
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the procedure for the making, variation and deletion of site rules, prescribe the matters to which site rules may and may not relate and grant appeal rights in relation to these matters, under provisions which have been inserted into the Mobile Homes Act 1983 (“the 1983 Act”) by section 9 of the Mobile Homes Act 2013. They also make amendments to the Mobile Homes (Selling and Gifting) (England) Regulations 2013 and make consequential amendments to the Mobile Homes (Written Statement) (England) Regulations 2011.

Regulation 3 sets out the rules of service for certain documents referred to in these Regulations.

Regulation 4 prescribes the matters which site rules may relate to, in addition to the management and conduct of the site.

Regulation 5 prescribes the matters that a site rule is of no effect in so far as it makes provision in relation to; and a list of these matters is set out in Schedule 5.

Regulation 6 sets out what constitutes the prescribed procedure for making, varying and deleting site rules and regulation 7 sets out who must be consulted on a proposal to make, vary or delete a site rule.

Regulation 8 prescribes the information which must be contained in a proposal notice issued by the site owner, and Schedule 1 prescribes the form in which that information must be provided.

Regulation 9 sets out how the site owner is required to respond to the consultation and prescribes the information which must be contained in the consultation response document; and Schedule 2 prescribes the form in which that information must be provided.

Regulation 10 prescribes the grounds on which a consultee may appeal to the tribunal against the site owner’s decision and the time period for doing this, and regulation 11 sets out how the tribunal may determine the appeal.

Regulation 12 sets out the requirements for the deposit of site rules or a deletion notice with the local authority, and regulation 13 provides for notification of the deposit to occupiers, including the information to be provided with such notification.

Regulation 14 prescribes when a new site rule or variation or deletion of a site rule shall come into force and regulation 15 prescribes when any rules made by the site owner prior to the commencement of the Mobile Homes Act 2013 shall cease to have effect.

Regulation 16 sets out the requirements placed on local authorities regarding the keeping of a register of site rules.

Regulation 17 prescribes the grounds on which an occupier may appeal to the tribunal in relation to a deposit with the local authority, as required by regulation 12.

Regulation 18 makes consequential amendments to the Mobile Homes (Written Statement) (England) Regulations 2011 to set out that site rules now form part of the express terms of an agreement made under the Mobile Homes Act 1983.

Regulation 19 makes a consequential amendment to the Mobile Homes (Selling and Gifting) (England) Regulations 2013 to revoke regulation 11, which prescribes the period when any rules made by the site owner prior to the commencement of the Mobile Homes Act 2013 shall cease to have effect. This provision has now been replaced by regulation 15 of these Regulations. Regulation 19 also makes a further amendment to the Mobile Homes (Selling and Gifting) (England) Regulations

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2013, to add in an additional ground upon which a site owner may apply for a refusal order under regulation 7 of the Selling and Gifting Regulations.