

BAYVIEW CARAVAN OWNERS' ASSOCIATION
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Newsletter 71 February 2016

Dear Owner

Could we please ask you to read this newsletter very carefully as it contains **important information** about several issues that the Association is currently working on your behalf.

Next Association meeting

2016 GM - Saturday 19th March at 5pm to 7pm (to include refreshments) at Emmanuel Baptist Church, Victoria Avenue, Swanage. We hope that as many members as possible will be able to attend this meeting as we have a lot of important business to discuss.

Future meeting dates

2016 AGM – Saturday 24 September – 5pm (confirmed)

2017 General meeting – Saturday – 18 March - 5pm (provisional)

2016 Subscriptions

These are not payable until March 2016. We will email you in the next month regarding the payment of subs to cover the three-year period March 2016 until March 2019 (if you have paid already no problem!)

Capital Expenditure

As you will be aware a Capital Expenditure fee has been added to our Site Fee for 2016. The committee are very concerned that the C.E. fee has not been implemented in accordance with our NACO/Darwin 2013 licence. The letter below has been sent to Lindsay Bamford managing Director of Darwin Leisure suggesting a non confrontational approach for the way forward, which will ensure that the C.E. fee for 2016 is fairer on owners and that in future years Darwin will follow the terms in our licence regarding Capital Expenditure. We suggest that you do not pay your 2016 site fee (due 1st march) until we have heard back from Lindsay. We will write out to all members in the middle of February with further information.

Richard Swan (Chair)
Swanage Bay View Caravan Owners' Association

Dear Lindsey

I am writing to you on behalf of the Swanage Bay View Caravan Owners' Association. I joined the Association in 2013 and was elected chair at the end of 2014. We have a committee of 15 members, many of whom have been elected over the last 12 months. The association has nearly 200 paid up members, each member representing one caravan on the site. The purpose of the Association is to represent the shared views of caravan owners and to work with the management to aid the development and running of the Holiday park to the mutual benefit of caravan owners and the Park owners. I understand that Darwin does not currently formally recognise the Association, however I hope that does not prevent us working together to ensure that the best interests of your company and our members are achieved.

I am writing to you formally over an issue that has greatly angered many owners and hope that together we can find a resolution to the problem which will avoid conflict between owners and Darwin. I am a person who would like to work proactively to avoid conflict at all costs through good channels of communication. The issue centres around the Capital Expenditure charge that has been added to our pitch fee for 2016.

The main concern is not the issue of a Capital Expenditure charge but the way it has been implemented. The first owners knew about the charge was when they received their invoice for the 2016 pitch fee. In this letter no detail about the charge was given with owners being expected to pay over £100 each (approx £20,000 across the park as a whole) for something they knew nothing about. The park manager was also unable to provide any further detail. Since then Clare Dyer has helpfully provided a financial breakdown of the Capital Expenditure items and the sums involved.

Owners were so concerned about the way the Capital Expenditure charge was implemented, i.e. that it did not comply with the terms in their licence (Darwin/NACO 2013 licence) that they sought advice from both NACO and Dorset Trading standards. Following receipt of this advice the owners have contracted a solicitor to look into the matter in more detail. A summary of the report prepared by the solicitor, after an analysis of the NACO/Darwin 2013 licence and the information provided by your company to owners, was that Darwin can only collect Capital Expenditure for the coming year and cannot elect to be entitled to rely on both sub clauses in the licence for the same sum. In addition Darwin is not entirely correct to say that they do not have to notify owners of intended expenditure. Also as the gym and Vista centre are used by outside visitors then the costs for elements in the Capital Expenditure invoice should be split. It has also been identified that as the costs charged are large (approx £20,000 across the park) then only the annual depreciated amount should be charged. The solicitor believes that owners have a good argument to resist the increased charge and that they may wish to take this case to court. As you can appreciate with any court costs split between nearly 200 owners this would be a small sum per owner.

However I would like to avoid taking this issue to court. I would rather concentrate on an outcome which avoided conflict and help develop good relationships between owners and Darwin. I would like to suggest the following as a way of settling the Capital Expenditure issue **for 2016 only** as in future years owners would wish for it to be implemented in line with their licence:

- As the gym is mainly used mainly by people from outside the park that the Capital Expenditure charge for this item is split 50:50 between Darwin (from the income it receives from visitor membership) and owners. (You may be unaware that many owners have already paid for one set of gym equipment when the park was owned by the Council)
- As the Vista centre is used by outside visitors and for private functions, the Capital Expenditure Charge for this item (lighting) is split 50:50 between owners and Darwin (from the revenue it makes from external visitors).
- With regard to the barriers this is more problematic. Owners have already paid (approx £15,000 across the park) for one set of barriers several years ago which were removed because they were ineffective. When they learnt that Darwin planned to install barriers many owners expressed their concerns to the park, although there was no consultation about the plans. In addition some owners reside in an area of the park with no barriers. In addition the barriers have not been operational for many weeks during 2015. I would like to suggest that, in the interests of goodwill, that the Capital Expenditure cost for the barriers is also split 50:50 between owners and Darwin
- If a large amount of Capital Expenditure (as this year) is proposed in the future, then only the annual depreciated amount should be charged
- In future we would ask that when the invoice for site fees is sent to owners in December, that any Capital Expenditure work planned for the following year is itemised along with expected costs (as per our licence). This would ensure that owners were aware of the costs and able to budget for them. It would also give owners an opportunity to give any feedback to your company about proposed works. It would also be useful if there was some mechanism for owners to give Darwin items of work that they would like to be carried out at the park as Capital Expenditure item.

It is not that owners refuse to pay **any** Capital Expenditure items, but that the mechanism for identifying, calculating costs and communicating with owners conforms to the licence (NACO/Darwin 2013) they have.

I would be very happy to discuss the contents of this letter by phone or at a mutually convenient meeting. I stress again that owners wish to work in partnership with Darwin to develop the facilities at Swanage Bay View but in a way that is fair and complies with the terms in their mutually agreed licence.

Please do not hesitate to contact me if you need any further information.

I look forward to receiving your response in the near future.

Yours sincerely

Richard Swan
Chair
Swanage Bay View Caravan Owners' Association

swanrichard@hotmail.com
07801814879

cc
Antony Esse (Chief Executive Darwin)
James Penny (Chairman Darwin)
Clare Dyer (Head of Finance)
Anne Foulkes (Park Manager)
Dan Ellacot (NACO)
Richard Heringshaw (Dorset Trading Standards)
SBVCA committee
SBVCA members

Satisfaction survey

We have had a fantastic response to our survey with over 50% of questionnaires being returned already before any reminders have been sent out! If you have not returned your questionnaire yet could we please ask you to

do so by Friday 5th February at the latest. If you have not received a questionnaire in the post please reply to this email giving your name, caravan number and home address. We can then check our database is correct and will send you a questionnaire by email to complete.

Planning Application (Poppy/Bluebell sections)

A number of you contacted the Association some time ago about the installation of three caravans that had been erected on the site, with decking without the usual planning permission consultation from Purbeck District Council> This relates to the 3 caravans erected on their old manager's lodge site between Poppy and Bluebell sections. I have recently received the letter below from Jonathan Maidman at Purbeck District Council>

Dear Sir

I refer to our previous communication in connection with the above. I have been in discussions with the applicants agent for some time regarding the three new caravans. Today, a planning application has finally been registered which seeks to retain the works which were undertaken without planning permission.

A site notice will be erected shortly and the occupiers of neighbouring caravans will be notified by letter and invited to comment on the application. Should you wish to comment please do so by Tuesday 16th February 2016 and submit any comments to planning@purbeck-dc.gov.uk. Alternatively you can submit comments on the following <https://www.dorsetforyou.com/article/397388/Comment-on-a-Purbeck-planning-application>. All comments received will be taken into consideration when reaching a recommendation on the application. Please note that any comments you make will be publicised on the Council's website.

Full details of the application can be viewed on the following; <https://planningsearch.purbeck-dc.gov.uk/PlanAppDisp.aspx?recno=44110> (Please click on the tab titled 'Documents' to view the plans etc.).

As a planning application has now been submitted for the works which were undertaken, the enforcement investigation which was opened to look into the matter will now be closed.

Please do not hesitate to contact me should you require any clarification on the above.

Regards

Jonathan Maidman

Senior Planning Officer

Development Management and Building Control

Purbeck District Council | Westport House | Worgret Road | Wareham | Dorset | BH20 4PP

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Unfortunately it appears that the planning application is being processed after the park closed for the season and will be completed before it opens again for 2016 and so owners will not be able to see the site notices on the park. However the Council will be writing to all neighbouring caravan owners as part of the planning application process. If you have not receive a letter within the next week, or wish to discuss this further, please contact Jonathan Maidman at Purbeck District Council.

Committee members

Richard Swan – (189) – Chair
Rosemary Burbridge – (311) – Vice Chair
Marjorie Edwards – (66) – Secretary
Rhoda Goodwin – Treasurer (19)
Damian Goodwin – (19)
Lisa Murray – (274)
Richard Edwards – (66)
Jean Adams – (306)
VACANCY
Michael Hardiman – (62)
Val and Roy Gill – (244)
VACANCY
Frank Carter – (84)
Leslie and Linda Burgess – (226A)

(Poppy rep) □
(Bluebell rep) □
(Sunflower rep) □
(covering Rose rep)
(covering Rose rep)
(Sweetpea rep) □
(Sunflower rep) □
(Bluebell rep) □
(Tulip rep) □
(Sunflower rep) □
(Honeysuckle rep) □
(Buttercup rep) □
(Daisy rep) □
(covering Buttercup rep)