



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case References	:	HAV/00HE/PHI/2025/0705
Property	:	17 Twinbrook Park, Goldenbank, Swanpool, Falmouth, Cornwall, TR11 5BH
Applicant	:	Turners Britannia Parks Limited
Representative	:	
Respondents	:	Mr M Carlyon
Representative	:	
Type of Application	:	Review of Pitch Fee: Mobile Homes Act 1983 (as amended)
Tribunal Members	:	Regional Surveyor J Coupe FRICS
Type of Determination	:	Papers
Date of Decision	:	11 August 2025

DECISION

Summary of Decision

The Tribunal determines that the proposed increase in pitch fee for 17 Twinbrook Park, Goldenbank, Swanpool, Falmouth, Cornwall, TR11 5BH is reasonable and determines a pitch fee of £93.64 per month with effect from 1 January 2025.

The reasons for the Tribunal's decision are set out below.

REASONS

Background

1. On 19 March 2025 the Applicant site owner sought a determination of the pitch fee of £93.64 per month payable by the Respondent as from 1 January 2025.
2. A Pitch Fee Review Notice dated 21 November 2024 with the prescribed form was served on the occupier proposing to increase the pitch fee by an amount which the site owner says represents only an adjustment in line with the Consumer Price Index ("CPI").
3. On 23 June 2025 the Tribunal directed the application to be determined on the papers without an oral hearing. No objections were received from the parties.
4. The Directions provided that the application form and accompanying papers should stand as the Applicant's statement of case. The Applicant was further directed to provide the Respondent and the Tribunal, if not already sent, evidence supporting the CPI increase.
5. The Respondent was invited to complete and return to the Tribunal by 14 July 2025 a form indicating whether he agreed or disagreed with the application and, if objecting, to provide a statement outlining the objection to the proposed pitch fee, any witness statements and any documents he wished to rely on.
6. The Applicant was permitted to send a reply to the Applicant's statement by 28 July to include copies of any other relevant documents relied upon and any witness statements.

Consideration

7. The Park is a protected site within the meaning of the 1983 Act. The definition, found in Part 1 of the Caravan Sites Act 1968 includes a site where a licence would be required under the Caravan Sites and Control of Development Act 1960 if the exemption of local authority sites were omitted.
8. The Respondents' right to station his mobile home on the pitch is governed by the terms of the Written Agreement with the Applicant and the provisions of the Mobile Homes Act 1983 (as amended).

9. The Applicant served the Respondent with the prescribed form proposing the new pitch fee on 21 November 2024, which was more than 28 days prior to the review date of 1 January 2025. The application to the Tribunal to determine the pitch fee was made on 19 March 2025 which was within the period starting twenty eight days to three months after the review date. The form indicated that the Applicant had applied the CPI of 2.3 percent, applying the mid October figure published in November.
10. On 6 January 2025 Mr Carlyon wrote to the Applicant objecting to the proposed pitch fee increase on the basis of a deterioration in the condition of the site, namely overgrown vegetation at the rear of his home.
11. On 28 February 2025 the Applicant wrote to Mr Carlyon confirming that the outstanding maintenance in question had been remedied.
12. On 6 July 2025 Mr Carlyon emailed the Tribunal stating *“I have decided to agree to the pitch fee increase proposed by Turners Park. To this end I have adjusted my monthly payment to reflect the increase and paid the arrears in full.”*
13. On 7 July 2025 the Tribunal case officer forwarded a copy of Mr Carlyon’s email to the Applicant, enquiring as to whether, if matters were agreed, they wished to withdraw their application. No response was received.
14. Where a matter is agreed between the parties, the Tribunal lacks jurisdiction to determine the application. However, in this case the Applicant has not confirmed whether the matter is agreed or whether they intend to withdraw the application. In the absence of such confirmation, the Tribunal proceeds to determine the matter.
15. The Tribunal is satisfied that the Applicant has complied with the procedural requirements of paragraph 17 of Part 1 of Schedule 1 of the 1983 Act to support an application for an increase in pitch fee in respect of the pitch occupied by the Respondent.
16. The Tribunal is required to determine whether the proposed increase in pitch fees is reasonable. The Tribunal is not deciding whether the overall level of pitch fee is reasonable.
17. The Tribunal is required to have regard to paragraphs 18, 19 and 20 of Part 1 of Schedule 1 of the 1983 Act when determining a new pitch fee. Paragraph 20(1) introduces a presumption that the pitch fee shall increase by a percentage which is no more than any percentage increase or decrease in the CPI since the last review date.
18. The Applicant has restricted the increase in the pitch fee to the percentage increase in the CPI and in view of the presumption referred to in paragraph 17 above and in the absence of any matters being raised by the Respondent which go to rebut that presumption the Tribunal finds that the proposed increase in pitch fee is reasonable

Decision in respect of the pitch fee

19. Given the above circumstances the Tribunal determines that the proposed

20. increase in pitch fee for 17 Twinbrook Park, Goldenbank, Swanpool, Falmouth, Cornwall, TR11 5BH is reasonable and determines a pitch fee of £93.64 per month with effect from 1 January 2025.
21. The pitch fee will remain at this level until the next review.

Costs

22. The Tribunal may make an order requiring a party to reimburse to any other party the whole or part of the amount of any fee paid by the other party pursuant to rule 13(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013.
23. Given that the Respondent indicated to the Tribunal on 6 July 2025 that he had paid the proposed pitch fee and no longer sought to pursue the matter, and the Applicant's subsequent failure to withdraw the application, the Tribunal considers it reasonable that the Applicant bears the application fee.

RIGHTS OF APPEAL

1. A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application by email to rpsouthern@justice.gov.uk to the First-tier Tribunal at the Regional office which has been dealing with the case.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
3. If the person wishing to appeal does not comply with the 28 day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28 day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.
4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.