

PARK RULES FOR BUSHEL PARK

Preface

In these rules:

- "occupier" means anyone who occupies a park home, whether under an Agreement to which the Mobile Homes Act 1983 applies or under a tenancy or any other agreement
- "you" and "your" refers to the homeowner or other occupier of a park home
- "we" and "our" refers to the park owner.

These rules are in place to ensure acceptable standards are maintained on the park, which will be of general benefit to occupiers, and to promote and maintain community cohesion. They form part of the Agreement by which homeowners occupy the pitch in accordance with the Mobile Homes Act 1983, as amended.

None of these rules is to have retrospective effect. Accordingly:

- they are to apply only from the date on which they take effect, which is 9th January 2015 ; and
- no occupier who is in occupation on that date will be treated as being in breach due to circumstances which were in existence on that date and which would not have been a breach of the rules in existence before that date,

These rules also apply (for so long as they live on the park) to the park owner and any employees.

Park Home and Pitch

- 1 Homeowners must maintain the outside of their park home in a clean and tidy condition. Where the exterior is repainted or recovered homeowners must use reasonable endeavours not to depart from the original exterior colour-scheme.
2. For reasons of ventilation and safety you must keep the underneath of your home clear and not use it as a storage space.
3. You must not erect fences or other means of enclosure unless you have obtained our approval in writing (which will not be unreasonably withheld or delayed). You must position fences and any other means of enclosure so as to comply with the park's site licence conditions and fire safety requirements.
4. You must not reposition your park home.
5. You must not have external fires, including incinerators.
6. You must not keep inflammable substances on the park except in quantities reasonable for domestic use.
- 7 You must not keep explosive substances or weapons on the park.
8. Rotary clothes lines only are permitted.
9. Private gardens must be kept clean and tidy and public footpaths and roads must not be littered.
10. The Park Home may be used by the owner occupier and bona fide guests only. The occupation of such numbers of persons shall not exceed the specified number of berths. Sub-letting is not allowed.

Storage

11. The design, standard and size of a shed must be approved by us in writing (approval will not be withheld or delayed unreasonably). You must position the shed so as to comply with the park's site licence and fire safety requirements.
12. You must ensure that any shed or other structure erected in the separation space between park homes is of non-combustible construction and positioned so as to comply with the park's site licence conditions and fire safety requirements.

Refuse

13. You are responsible for the disposal of all household, recyclable and garden waste in approved containers through the local authority service. You must not overfill containers and must place them in the approved position for the local authority collections.
14. You must not deposit any waste or rubbish other than in local authority approved containers on any part of the park (including any individual pitch).

Business Activities

15. You must not use the park home, the pitch or the park (or any part of the park) for any business purpose, and you must not use the park home or the pitch for the storage of stock, plant, machinery or equipment used or last used for any business purpose. However you are at liberty to work individually from home by carrying out any office work of a type which does not create a nuisance to other occupiers and does not involve other staff, other workers, customers or members of the public calling at the park home or the park.

Age of Occupants

16. No person under the age of 50 years may purchase or reside in a park home.

Nuisance

17. You must not use musical instruments, all forms of recorded music players, radios and other similar appliances and motor vehicles so as to cause a nuisance to other occupiers, especially between the hours of 10.30pm and 8.00am.

Pets

18. You must not keep any pets or animals except the following: Not more than 1 dog. You must keep any dog under proper control and you must not permit it to frighten other users of the park. You must keep any dog on a lead and must not allow it to despoil the park.

Water

19. You must only use the fire point hoses in case of fire.
20. You must protect all external water pipes from potential frost damage.
21. You must not permit waste water to be discharged onto the ground (This does not apply to reasonable washing and cleaning of cars).

Vehicles and parking

22. You must drive all vehicles on the park carefully and within the

displayed speed limit.

23. You must not park anywhere except in the permitted parking spaces or the parking space allocated to your home.
24. You must not park on the roads or grass verges.
25. Other than for delivering goods and services, you must not park or allow parking of commercial vehicles of any sort on the park, including:
 - light commercial or light goods vehicles as described in the vehicle taxation legislation
 - vehicles intended for domestic use but derived from or adapted from such a commercial vehicle
26. You must not park touring caravans on the park.
27. You must not bring more than two vehicles on to the park (this does not include visitors)
28. You must hold a current driving licence and be insured to drive any vehicle on the park. You must also ensure that any vehicle you drive on the park is taxed in accordance with the requirements of law and is in a roadworthy condition.
29. You must not carry out the following works or repairs on the park:
 - major vehicles repairs involving dismantling of part(s) of the engine
 - works which involve the removal of oil or other fuels.

Schedule 1 - PROPOSAL NOTICE

Mobile Homes (Site Rules)(England) Regulations 2014

~~Mobile Homes~~

1. Clearly set out the proposal(s) being made (see note i)

Mr Terry Vellum proposes to make the site rules attached to this proposal notice

2. State the reasons for making the proposal(s)

The site rules are proposed because they are necessary to ensure that acceptable standards are maintained on the site, which will be of general benefit to occupiers, and

because they will promote and maintain community cohesion on the site. They are proposed now because the Mobile Homes (Site Rules) (England)

Regulations 2014 provide that the current site rules will cease to have effect on 3 February 2015

3. I confirm that the proposals comply with regulations 4 and 5 (prescribed matters) (see note ii)

4. I confirm that the consultation response document (see note iii) will be sent to

~~Mr Terry Vellum~~

5. Deemed date of service of this notice ('first consultation day') (see note v):

3.10.14

6. Responding to the consultation

(i) My name and address to which responses are to be sent:

Zenia Cornwell, 26 Nightall Road, Soham, Ely, Cambs CB7 5FE

(ii) Date by which any responses must be received (see note vi): 31st October 2014

(iii) Signature (see note vii):

(iv) Date: 3rd October 2014

7. Data Protection Act 1998

Any representations made in response to the consultation cannot be treated as confidential. To comply with the duties contained in the Mobile Homes (Site Rules) (England) Regulations 2014, it will be necessary for me to disclose information received from you to others, which may include other occupiers, a tribunal and a local authority.

Notes

(i) A proposal means a proposal to make, vary or delete a site rule. A proposal notice may contain more than one proposal, as set out in regulation 8(4).

(ii) **Prescribed matters to which site rules may relate** (Regulation 4 - matters prescribed for the purposes of section 2C(2)(b) of the 1983 Act)

A site rule must be necessary:

(a) to ensure acceptable standards are maintained on the site, which will be of

general benefit to occupiers; or

(b) to promote and maintain community cohesion on the site.

Prescribed matters to which site rules are of no effect so far as they make

provision in relation to (Regulation 5 (Schedule 5) - matters prescribed for the purposes of section 2C(8) of the 1983 Act)

In relation to the sale or gift of a mobile home:

- (a) whether the occupier should be prevented from selling or gifting the mobile home to anyone other than the owner;
- (b) whether the occupier should be required to notify the owner of the occupier's intention to sell or gift the mobile home;
- (c) whether the occupier should be required to use the services of the owner or a person specified by the owner for the purposes of selling or gifting the mobile home;
- (d) whether the occupier should be prevented from using the services of an estate agent for the purposes of selling the mobile home;
- (e) whether the occupier should be prevented from using services provided by a solicitor for the purposes of selling or gifting the mobile home and assigning the agreement;
- (f) whether the occupier should be prevented from using any services that would otherwise be available to the occupier for the purposes of selling or gifting the mobile home;
- (g) whether the occupier should be prevented from advertising the mobile home for sale by means of a notice, board or placard affixed to the mobile home or to the pitch;
- (h) whether the occupier should be required to-
 - (i) obtain a survey of the mobile home or the pitch; or
 - (ii) permit the owner or his agents to undertake a survey of the mobile home or the pitchbefore selling or gifting the mobile home;
- (i) whether the occupier should be required to sell or gift the mobile home or assign the agreement in the presence of the owner;
- (j) whether the occupier or the proposed occupier should be required to provide the site owner with the personal details of the proposed occupier or of any other person intending to live in the mobile home with the proposed occupier;
- (k) whether the proposed occupier should be required to attend a meeting with the owner.

The following are examples of "personal details"-

- (a) the home address, other contact details or vehicle registration number of the person concerned;
- (b) any financial information relating to the person concerned;
- (c) a birth certificate or certificate of marriage or civil partnership of the person concerned; and
- (d) details of the age, ethnic origin, sex or sexual orientation of the person concerned.

In sub-paragraphs (c), (d), (e), (f) and (h) above, references to selling a mobile home include a reference to marketing, advertising or offering the mobile home for sale.

Other matters:

- (a) any matter which is expressed to grant an occupier a right subject to the exercise of a discretion by the owner, except in relation to improvements to an occupier's plot (although this shall not prevent an owner from exercising discretion to grant an occupier a right in order to accommodate that occupier's disability);
- (b) any matter which is expressed to apply retrospectively;
- (c) any matter which is contrary to the implied terms of the agreement, as defined by section 1 of the 1983 Act;
- (d) any matter which is expressed to apply only to particular persons or to persons of a particular description, apart from where a rule makes an exception for the owner, the owner's family or an employee of the owner (where an employee of the owner does not occupy the site under an agreement to which the 1983 Act applies);
- (e) whether the occupier should be absolutely prohibited from making improvements to the home or pitch;
- (f) whether visitors to the site should be required to report to the owner on arrival;
- (g) whether any category of person should be restricted from visiting the site, regardless of whether the site has an age restriction in place;
- (h) whether the owner should be allowed to reduce the size of a pitch or its reorientation;
- (i) whether the owner should require the collection of deposits or charge for other services or permissions in addition to charges for the pitch fee, utility charges, for parking or sheds, where the charge is not permitted to be made under the agreement (as defined by section 1 of the 1983 Act) or by other legislation;
- (j) whether vehicular access to the site should be restricted in any way;
- (k) whether the occupier may have visitors to stay for short periods of time, whether or not the occupier is present at the time;
- (l) whether the occupier should be required to purchase only goods or services supplied by the owner or such other person as the owner may nominate;
- (m) whether the occupier should be required to use only such tradesmen as the owner may nominate, including the owner himself;
- (n) whether the site rules may be changed other than by the procedure set out in regulations 7 to 13 of these regulations:

(o) whether the site rules may purport to threaten eviction for failure to comply with the site rules.

Where-

(a) prior to the deposit of a site rule, the occupier of a site enjoyed a benefit; and

(b) the effect of the coming into force of the deposited site rule is that the enjoyment of the benefit by the occupier will be in breach of the deposited site rule;

the occupier will not be in breach of the deposited site rule for the period that the benefit continues to subsist.

On the cessation of the benefit, the occupier will be bound by the deposited site rule.

(iii) The consultation response document is the document referred to in regulation 9, in the form set out in Schedule 2 or in a form substantially to the like effect.

(iv) Regulation 7 sets out the requirement to consult every occupier and any qualifying residents' association (as defined by paragraph 28 of Chapter 2 of Part 1 of Schedule 1 to the Mobile Homes Act 1983).

(v) Regulation 3(2) sets out the rules of service. The first consultation day is the day on which notice is deemed served on a consultee.

(vi) The date by which any representations made in response to the proposal must be received by the site owner must be at least 28 days after the first consultation day.

(vii) Signature of the site owner or a person authorised to sign on the site owner's behalf.