

Y TRIBIWNYLS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL

Reference: RPT/0004/07/25

In the matter of Woodland Park Crumlin Road Pontypool NP4 6UP

In the matter of an application under the Mobile Homes (Wales) Act 2013

Tribunal Judge : Ms TE Richards-Clarke

Surveyor member: Mr K Watkins

Lay member: Dr A Ash

Applicants: QRA Woodland Park Residents Association

Mr and Mrs Ray Willaims - Number 3	Mrs Lorraine Cotterel Number 4
Mr and Mrs Norman Austin - Number 5	Mr Syd Jones – Number 6
Mr and Mrs Ron Southall – Number 17	Mr and Mrs Graham Burch –Number 18
Mr Graham Davies – Number 20	Ms Gail Childs – Number 21
Mr and Mrs Vernon Green – Number 22	Mrs Hazel Cowles – Number 23
Mr Graham Gosling – Number 24	Mr and Mrs Peters – Number 26
Mr Val Winks – Number 28	Mr Robert Hutchins – Number 29
Mrs Alison Grimison – Number 30	Mr and Mrs Bill Bowen – Number 31
Rev. Linda Hall – Number 32	Mr M Gunter – Number 36
Mrs Hilda Berry – Number 37	Mr and Mrs Morgan – Number 38
Mr Edwin Atkins – Number 40	Mr and Mrs G Evans – Number 43
Ms Tracey Bollen – Number 44	Mr and Mrs G Scimone – Number 46
Mr and Mrs Rose – Number 45	Ms Janet Price Number – 48
Ms Gail Edwards – Number 49	Mr and Mrs L Woodard – Number 53
Mr and Mrs W Bennett M Pritchard – Number 54	
Mr Jack Smith – Number 56	Mr and Mrs Ken Davies – Number 57
Mr and Mrs Beech – Number 59	Ms Hilary Harrington Smith – Number 60
Mr and Mrs Walker – Number 61	Mr Gillgrass – Number 62
Mr Brian Williams – Number 63	Ms Barbra Farrelly – Number 64

Representative: Mr Bowen QRA Chair

Respondent: Hills Leisure UK Limited

Representative: Mr Wright instructed by Horsley Law

Date and Venue of Hearing: 15 October 2025 Remote Hearing

Corrected Decision

The Tribunal determines that commencing 1 May 2025 the pitch fee in respect of numbers 3, 4, 5, 6, 17, 18, 20, 21, 22, 23, 24, 26, 28, 29, 30, 31, 32, 36, 37, 38, 40, 43, 44, 46, 45, 48, 49, 53, 54, 56, 57, 59, 60, 61, 62, 63, 64 Woodland Park Crumlin Road Pontypool NP4 6UP is to increase by 2.6% of the current pitch fee.

Reasons

Background

1. By way of application dated 31 May 2025 the Applicant occupiers made an application for the Tribunal to determine their new pitch fees. This application was made by the 37 members of the Qualifying Residents Association. The current pitch fee paid by the 37 members varies.
2. Woodland Park is a protected site within the meaning of the Mobile Homes (Wales) Act 2013.
3. On 6 March 2025, the Respondent served a notice in a pitch fee form seeking an increase in the pitch fees. The Respondent proposes this increase in the pitch fees of 29.6% which is in accordance with the CPI from the years 2018 to 2025. The Respondent relies on the last review date of November 2022; the CPI published for January 2025 which was 29.6%; and park improvements for the period 2016 to 2021.
4. The Applicants dispute this increase because the proposed increase is more than the percentage increase of the Consumer Price Index for the last 12 months, there has been no communication regarding any work on the site and the claimed park improvements have been included in the last three applications.

The Legal Framework

5. Schedule 2, Part 1, Chapter 2 of the Mobile Homes (Wales) Act 2013 ("the Act"), contains the terms of mobile home agreements implied by the Act. Those dealing with pitch fee reviews are at paragraphs 17 – 20. Paragraph 18 provides:

18 (1) When determining the amount of the new pitch fee particular regard is to be had to—

(a) any sums expended by the owner since the last review date on improvements—

(i) which are for the benefit of the occupiers of mobile homes on the protected site,

(ii) which were the subject of consultation in accordance with paragraph 22(1)(e)

and (f), and

(iii)to which a majority of the occupiers have not disagreed in writing or which, in the case of such disagreement, a tribunal, on the application of the owner, has ordered should be taken into account when determining the amount of the new pitch fee,

(b)any deterioration in the condition, and any decrease in the amenity, of the site or any adjoining land which is occupied or controlled by the owner since the date on which this sub-paragraph came into force (in so far as regard has not previously been had to that deterioration or decrease for the purposes of this sub-paragraph),

(c)any reduction in the services that the owner supplies to the site, pitch or mobile home, and any deterioration in the quality of those services, since the date on which this sub-paragraph came into force (in so far as regard has not previously been had to that reduction or deterioration for the purposes of this sub-paragraph), and

(d)any direct effect on the costs payable by the owner in relation to the maintenance or management of the site of an enactment which has come into force since the last review date.

(2)But no regard is to be had, when determining the amount of the new pitch fee, to any costs incurred by the owner since the last review date for the purpose of complying with provisions contained in this Part which were not contained in the Mobile Homes Act 1983 in its application in relation to Wales before the coming into force of this Part.

(3)When calculating what constitutes a majority of the occupiers for the purposes of sub-paragraph (1)(a)(iii) each mobile home is to be taken to have only 1 occupier and, in the event of there being more than 1 occupier of a mobile home, its occupier is to be taken to be whichever of them the occupiers agree or, in default of agreement, the one whose name appears first on the agreement.

(4) In a case where the pitch fee has not been previously reviewed, references in this paragraph to the last review date are to be read as references to the date when the agreement commenced.

6. Paragraph 20 states that unless it would be unreasonable having regard to paragraph 18(1) there is a presumption that the pitch fee is to increase or decrease by a percentage which is no more than any percentage increase or decrease in the CPI. The proposed increase in the pitch fees is not within that margin.

The Inspection

7. There was a site visit by the surveyor member of the Tribunal on the morning of 15 October 2025. This site visit was held at 10.00am, for the purpose of inspecting the issues that have arisen because of an application made to the Tribunal for a pitch fee determination and for the Tribunal to have an understanding the issues at hand. The weather was dry with anticyclonic gloom.

8. Those present at the visit were: Mr. Bevan – Head of Maintenance for Hills Park Homes; Mr. Gunter – Member of the Residents Association; Mr. Woodard – Member of the Residents Association; and Mr. Watkins – Surveyor Member, Residential Property Tribunal
9. Woodland Park ('the Site' or 'the Park') is owned by the Respondent and is a protected site under the Mobile Homes (Wales) Act 2013 and is situated off the Old Crumlin Road, being some 2 miles distant from Pontypool Town Centre.
10. At the time of inspection there were development works being undertaken to provide some 22 additional new units on the site.
11. Upon entering there is a communal car parking area and a one-way road system serving the original part of the site, which is quite steep in places due to the topography of the land. The development area is to the right of the main entrance where the ground is level.
12. The inspection generally considered those areas of work that were included in the Annual Rent Increase Notice issued on 6th March 2025 (Page 13 of Respondents Bundle) together with any other material matters that the parties wished to bring to the attention of the Tribunal.

The Hearing

13. The hearing took place via Microsoft Teams in the afternoon of 15 October 2025. Mr Bowen on behalf of the Applicants attended the hearing but was not represented. Mrs Atkinson on behalf of the Respondent attended the hearing and was represented.
14. The Tribunal heard evidence from Mr Bowen on behalf of the Applicants and Mrs Atkinson on behalf of the Respondent. The Tribunal heard submissions from both parties. The decision was reserved.

Deliberations

15. The written notice dated 6 March 2025 was not served at least 28 days before the review date in accordance with paragraph 17(3) Schedule 2, Part 1, Chapter 2 of the Act. This is because the notice was served on 6 March 2025, and the agreed pitch review date is 1 April 2025 and then 1 April thereafter [page 77 Applicant's bundle]. In these circumstances paragraphs 17(8) to 17(12) Schedule 2, Part 1, Chapter 2 of the Act apply. The occupier must continue to pay the current pitch fee until such time as an order is made determining the amount of the new pitch fee 28 days after the service of the notice. The late notice dated 3 March 2025 proposed a new pitch fee from with effect from 1 May 2025. The Tribunal has therefore decided to treat this date as the commencement of any new pitch fee.

16. The Respondent's reasoning for the proposed pitch fee increase is based on:
 - (a) Park Improvements including all roads re-laid with new layer or tarmac and road markings repainted; new layer of tarmac in the car park; new drainage system for the site has been constructed; a structural engineer report obtained, and new safety rails installed and repairs and construction of retaining walls; new bases laid, and repairs carried out to existing basis; general improvements to the whole park.
 - (b) Site Losses
 - (c) The lack of any pitch fee increases for more than four years
17. In response the Applicants submit that proposed increase is more than the percentage increase of the Consumer Price Index for the last 12 months, there has been no communication regarding any work on the site and the claimed park improvements have been included in the last three applications.
18. First, park improvements. In accordance with paragraph 18(1) (a) Schedule 2, Part 1, Chapter 2 of the Act when determining the amount of the new pitch fee particular regard is to be had to any sums expended on improvements by the owner since the last review date which are for the benefit of the occupiers of the mobile homes, which were the subject of consultation and to which a majority of the occupiers have not disagreed in writing or a Tribunal has made an order about. The evidence before the Tribunal is that since the last review date there have not been any improvements for the benefits of the occupiers of the mobile homes. We say this in reliance on the inspection carried out by the Tribunal Surveyor on 15 October 2025. Further there has been no consultation with the occupiers regarding any proposed improvements. In these circumstances the Tribunal rejects the Respondent's submission that park improvements justify the proposed new pitch fee
19. Second, site losses. In accordance with paragraphs 17 – 20 Schedule 2, Part 1, Chapter 2 of the Act this is not relevant to the Tribunal's consideration in the determination of the new pitch fee. In any event the claimed expenditure and losses was not corroborated by the evidence before the Tribunal.
20. Third, lack of any pitch fee increases for more than four years. The proposed increase in the pitch fee has not been calculated by reference to the percentage increase of the Consumer Price Index (CPI) over the period ending with the day before service of the notice (March 2025) and beginning 12 months earlier in March 2024. In law the Tribunal are bound to utilise the CPI Index as the reference point of any increase in site fees: paragraph 20 Schedule 2, Part 1, Chapter 2 of the Act. It is trite law that the starting point for any review is any percentage increase or decrease any CPI increase calculated by reference only to the latest index and the index published for the month which was 12 months before that. The presumption is a rebuttable presumption rebutted where the increase would be unreasonable having regard to paragraph 18(1). The Applicants do not submit that the increase would be unreasonable, and the Tribunal concluded that the appropriate review here is any percentage increase or decrease of the CPI

calculated by reference only to the latest index and the index published for the month which was 12 months before that. The Consumer Prices Index (CPI) rose by 2.6% in the 12 months to March 2025.

21. Accordingly, the Tribunal determines that commencing 1 May 2025 the pitch fee in respect of numbers 3, 4, 5, 6, 17, 18, 20, 21, 22, 23, 24, 26, 28, 29, 30, 31, 32, 36, 37, 38, 40, 43, 44, 46, 45, 48, 49, 53, 54, 56, 57, 59, 60, 61, 62, 63, 64 Woodland Park Crumlin Road Pontypool NP4 6UP is to increase by the Consumer Prices Index (CPI) calculated by reference only to the latest index and the index published for the month which was 12 months before that, that is 2.6% in the 12 months to March 2025.

Signed:

TE Richards - Clarke

Dated: 28 October 2025

I certify that in this decision I have corrected any clerical mistakes and clarified any errors or ambiguities arising from an accidental slip or decision in accordance with *Regulation 33 (5) (6) (7) The Residential Property Tribunal Procedures and Fees (Wales) Regulations 2016*.

The substance of the decision remains that same: that the determination of the Tribunal is that from 1 May 2025 the pitch fees of the Applicants is to increase by the Consumer Prices Index (CPI) calculated by reference only to the latest index and the index published for the month which was 12 months before that, that is 2.6% in the 12 months to March 2025.

Resigned:

TE Richards - Clarke

Dated 03 November 2025