

Government Fact Sheet

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PHRAA

REPORTS ON FIRST GOVERNMENT
ROADSHOW ON PARK HOME REFORM
GARSTANG August 10th 2005

And

GOVERNMENT FACT SHEET
On Park Home Law Reform
Issued 10th August 2005

PHRAA. The only National Residents Association

Working "Exclusively" for Park Homeowners PHRAA, THE ONLY NATIONAL PARK HOME RESIDENTS ORGANISATION TO "TELL IT AS IT IS"; REPORTS ON THE FIRST EXPLANATORY ROADSHOW ON PARK HOME LEGISLATIVE REFORM, HELD AT CROFTERS HOTEL, GARSTANG, LANCASHIRE ON AUGUST THE 10th 2005 AND HOSTED BY MICHEAL AND JULIE WARD OWNERS OF WYRE VALE PARK, GARSTANG. This event, the first of a series of Park Home Legislative Reform Road Shows, was advertised as a medium to be used by the Government to promote the work being carried out by the Office of the Deputy Prime Minister, (ODPM) "to ensure the law provides the appropriate legal framework for park home living, and allows for the development of this alternative quality housing." "The ODPM sincerely hopes that the residents and park owners from across Lancashire will seize the opportunity to visit this award winning park to find out what the forthcoming legislative changes will mean to them."

" It is also envisaged that the event will be attended by local environmental health officials, MP’s, Councillors and Planners. National Residents Associations representatives, government officials and the industry’s trade associations will also be on hand to offer advice and guidance". (Park Home & Holiday Caravan Magazine, August 2005 issue) Before commencing this report I feel it would be useful to the reader to give a brief history of the events leading up to this, the first of a series of Roadshows. In 1998 due to receiving so many reports from park home residents complaining about the horrific treatment many of them were receiving from the growing number of unscrupulous park owners, the government set up the ALL PARTY WORKING GROUP FOR THE WELFARE OF PARK HOME OWNERS, (note the title) which PHRAA representing its members took up an active role, in addition to the existing National Residents Associations, in 2002. It soon became very apparent to PHRAA that little positive action was being taken towards achieving the much needed and long overdue reforms to park home law, which would afford the long suffering park home owners some degree of protection from the exploitation they are suffering at the hands of the Unscrupulous Park Owner, indeed while these talks are taking place, the harassment, intimidation, bullying etc, of the mainly elderly and therefore vulnerable is rapidly getting worse. PHRAA voiced its concern at this lack of progress, (Fiddling while Rome Burns) and using the "TELL IT AS IT IS" approach, forcefully put forward the park home owners case, demanding that real and effective action be taken. PHRAA started by approaching Members of Parliament who had park home owners in their Constituency’s already suffering exploitation from unscrupulous park owners. One of these, Mrs. Angela Browning, who we are proud to say is a Patron of PHRAA, put forward to Parliament, a Private Members Bill on the need for more protection for park home owners, which, although supported by a large number of MP’s, was unfortunately lost on its Second Reading. Following this, PHRAA attended a further meeting of the All Party Working Group in 2003, at which the Housing Minister, Yvette Cooper was present. This meeting was also attended by two more PHRAA Patrons, Sir Patrick Cormack FSA MP., and Mr, Ken Purchase MP. The Minister stated that the Government had neither the time or resources to help park home owners. On hearing this Mr. Ken Purchase MP, who, together with Sir Patrick Cormack MP have experience of the activities of our own particularly bad example of a UPO, rose to his feet and made a spirited speech directed at the Minister demanding that the Government urgently make the necessary time and resources available to reform park home law and put an end to the exploitation of park home owners at the hands of unscrupulous park owners. This forceful speech by Mr. Purchase evidently struck home to the Minister, as a couple of weeks later, a further meeting of the Working Party took place where the Minister announced that action was going to be taken and the consultation process on park home law reform began a few months later, with regular meetings with the Office of the Deputy Prime Minister. It has to be mentioned at this point that the Working Party Meetings had been set up in 1998, but until PHRAA was formed and began to take an active role in 2002, very little progress had been achieved. PHRAA, unlike other national residents associations, does not operate a "don’t rock the boat policy" but "TELLS IT AS IT IS" and is not afraid to publish the

harsh, and previously carefully hidden, real facts concerning the abuse, harassment, bullying, intimidation and outrageous exploitation of park home owners, unfortunate enough to find they have invested their life savings in a park home and now trapped into a life of fear and misery under the tyrannical rule of unscrupulous park owners who are far from being in the minority as claimed by the trade and the Government. The officers of PHRAA have first hand knowledge and real personal experience of what life is like on parks with an unscrupulous park owner. We know what it is like when your previously happy park is sold, and the new owner arrives with a bulldozer and starts ripping out your gardens without any warning, answering your protests with "it's my land and I'll do as I like", also banging on the most vulnerable residents' doors stating that "your homes too old it's got to come off the park"; etc etc. We also know what it is like when you try and obtain help from the authorities and are told that there is nothing they can do, "it's his land." It is then you realise that becoming a park home owner has made you a "SECOND CLASS CITIZEN" with no rights. PHRAA also knows that if you wish to sell your home, the unscrupulous park owner will put off every prospective buyer you may have, because he wants your home off the park, in order to place a brand new home on your plot, until you become so desperate you have no alternative but to sell your home, valued at many thousands of pounds, to him for a few hundred pounds, thereby losing your most valuable asset. It is mainly due to the hard work and persistence, together with a refusal to be browbeaten and bullied, that much of what has been achieved so far is down to PHRAA. We must also pay tribute to the very real help and support we receive from our loyal Patrons especially Sir Patrick Cormack FSA MP and Mr. Ken Purchase MP. PHRAA will continue to "tell it as it is", even though it makes us very unpopular with unscrupulous park owners, their trade organisations, other national residents associations, and also it now seems by the ODPM. But PHRAA is convinced that the only way that park home residents are going to achieve a fair deal is if the full truth of the suffering being endured every day by thousands of affected residents, and hidden behind the glossy façade of park home sites, is brought into public scrutiny. These consultations are headed by John Connell, Policy Advisor at the ODPM and attended by representatives of the park home industry's trade organisations, national residents associations including PHRAA, Office of Fair Trading, Welsh Assembly, Park Home Legal Services and Local Government Officers. PHRAA raised the question as to why other very important key elements of the park home industry had been excluded from these consultations, namely Anne Webb, the Editor of Park Home & Holiday Caravan magazine who attends all meetings of the All Party Working Group and the Editor of Park & Holiday magazine both of whom would, because of their vast experience of all aspects of park home life, provide a valuable contribution to the proceedings. Other national key organisations including "Age Concern", "Shelter" and "Help the Aged" who are frequently approached for help by desperate park homeowners, and would have given more strength to the park homeowners case for much needed protection, were also excluded. Despite PHRAA's efforts the decision to exclude these important contributors remained. When these Government consultations started it appeared from the first meetings, that at last park home owners were to be afforded some real and long overdue protection by closing up the loopholes in the present Mobile Homes Act. But as time went by it became increasingly obvious to PHRAA that the welfare of park home owners has been virtually abandoned, and the focus of attention had now changed to the welfare of park owners. It would seem that the wealth, power and influence in high places, coupled with the powerful lobbyists, at the disposal of the park owners, together with their trade organisations, were responsible for this change, proved by the venues being used for the government roadshows planned around the country over the next few months, the first of which is the subject of the following report. From recent developments it is obvious that every effort is being made by those mentioned above, to SILENCE PHRAA, as we as Stakeholders in these consultations were not informed about these roadshows and certainly not invited. Indeed it was only a chance remark by one of our contacts that we learned of them taking place. REPORT . Having traveled some 127 miles we pulled on to the car park of the Crofters Arms which was situated right next door to Wyre Vale Park owned by Mr. Micheal Ward, Park Owner of the year for several years running. We were perturbed to see that there were a large amount of very expensive cars, obviously park owners, already there, together with some of their owners dressed in posh suits. Also on the car park was a new park home obviously specially placed there to promote park homes. As PHRAA as a national residents organisation had been deliberately banned from taking part in the proceedings for reasons I will come to later, our officers attended as interested park home residents on a fact finding mission. The first session of this roadshow, due to start at 10am, was scheduled for park home residents to be informed of the new regulations, and the effect these new laws would have on them, but it was about 10.45 before this session actually started with a talk by Mr. John Connell, Policy Advisor at the ODPM. This consisted of praising up a Government Fact Sheet issued at the meeting which was almost identical to the Fact Sheet distributed widely almost a year previously, containing the five amendments to the Housing Act which came into force on January 18th 2005. He then went on to refer to the forthcoming revision of the IMPLIED TERMS contained in the Written Agreements, but stated he was not prepared to divulge what these changes, were to be. Which in PHRAA's view does not bode well for park home owners. The question has to be asked of the ODPM (Government) as to why, if these changes are to be so beneficial to park homeowners, why are we not told what these changes are to be? It appears that park home owners are only to be informed when the new regulations actually come into force and when it is too late for us to do anything about it. It is a safe bet to assume that the park owners and their powerful trade organisations are kept fully informed and allowed to give their unrestricted input. So why are the full details of new regulations, that will have a direct effect on their future, deliberately kept secret from the park homeowners? After all, is it not the park homeowners that provide the very lucrative income for the park owners? At the end of his speech Mr. Connell then asked the audience of park home owners for any questions and handed over to Mr. Alan Savory from the Independent Park Homes Advisory Service (IPHAS), a National Residents Association spokesperson. Considering that there were about 200 or so local park home owners present only about six actually spoke up. One gentleman asked if there was to be a body set up, for park home owners with problems with park owners to turn to easily for help, similar to OFGEM or OFWAT, instead of having to take the park

owner to Court, which, as we know is usually impossible due to cost. He was told no, but the Government were considering an Arbitration Scheme which would cost a maximum of £500. The parties would be bound by the decision of the Arbitrator, but unlike Court, there is no appeal. Others were just general questions which did not receive satisfactory answers. One lady raised the terrible plight of those park home owners who reside permanently in homes situated on Holiday parks. This was greeted by great amusement by some of the audience, Mr. Savory and Mr. Connell. She was told she should not be occupying her home on that basis and that she had no protection whatsoever from the Mobile Homes Act. PHRAA was disgusted at this attitude towards this unfortunate lady who is only one of probably thousands of usually elderly vulnerable folk who were totally misled at the time they purchased the home that it would perfectly be alright for them to occupy their holiday home as their main residence. It has to be said that much of the blame for these innocent folk finding themselves in this terrible position has to lie with the Government. This is entirely due to the totally inaccurate information, contained for many years in the DETR Booklet, "MOBILE HOMES GUIDE FOR RESIDENTS AND SITE OWNERS", available from all Council Offices and Library's, park home shows etc., page 22 in later editions, paragraph in the form of a question, headed Holiday Homes, which states, "Can someone who uses a holiday home or caravan for holidays, get the protection of the Mobile Homes Act 1983. The answer is as follows: "The Mobile Homes Act 1983 does not apply to people who use their holiday home or caravan for holidays. But if a holiday caravan owner agrees with the site owner that he or she should come and live in the caravan as his or her main residence, he or she will have the full protection of the Mobile Homes Act 1983". How this totally false and misleading information was included in a government department issue booklet, widely regarded as the park home industry "bible"; we have no idea. But it was only due to pressure exerted on the government by PHRAA that this offending paragraph was revised in the latest issue hastily published by the ODPM, some 12 months ago. Unfortunately there are still many thousands of the old inaccurate versions still circulating widely today with the result that people are still being misled. The many thousands of pounds this poor lady had invested in her home with absolutely no security of tenure and with very little hope of being able to sell it for anything like the sum invested, is hardly, in PHRAA's opinion, a source of amusement. Site owners who allow, condone or as in many cases, actively encourage this widely used practice should face severe penalties, including being liable to pay substantial compensation. The site owner has no defence. He knows full well that if his park is licensed for holiday use only, even if it is for 12 months use. Homeowners are not, under the terms of a holiday licensed site, allowed to use their park home, caravan or lodge as their main residence, and the occupiers have no protection whatsoever from the Mobile Homes Act 1983. It should be mentioned that although this session of the roadshow was supposed to be exclusively designated for the local park home owners, PHRAA noted that all along the back wall of the hall were standing many park owners, including Mr. and Mrs. Ward. It is highly unlikely that the residents, except the very brave few, are going to speak out about the problems with park home life, including voicing any problems they are having with their park owners, when those very park owners are watching their every move, knowing that by doing so, they run the risk of intimidation and discrimination later. The next session of talks were designated for the park owners, I would think it unlikely that park home owners would be allowed to be present. Being so disillusioned at what we had seen and heard, we did not stay to find out. The park home owners session of the roadshow how was then brought to a close, at approximately 11.30am, with the audience being ushered out through a side door, with the invitation from Mr. Connell to all present, to visit the park outside, owned by Mr. Ward, who had provided the venue, where they were told they would be able to see what an ideal way of life park homes are, and also to inspect the park home erected on the car park. PHRAA believes that these roadshows, hosted by park owners, proves beyond doubt, that what began as an exercise to improve the rights and welfare of park home owners and give them a long overdue fair deal, has now been completely hijacked by the park owners and their trade organisations and have now become a promotional exercise for the industry, with the unfortunate residents given no say and left to suffer from even more oppression than at present, enforced by stricter regulations almost entirely in favour of the park owner. Does the Government seriously expect park home owners to believe that Park Owners, supported by their own trade organisations, would willingly host a series of roadshows to promote new regulations governing park home life if they were not fully aware and were not completely happy with the content of these new laws? The Government Fact Sheet may at first glance promise an element of reform, but no details of this reform are provided to the residents, and thereby lurks the danger. Residents are not allowed to know the details of what is proposed and so are denied the right to voice their concerns. Promises of reform have been issued, but who will this reform benefit? All the signs say it wont be the park home owner. From what we have seen so far, the new laws are being drawn up by the park owners and their trade organisations and rubber stamped by the Government entirely for their benefit, certainly not for the benefit of the long suffering park home owners. It has to be said also that the other National Residents Organisations appear to be condoning what is happening judging from the fact that Mr. Alan Savory of IPHAS spoke out in favour at the roadshow. Joan and Ernie Aylott IPHAS principal officers were also in attendance to support. We at PHRAA, are very concerned that if these proposals go through in their present form, as to how IPHAS and NAPHR are going to explain to their members why they have supported these new measures, when their members realise that instead of gaining more protection, from these new laws, as they are being led to believe, they may well find that they have even less rights than they have at present and the unscrupulous park owner has been awarded even more power over their lives and homes. PHRAA is aware that these two organisations signed some sort of a pact some years ago and pressure was put on PHRAA to also sign, but we refused as we know it is most important for PHRAA to remain free to fight for the rights of park homeowners, entirely free of restriction from any source. Precisely who are the parties involved in this pact, we do not know, but maybe the fact that this evidently binding pact exists restricts them expressing their true views??? PHRAA is the only National Residents Organisation that really cares for the future welfare of park home owners, and also is the only National Residents Organisation who fully understands what life is really like on a park with an unscrupulous park owner, because most of our officers face this harsh reality everyday as you do.

PHRAA is the only National Residents Organisation prepared to "TELL IT AS IT IS" and does. It would appear that as the threats PHRAA has received have not succeeded in silencing us, pressure is being exerted from other powerful sources to try and prevent the truth being broadcast, hence our being barred from future Stakeholders meetings at the ODPM and our exclusion from attending these roadshows. The Government know that no officers from PHRAA will speak at these roadshows in support of these so called reforms in their present form. If the Government really cared about the future welfare of over 250, 000 park home owners, including the many more thousands of innocent folk who have invested their life savings buying a park home in which to spend their autumn years only to find out later that the home is on a holiday licensed park and they have no rights whatsoever.

PHRAA WILL NOT BE SILENCED AND WILL CONTINUE THE FIGHT FOR A FAIR DEAL FOR PARK HOME OWNERS.