

**Newsletter 62      November 2014**

Dear Members,

**Committee Members**

We are pleased to say that we now have a new member of the Committee with specific responsibility for the Environmental issues that used to be picked up by John and Eva Sutton; Leslie Burgess from 226A. It is great to see the enthusiasm and participation in matters that affect all owners at Swanage Bay View.

Further volunteers would also be welcome.

We are particularly looking for committee members to represent the following sections of the park - Honeysuckle, Daisy and Rose, but of course new committee members will be welcome from any caravan owner. Please feel free to contact the Association and we shall be happy to talk to you about it. Our Secretary, Marj Edwards, is usually on-site at number 66 and will be very happy to see you and discuss what is involved.

**Annual General Meeting**

We had a very successful and well attended Annual General Meeting on Saturday 27th in the Emanuel Baptist Church on Victoria Avenue. Our thanks go to Marjorie Edwards for arranging this excellent venue and to her and Rosemary Burbridge for providing the after-meeting refreshment. Owners were able to mingle and exchange valuable information and friendly conversation.

At the meeting it was agreed that the Owners' Association would contact Anne Foulkes, the Manager at Swanage Bay View on the following issues:-

- Barriers
- Security Lighting
- Grounds
- Refuse Collection
- Recycling

The following email was sent by Phil Davey, on 2<sup>nd</sup> October as both caravan owner and Chairman of the Owners' Association.

*"Anne,  
At the recent meeting of the Owners' Association a number of things were discussed which will be of interest to you.  
I am sure that although Darwin do not officially recognise the Owners' Association (which represents more than 51% of the owners) and therefore will not speak with the OA, that you will recognise the value of the feedback below.  
I was commissioned to relay these to you in the absence of any direct communication between SBV and the OA.*

### *Barriers*

*The unanimous view of the owners including numerous emails which had been sent by owners unable to attend the AGM, was that the barriers are not wanted. It was felt that the proposed barriers would not achieve the benefits listed in your letter to owners and would be instead more of a hindrance and nuisance to owners and visitors. In addition it was felt that the barriers were likely to result in an increased risk that emergency situations would be hindered and lives could be put at risk.*

### *Security lighting*

*It was the unanimous view of the owners that the upgrading of security lighting and the provision of lighting by the industrial ramps (so effective in reducing speed), would be a better use of funds and would be more likely to increase security.*

### *Ground conditions*

*It was felt that 2014 has not been a good year for maintaining the grounds at SBV. The grass cutting and general cutting back of shrubbery was not what it should be. There are still instances of Japanese Knot Weed which should be treated as a matter of urgency.*

### *Refuse*

*The summer period has brought some challenges in this area with overflowing bins and the resulting mess and health hazards. The owners felt that during the six to eight week school holiday period, there should be either more bins available or an increase in the emptying schedule. It was noted that the bins would not be emptied unless over 3/4 full and this has certainly exacerbated the situation.*

### *Recycling*

*Many owners are keen to see some recycling facilities at SBV. Some already out-sort and take their recycling across town to the Council facility. It was felt that having some on-site facility would help the environment and would also reduce the amount of general refuse. Could you investigate what can be provided and perhaps in the mean time allow owners to use the recycling facility which is probably already available for the bar and restaurant?*

*I hope that this feedback is received in the same spirit that it is given, and look forward to your reply.*

*Phil Davey #212  
and Chairman of Owners' Association"*

Although the Owners' Association is not officially recognised by Darwin, and no reply has yet been received, we have always found our dealings with Anne to be courteous and friendly and are therefore expecting her to respond, albeit not to the Chairman but to the owner of caravan 212.

### **Contact details**

It was agreed that contact details would be provided to members for Dorset Trading Standards and Purbeck District Council Planning Dept –

Richard Herringshaw  
r.d.herringshaw@dorsetcc.gcsx.gov.uk  
Trading Standards Service,  
Colliton Annexe, County Hall,  
Dorchester  
Dorset  
DT1 1XJ

Steve Boyt  
SteveBoyt@purbeck-dc.gov.uk  
01929 557330

Some owners had been in contact with Dorset Trading Standards with regard to the proposed rule changes and sub-letting agreement and the feedback from DTS was shared with the meeting and included:-

#### Proposed Rule changes not discussed with owners

*"If the new rules were imposed without consultation then the company are in breach of clause 13 (a).  
The imposition to some of the new rules relating to sub-letting may amount to a fundamental change in the agreement."*

#### Storage Boxes

*"It is my advice that the point that restricts the caravan owner's right to purchase storage boxes only from the site is unfair because it gives the park owner a monopoly and it denies caravan owners the use of competent independent contractors to purchase goods or services. See OFT 734 paragraph 5.4"*

#### Ejecting Owners for breach of Rules

*"Extending the right to eject people to those who are in breach of the park rules is, in my view, an unfair term because it is too broad. The licence already allows for termination of the agreement at clause 10 but only where there is a serious breach."*

#### Inspections

*"Point 8 of the new letting requirements "If we deem the caravan unfit for hire due to its condition and age we can stop you from subletting." It imposes an arbitrary condition as to the age for which the park owner is the sole arbiter. I would advise that this term is unfair. There is already a site rule requiring park owners to keep the caravan in good condition at Point 7 of the Site Conditions and in Term 3(e) of the licence."*

#### Age for sub-letting (7 years)

*"The proposed change "To ensure holidaymakers come back to us year after year your holiday home must conform to the grading standard set out by the Park and must be a model no older than 7 years." Existing caravan owners will have had the reasonable expectation of being able to let their accommodation throughout the term of their agreement. This new term significantly reduces that right. It is my advice that this is a fundamental change to the agreement and therefore cannot be imposed on existing licence holders."*

#### Testing and getting certificates

*"The new terms require safety testing through the park owners. My advice is that this term would be regarded as unfair because it gives the park owner a monopoly and it denies caravan owners the use of competent independent contractors. See OFT 734 paragraph 5.4"*

*Regarding bullet points 4 -6 owners and the park owner have to ensure the van is safe to let. The rules stipulated are one way of doing that. PAT testing is not a legal requirement, nor is displaying a sticker on an item. Items must be safe and*

*landlords have to ensure this.*

*Our advice to people letting accommodation for holidays is as follows:*

*A Gas Safe –registered person must check gas installations, appliances and flues every 12 months.*

*Specific checks are not normally required by law for other products. However, in many cases, you will not know whether the goods are safe unless you have them checked. You are responsible for the safety of the goods you supply, and it is, therefore, advisable that you carry out appropriate checks on all the goods in the property. In some cases, you may wish to employ an expert to carry out checks for you (for example, an electrician to assess the safety of electrical installations and appliances). In addition to deciding what checks to do, you will also need to decide how frequently to repeat them - this may be different for a holiday property than for a long-term residential let. Where you do carry out checks, or where you have them done for you, you should keep records. These records, as a minimum, should identify what goods were checked, what checks were done (and the results), who did them and when they were done."*

It is great to have this input and support from Dorset Trading Standards and it is our hope that Anne Foulkes will seek to discuss the proposed changes to the park rules and sub-letting agreement which were issued March 2014 so that these points and others which the owners may be concerned about can be properly addressed and incorporated in an agreed revision.

### **Latest update from NACO**

NACO have requested another meeting with Committee members and this has now to be arranged. It is great to have such a close relationship with the main organisation to represent holiday caravan owners. Of course many of the owners at Swanage Bay View are members of NACO too and enjoy the benefit of cheaper insurance cover that they provide. Details of the meeting will be included in a future newsletter.

### **Sycamores**

Townsend Nature Reserve will be running a couple of volunteer tasks over the winter and we will let you know the dates when they are confirmed.

### **Electricity**

Some owners have found that the recent electricity bill has not been consistent with previous usage or the meter readings which they have taken themselves. Any concerns need to be taken up with the office at SBV.

### **Vista Facilities**

We also remind members that they sell "basics" at reception, and don't forget about owners discounts in the restaurant and bar.

### **Bay View Caravan Owners' Association**