



**JOHN McCALLISTER MLA**  
**PRIVATE MEMBER'S BILL - DRAFT CARAVAN LEGISLATION**  
**KEY ISSUES EMERGING FROM CONSULTATION**

The Consultation closed on 11 September 2008 after a period of three months. During that time 230 interested parties were contacted and made aware of the proposals to update Northern Ireland's legislation in order to provide greater protection to site owners and caravan owners; particularly in the area of permanent residential park home sites which currently has no protection at all.

This has been a far-reaching consultation and I have met with holiday park owners, holiday caravan owners, residential park home site owners, residential park home owners, holiday and residential resident groups, local caravan manufacturers and representatives of the National Caravan Council and British Holiday and Home Parks Association.

I have also consulted with the 26 Councils and all 108 fellow MLAs. All responding Councils fully support the proposed Bill and there is overwhelming cross-party support from Assembly colleagues.

There were a number of issues that arose from the consultation where potential difficulties were highlighted and issues of a contentious nature were identified.

I have listed the key issues below and as a result of these I have requested further research and advice before the Bill is progressed. Once the Bill has been draughted it will be subjected to a further six week consultation, after which, it will enter the formal process of passage through the Assembly.

I would like to thank everyone who has contributed to this process so far.

I will continue to engage with you to ensure adequate protection is in place for site owners and caravan owners alike but remain mindful of the need to strike a balance so that the industry is not over-burdened with bureaucracy.

*John McCallister*

## **DRAFT CARAVAN & MOBILE HOMES BILL - KEY ISSUES**

1. Unanimous support for the statutory definition.
2. The legislation should distinguish between the different contractual arrangements eg touring caravans, travelling community etc and to ensure it does not encompass those sectors that do not require additional protection.
3. Approval by DSD would be unworkable and cause unnecessary delay and lost sales. Why not have a standard document approved by DSD but with flexibility for each Park Owner to introduce their own specific terms?
4. Clear and transparent agreements are acceptable to the majority.
5. How are written agreements going to be issued retrospectively?
6. Enforcement – Consumer legislation already protects the holiday caravanner – stricter enforcement is required.
7. Provision of enforcement officer (by DSD?) with specialist knowledge.
8. Removal of site owner’s exclusive right on sales would cause severe hardship as this is their main source of income and would result in major increase of pitch fees to fill the gap.
9. Park Owners need to maintain control of who is accepted on to the park to maintain an appropriate environment for residents.
10. Age restrictions are necessary for appearance of park. (Should condition be the deciding factor?). The “10 year rule” was deemed completely unfair by all caravan owners who responded. One site owner explained there was a need for this to enhance the park’s appearance and to stimulate turnover, particularly where there are a limited number of “prime sites.”
11. There needs to be provisions made to ensure caravan owners have full responsibility for disposal of the unit at the end of its life. There is a trend of abandonment where site owners are left to bear the financial burden of disposal.
12. There needs to be clear guidance on when a caravan can be treated as abandoned and protection for site owners to legally sell abandoned but useable caravans.
13. Site owners should allow suitably qualified and registered tradesmen to deal directly with caravan owners to conduct repairs with payment being made directly to the tradesmen and not the site owner.
14. Site fees should be protected from unreasonable increases. The written agreement should identify the annual increase in line with the RPI.
15. Caravan owners want to see a restriction on the % commission payable to park owners on sale of the unit.
16. Residential rights should not be given to holiday caravan owners where holiday or leisure is specified in the agreement.