

NEWSLETTER No 56, APRIL 2013

6 April 2013

Dear Members

1 Proposed revised licence

We wrote to you all on 18 March with advice about the revised licence Darwin have made available to each owner in their Sales Office. Contrary to what Darwin have said, not only do we have an option to accept the new licence, but NACO tell us that they have not yet finalised and signed this licence off. It would appear that they have not been successful in getting Instalments included in the revised licence wording even though Instalments have been contractual on the site since 2008. The option of signing a revised licence which is accepted by NACO and BVCOA as better than the old STC licence, and undoubtedly a market-leading licence, is up to you, of course.

Although Darwin have stated/suggested that the licence needs to be signed by the middle of June, we suggest it is best to wait until after our next Association meeting on 4 May, before we do anything with the revised licence. At this meeting, and subsequently, we can all discuss the benefits of the revised licence and hear members' views. By then NACO may have also seen fit to sign off the licence. If instalments are still not included, then remember that you will need to attach the letter from Darwin dated 28 November, to the revised licence, as a side-letter, to protect your option of instalments. For convenience we attach a copy of the letter for you to use if you cannot find your own (but note that the wrong figure for fees is used in this letter, since corrected by Darwin). This letter is from The Team at SBV Holiday Park on behalf of Darwin and so is quite valid as a side-letter in which the option of instalments is available.

*(the letter from Darwin about instalments is available online here:
http://bayviewowners.co.uk/wp/wp-content/uploads/2012/09/Side_letter_28_Nov2012.pdf)*

So we look forward to seeing you in May; see end of Newsletter.

2 Site Rules

Darwin published some new rules in the Owners' Information Guide, which are not appropriate for SBV. Rosemary has met Anne Foulkes and has re-written the rules so as to be suitable for SBV. The new rules Rosemary is suggesting will relate solely to the SBV site and not generic Darwin touring sites.

3 No Daily Service Charge for electricity use

As you now know, there will be no daily service charge for electricity usage. We have written to Darwin about this on 22 March as follows, and the letter is on our website. We include it here as you may not have all seen it yet:

"Dear Anne

Thank you for your letter advising caravan owners that Darwin now accept that no daily service charge can be made for the Smart meters, installed for Darwin's benefit. We are pleased about this, as it has never been paid separately before, and avoids any further misunderstandings and protracted correspondence. It

recognises the implied term in our contract that Darwin have waived the right to make such a separate charge, never having done so - nor has the previous owner made such a charge for as long as the park has been open. Any such charge has always been an inherent part of the overall site fee, not ever charged separately or additionally. To do so now, or to attempt to do so in the future, would be a double-charging of this element of the site fee.

We also know, in any case, that cable maintenance is covered under the maintenance term of our licence for which we have paid in the site fees.

So thank you once again, and we hope you will take up our Chairman's invitation to work together with us on commonly-agreed actions and correspondence. This will save a lot of Darwin's time and effort in responding to the many individual letters of concern Darwin are sent etc. Working together will also alleviate the many worries owners always seem to have whenever Darwin write to them and/or take other actions unilaterally. It is far better if we all work together".

Regards,

(signed)

*Bay View Caravan Owners' Association,
for, and on behalf of, and as the representative, of the majority of owners on SBV".*

Here you should note that although Darwin says they are legally entitled to make a service charge, they have actually waived their right to do so as we have explained. They cannot make such a charge unilaterally now or in the future. It may be worth each owner checking that they can see and read the new sets of digits as some owners have found that these are not visible through the viewing screen on the meter box.

We have already received a number of concerns from owners that the Smart meters may not be recording accurately (the digits seem to be rolling-over very fast), so we suggest that if you are concerned that you contact the office for further explanation.

Finally regarding Smart meters, please note that the Darwin letter of 15 March states that Darwin " ... *will be undertaking a trial of the Smart meters system ...*", so we look forward to being asked for feedback when the trial of the Smart meters is concluded, as to whether the trial has proved successful or not.

4 New Secretary required

Our Secretary has been in post since the very beginning of the Association in 2008/09 and feels it is now time to hand over to someone else, but will remain on the committee to help as necessary. This is because we are now in a position where, by working over the years with MPs, NACO, OFT, Trading Standards and other regulatory bodies, we have insisted on fairness and compliance with our licence throughout. We have therefore effectively prevented any possibility of the abuse of power by park owners. We will continue to work in this thorough and positive way. Therefore we are seeking a volunteer/s to take on this task from amongst our members. In the interim, the committee will carry on as usual. If you feel like volunteering for this position please let us know.

Chairman Comment re the Secretary

Nothing lasts forever. I started to mentally list all the things that Andrew had been instrumental in achieving, but decided against it as I would inevitably miss some key thing off. So much has been achieved over the years since the formation of the BVCOA. Andrew has given all the members of the Association

much of his time and on many occasions has shown his concern and compassion for the many problems which members have brought to him. It is a great relief to know that Andrew will remain on the committee.

This may seem a daunting act to follow, but please do not be put-off. We have now developed a better relationship with Darwin, and at last we have a real manager to work with! We have a replacement licence that we can recommend to members, (but see comments about a side-letter, above) and therefore we have so much less of a confrontational agenda when dealing with Darwin.

You can be the person who will be able to work with the committee and with Darwin to continue the task of making Swanage Bay View better for customers, owners and Darwin. I have been pleased to see what we can achieve for each other and I have been relieved to see that the task has taken less of my time than I had feared!

We have an active group of committee members who have all made contribution to the vast list of successes that we have been able to achieve. With the joint input from all committee members we will be able to ensure that the task of being Secretary is not as challenging as it has been these last few years.

Please consider if this is a position that you can contribute to and one where you would be willing to work with fellow holiday home owners.

5 Landslip

Recent landslips on the site have raised concerns about the stability and safety of the site. We understand that Darwin share these concerns and have engaged a surveyor to check the whole site. This is much welcomed. It is also worrying, and it seems appropriate that Darwin ask for Planning permissions, and obtain engineering drawings and assurances whenever they wish to develop pitches which may be more vulnerable to landslip.

6 Gas

Although we have been made aware of the shortage of gas supplies (not just at SBV) no doubt caused by the record-breaking cold weather, we are not aware that anyone has actually run out of gas. Some owners have four 47kg cylinders rather than just two and it may be worth making enquiries at SBV about the cost of this upgrade if any owner is really concerned. Owners may also like to consider having some backup electrical heating capability. Andy, the site foreman, has been very active in ensuring supplies and in distributing these where most needed.

Date, time and venue of next meeting

The next meeting will be held on Saturday 4 May, at 5pm. We will advise of the venue in the meeting Agenda to be issued w/c 14 April. Watch this space.

Best wishes to you all.

Phil Davey	No 212 - Chairman	07901 586 189
Richard Edwards	No 66 - Vice Chairman	07717 682 323
Andrew Scudamore	No 18 - Secretary	07855 217 866
Marjorie Edwards	No 66 - Asst. Secretary/Membership	07717 682 323
Phebe Tiney	No 132 - Treasurer	
Rosemary Burbridge	No 311 - Liaison Officer	07961 034 473