

Bay View Caravan Owners' Association
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Chairman's notes of a meeting with Anne Foulkes about rates 15th July 2013
(wording updated slightly on 19th July)

I have met with Anne Foulkes today to discuss the recent chaser letter sent by Jen Davies with regard to the payment of rates.

A number of owners who pay their rates by two instalments had received a letter saying that they were in breach of licence as they had not paid their rates in full. Of course they are not, although they may be in dispute over the method of payment.

Anne has told me that she is investigating the position and that no further chasers will be sent or any follow up action taken until after this investigation is complete.

I did say that the timing of this was very poor as the meeting with NACO and Darwin is about to take place to celebrate the new licence. I also said that if she had just spoken with me prior to sending out any letters that we could have avoided this PR mistake.

The three key things were reviewed:-

1. In 2008 Swanage Town Council agreed to the payment of fees and rates by instalments. This may not be entirely clear from the minutes of the council meeting, but at this time fees and rates were billed at the same time, and it was agreed that our bills could be paid by instalments. This was the clear understanding of those who attended the Council meeting which included Owners' Association representation.
2. SBV should not make money from the passed on charge of rates (just as with electricity and gas) and therefore these should be paid by instalments. Darwin have confirmed that they are not making any money from the rates which owners are paying. There is no "mark-up" and no interest made on the rates payments made by owners.
3. In July 2011 at a meeting which Anthony Esse held with other Darwin representatives, the Owners' Association and other owners, he agreed that we could continue to pay fees and rates by instalments. I have sent the minutes of this meeting to Anne Foulkes today as she was not aware of them.

Of course in addition to these three points the fact that owners have paid their rates by instalments to STC since 2008 and then to Darwin since ownership passed to them, means that this equates to a Contract by Performance.

This is a situation which really should never have arisen, and is so badly timed in relation to the licence celebration on Tuesday 16th July.

It is hoped that as we are communicating together that we will be able to work through this situation with Darwin and that future recognition of the Owners' Association will be seen as the best way forward for the two parties to work together.

Phil Davey
Chairman
15th July 2013