

# Mobile Homes (Pitch Fees) Bill

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## EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Department for Levelling Up, Housing and Communities with the consent of Sir Christopher Chope, the member in charge of the Bill, are published separately as Bill 90—EN.



# Mobile Homes (Pitch Fees) Bill

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[AS INTRODUCED]

## CONTENTS

- 1 Pitch fee changes in England: link to the consumer prices index
- 2 Application and other provision
- 3 Extent, commencement and short title



[AS INTRODUCED]

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# B I L L

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amend the provisions about pitch fees in the Mobile Homes Act 1983; and for connected purposes.

**B**E IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## 1 Pitch fee changes in England: link to the consumer prices index

- (1) Part 1 of Schedule 1 (implied terms in pitch agreements) to the Mobile Homes Act 1983 is amended as follows.
- (2) In Chapter 2—
  - (a) in paragraphs 20(A1) and 25A(1)(b), for “retail prices index” substitute “consumer prices index”; 5
  - (b) in paragraph 29—
    - (i) before the definition of “pitch fee” insert—
 

““consumer prices index” means the general index for  
consumer prices published by the Statistics Board or, 10  
if that index is not published for a relevant month, any  
substituted index or index figures published by the  
Board;”;
    - (ii) omit the definition of “retail prices index”.
- (3) In Chapter 4— 15
  - (a) in paragraph 18(1), for “retail prices index” substitute “consumer prices index”;
  - (b) in paragraph 27—
    - (i) before the definition of “pitch fee” insert—
 

““consumer prices index” means the general index for 20  
consumer prices published by the Statistics Board or,  
if that index is not published for a relevant month, any  
substituted index or index figures published by the  
Board;”;
    - (ii) omit the definition of “retail prices index”. 25

## 2 Application and other provision

- (1) The amendments made by section 1 apply in relation to any post-commencement fee review, whether relating to an agreement made before or after this Act comes into force.
- (2) If a court or tribunal is satisfied that a fee amount proposed during a pre-commencement or post-commencement fee review (or any portion of the amount) has been calculated to compensate (to any extent) a person for an actual or anticipated financial loss arising from an amendment made by section 1, it must regard that amount (or that portion of it) as unreasonable. 5
- (3) In this section— 10
- (a) “agreement” means an agreement to which the Mobile Homes Act 1983 applies;
- (b) “fee review” means the review of a pitch fee under Chapter 2 or Chapter 4 of Part 1 of Schedule 1 to the Mobile Homes Act 1983;
- (c) a fee review is— 15
- (i) a “pre-commencement” fee review if the associated written notice is served before the day on which this Act comes into force, or
- (ii) a “post-commencement” fee review if the associated written notice is served on or after the day on which this Act comes into force; 20
- (d) “associated written notice” means—
- (i) in the case of a fee review under Chapter 2, the written notice served in accordance with paragraph 17 of that Chapter;
- (ii) in the case of a fee review under Chapter 4, the written notice served in accordance with paragraph 15 of that Chapter. 25

## 3 Extent, commencement and short title

- (1) This Act extends to England and Wales only.
- (2) This Act comes into force at the end of the period of two months beginning with the day on which this Act is passed. 30
- (3) This Act may be cited as the Mobile Homes (Pitch Fees) Act 2023.



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Amend the provisions about pitch fees in the Mobile Homes Act 1983; and for connected purposes.

*Presented by Sir Christopher Chope*

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Ordered, by The House of Commons, to be  
Printed, 20th June 2022.

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