person entitled to station a mobile home on the pitch)

.....
(Name and address of the local authority)

Start date

3. The agreement began on..... *(Insert date)*

Particulars of the pitch

4. The particulars of the land on which you are entitled to station your mobile home are—

.....
.....
.....

Plan

5. Attached to this statement is a plan showing—

- (a) the size and location of the pitch;
- (b) the size of the base on which the mobile home is stationed; and
- (c) measurements between identifiable fixed points on the site and the pitch and base.

Local authority’s interest

6. The local authority’s estate or interest in the land will end on..... *(If this statement applies insert date); or*

The local authority’s planning permission for the site will end on *(If this statement applies insert date)*

This means that your right to stay on the site will not continue after either of these dates unless the local authority’s interest or planning permission is extended. *(If only one of these statements applies, cross out the words which do not apply. If neither of these statements apply, delete this paragraph).*

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Pitch fee

7. The pitch fee is payable weekly/monthly/quarterly/annually. *(Cross out the words which do not apply)*

The pitch fee is.....

The following services are included in the pitch fee—

Water

Sewerage

.....

.....

(Cross out the services which are not included and add any others which are included in the pitch fee)

Review of pitch fee

8. The pitch fee will be reviewed on

This date is the review date.

Additional charges

9. An additional charge is made for the following matters—

.....

.....

.....

(List the matters for which an additional charge is made)

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PART 2

Information about your rights

The 1983 Act

1. Because you have an agreement with a local authority which entitles you to keep your mobile home on its site and live in it as your home, you have certain rights under the 1983 Act, affecting in particular your security of tenure and the review of the pitch fee.

Implied terms

2. These rights, which are contained in the implied terms set out in Part 3 of this statement, apply automatically and cannot be overridden, so long as your agreement continues to be one to which the 1983 Act applies.

Express terms

3. If you are not happy with any of the express terms of your agreement (as set out in Part 4 of this statement) you should discuss them with the local authority, who may agree to change them.

Unfair terms

4. If you consider that any of the express terms of the agreement (as set out in Part 4 of this statement) are unfair, you can, in accordance with the provisions of the Unfair Terms in Consumer Contracts Regulations 1999(a), complain to the Office of Fair Trading or any qualifying body.

PART 3

Implied Terms

Under the 1983 Act certain terms are automatically included in your agreement. These implied terms are set out in Part 1 of Schedule 1 to the 1983 Act.

(Implied terms to be inserted by the local authority)

PART 4

Express terms of the agreement

This part of the written statement sets out other terms of the agreement which are agreed between you and the local authority in addition to the implied terms.

(Express terms to be inserted by the local authority)

(a) S.I. 1999/2083.