

MOBILE HOMES ACT 2013

EXPLANATORY NOTES

COMMENTARY

Pitch agreements

Section 9: Site rules

33. **Section 9** amends the MHA 1983 by inserting two new sections into it (which apply in relation to England only) which make provision about “site rules” (as defined in subsection (2) of new section 2C). Under the new provisions (which do not apply to gypsy and traveller sites), every site rule will be an express term of the pitch agreement between the site owner and the mobile home occupier creating certainty for both parties (but there is no requirement for site owners to have site rules in the first place). The new provisions will apply in relation to existing pitch agreements as well as to those made after the new provisions come into force.
34. The new provisions also confer a power on the Secretary of State to make regulations about the procedure to be followed by a site owner who is proposing to make new site rules or to vary or delete existing site rules (for example, requiring prior consultation with occupiers). Under the new sections, the Secretary of State may also make provision in regulations:
- rendering existing site rules (i.e. ones pre-dating commencement of this clause) of no effect by such date as set out in the regulations;
 - prescribing matters in relation to which site rules may not be made;
 - about the resolution of disputes arising between site owners and mobile home occupiers;
 - requiring local authorities to keep and publish an up-to-date register of site rules in their areas.