



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

Case Reference	:	HAV/43UM/PHI/2025/0884; 0885; 0886; 0887; 0888; 0889; 0891; 0892; 0893; 0894; 0895.
Property	:	Plots: 5, 7, 15, 19, 20, 41, 64, 73, 74, 75, & 76, Warren Farm Home Park
Applicant	:	Warren Farm Home Park Partnership
Representative	:	Tozers LLP
Respondent	:	The occupiers of Plots: 5, 7, 15, 19, 20, 41, 64, 73, 74, 75, & 76, Warren Farm Home Park
Representative	:	None
Type of Application	:	Review of Pitch Fee: Mobile Homes Act 1983 (as amended)
Tribunal Members	:	Mr D Cotterell FRICS
Date of Decision	:	14 August 2026

DECISION

Summary of Decision

1. The tribunal determines that the proposed increase in pitch fees is as follows in each case, for the Plots indicated, with effect from 1 September 2025.

Plot	Application	Respondent	Pitch Fee from 01/09/2025
5	HAV/43UM/PHI/2025/0884	Miss Lisa Michelle Norris	£ 205.97
7	HAV/43UM/PHI/2025/0885	Mr Paul Wilkinson & Mrs Julie Wilkinson	£ 242.92
15	HAV/43UM/PHI/2025/0886	Mr Neil Froggatt	£ 288.56
19	HAV/43UM/PHI/2025/0887	Mrs Julie Priestley	£ 259.27
20	HAV/43UM/PHI/2025/0888	Mr Steven Saunders	£ 259.27
41	HAV/43UM/PHI/2025/0889	Mr Christopher Wyatt	£ 272.20
64	HAV/43UM/PHI/2025/0891	Mr J A C Guerra & Ms T Rapoz-D'Silva	£ 214.21
73	HAV/43UM/PHI/2025/0892	Miss Dionne Pavis	£ 242.92
74	HAV/43UM/PHI/2025/0893	Mr Andrew Mellett	£ 242.92
75	HAV/43UM/PHI/2025/0894	Mr John Barry	£ 242.92
76	HAV/43UM/PHI/2025/0895	Mr David John Senior Smith	£ 272.20

2. The reasons for the decision are set out below.

Background

3. The Applicant is the park site owner and operator of Warren Farm Home Park, Warren Lane, Pyrford, Woking, Surrey, GU22 8XF, a static mobile homes site. The Respondents are the occupiers of the plots on that park as indicated above, pursuant to individual written statements commencing on various dates.
4. On 28 November 2025 the Applicant site owner sought a determination of the pitch fees payable by the Respondents from 1 September 2025.
5. Pitch Fee Review Notices dated 2 August 2025 had been served on the occupiers proposing to increase the pitch fee by an amount which the site owner says represents only an adjustment in line with the Consumer Prices Index, an increase of 3.0%. The Applicant stated that the Review Date was 1 April each year, but that the review would take effect from 1 September 2025, being a later date.

6. Directions were issued on 1 May 2026, 23 June 2026, and 29 June 2026 (amended 8 July 2026) setting a timetable for the exchange of documents preparatory to a determination on the papers. In those amended directions, the Tribunal had been notified that applications in relation to Plots 53, 77, and 83 References HAV/43/UM/PHI/2025/0890, 0896, and 0897 had agreed increases and had sought to withdraw from the proceedings.
7. In addition as noted in those amended directions, the Regional Judge had directed that the application to withdraw relating to 53 Warren Park and the determination of the reimbursement of the fee payable was to be determined as part of the decision in accordance with its earlier directions
8. Pursuant to the directions, a bundle of 574 pages was filed, the contents of which have been considered by the Tribunal.
9. The Directions required any Respondent objecting to the application to submit a response to the application by 28 May 2026.
 - a. On 24 May 2026 the Tribunal received a submission by the occupier of Plot 74 (Mr Mellett) challenging the review.
 - b. On 28 May 2026 the Tribunal received an email by the occupier of Plot 64 (Mr Guerra) confirming no objections to the review.
 - c. No other responses were disclosed in the bundle
10. This has been a paper determination which has not been objected to by the parties.

Pitch fee review

11. Warren Farm Home Park is a protected site within the meaning of the Mobile Homes Act 1983 (the '1983 Act').
12. The Respondents' rights to station their mobile homes on the pitches at Warren Farm Home Park is governed by the terms of the Written Agreements with the Applicant and the provisions of the 1983 Act. Copies of the Written Agreements for the subject plots were included in the bundle.
13. The Written Agreements provides for the pitch fee review date to be on the 1 April in each year.
14. The Applicant served the Respondents with the prescribed pitch review form proposing the new pitch fees effective from 1 September 2025 on 2 August 2025 which was more than 28 days prior to the effective review date. The Application to the Tribunal to determine the pitch fees was made on 28 November 2025 which was within the period starting 28 days to three months after the review date of 1 September 2025. The Applicant explained that it applied the CPI increase being the last index published prior to service of the notice.
15. Having regard to its findings above, the Tribunal is satisfied that the Applicant had 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 Respondents.

16. The Tribunal is required to determine whether the proposed increase in pitch fee is reasonable. The Tribunal is not deciding whether the overall level of pitch fee is reasonable.
17. Pitch fee is defined in paragraph 29 of Part 1 of Schedule 1 of the 1983 Act as: "*The amount which the occupier is required by the agreement to pay to the owner for the right to station the mobile home on the pitch and for use of the common areas of the protected site and their maintenance, but does not include amounts due in respect of gas, electricity, water, sewerage or other services, unless the agreement expressly provides that the pitch fee includes such amounts.*"
18. 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 RPI since the last review date. The Mobile Homes (Pitch Fees) Act 2023 changed RPI to CPI. The Applicant submits that it has restricted the increase in pitch fee to the percentage increase in the CPI.
19. The tribunal considered the decision of the Upper Tribunal in Vyse v Wyldecrest Parks (Management) Ltd, [2017] UKUT 24 (LC), where the increase sought was above RPI.
20. In *Vyse*, HHJ Alice Robinson said as follows: "*There are a substantial number of mobile home sites in England occupied pursuant to pitch agreements which provide for relatively modest pitch fees. The legislative framework for determining any change in pitch fee provides a narrow basis on which to do so which no doubt provides an element of certainty and consistency that is of benefit to site owners and pitch occupiers alike. The costs of litigating about changes in pitch fee in the FTT and in the Tribunal are not insubstantial and will almost invariably be disproportionate to any sum in issue. I accept the submissions...that an interpretation which results in uncertainty and argument at many pitch fee reviews is to be avoided and that the application of RPI is straightforward and provides certainty for all parties*"
21. The tribunal's starting point is that the pitch fee should be increased in line with CPI. In determining whether the presumption applies, the Tribunal must have regard to the matters identified in paragraphs 18 and 19 Part 1 of Schedule 1 of the 1983 Act. In this case paragraph 19 did not apply because there was no evidence that the increase in the pitch fee included costs which were specifically excluded by that paragraph. Similarly, the Applicant was not including costs of any improvements within the proposed increase.
22. The tribunal has not identified any issues identified that individually or taken as a whole are sufficient to displace the presumption that the pitch fee should be increased in line with CPI.

Objection by Mr Mellett

23. In his objection, Mr Mellett sets out his position that the notice of increase had incorrectly stated his pitch fee at a rate of £226.77 per month, rather than the £199.97 he had been paying. He supplied bank statements in support of that latter payment amount.
24. In particular he said: "*... I have been paying a pitch fee of £199.97 per month for the last 2 years, and not the £226.77 per month which information was incorrectly supplied to you by Warren Farm (WF) Management as per bank statements as in Annexure C in attached Statement.*"

“On 30th June 2023 WF Management proposed to increase my pitch fee from £199.97 to £226.77 (see Annexe A pages 1 to 4. Accordingly, I am aware that I have been entitled to remain on the £199.97 per month (see 2nd last bullet point on page 4 of Annexure A) as WF Management did NOT refer the matter to Tribunal within the 3 month period laid down.

“Before lodging this appeal, I endeavoured to correct matters with Mr Stanley via email, but on 13th July 2025 just had an evasive reply, just saying I owe £846.19 arrears (see Annexure B even though I showed all my bank statements which he took no notice of.”

25. In response, the Applicant points out in its statement dated 8 June 2026 that the pitch fee for Plot 74 had previously been determined in 2024 at a higher amount. They say:

“...Regardless of the payments that the Respondent has been making, the pitch fee was determined by the Tribunal as £235.84 with effect from the previous review date of 1 April 2024 and accordingly, the Applicant was entitled to use this amount as the starting point for the Proposal.”

26. On consideration of the parties’ arguments, the Tribunal accepts the evidence of the Applicant and has taken the present passing pitch fee to be £235.84 per month.

Decision

27. The tribunal has considered the arguments before it and the detail of the application, and confirms the increases as follows

Plot	Application	Respondent	Passing Pitch Fee	Pitch Fee from 01/09/2025
5	HAV/43UM/PHI/2025/0884	Miss Lisa Michelle Norris	£ 199.97	£ 205.97
7	HAV/43UM/PHI/2025/0885	Mr Paul Wilkinson & Mrs Julie Wilkinson	£ 235.84	£ 242.92
15	HAV/43UM/PHI/2025/0886	Mr Neil Froggatt	£ 280.16	£ 288.56
19	HAV/43UM/PHI/2025/0887	Mrs Julie Priestley	£ 251.72	£ 259.27
20	HAV/43UM/PHI/2025/0888	Mr Steven Saunders	£ 251.72	£ 259.27
41	HAV/43UM/PHI/2025/0889	Mr Christopher Wyatt	£ 264.27	£ 272.20
64	HAV/43UM/PHI/2025/0891	Mr J A C Guerra & Ms T Rapoz-D'Silva	£ 207.97	£ 214.21
73	HAV/43UM/PHI/2025/0892	Miss Dionne Pavis	£ 235.84	£ 242.92

74	HAV/43UM/PHI /2025/0893	Mr Andrew Mellett	£ 235.84	£ 242.92
75	HAV/43UM/PHI /2025/0894	Mr John Barry	£ 235.84	£ 242.92
76	HAV/43UM/PHI /2025/0895	Mr David John Senior Smith	£ 264.27	£ 272.20

28. The Applicant also seeks reimbursement of its application fee for each application where the Tribunal determines that the application is successful, or where the Respondent has agreed the pitch fee after the application was submitted.
29. The Tribunal notes that only 1 application – in relation to Plot 74 – was contested and in that respect the Applicant was successful. The Tribunal directs that the application fee of £23 in relation to Plot 74 shall be reimbursed by the Respondent in that matter.
30. In accordance with the directions of the Regional Judge, the Tribunal further determines that having regard to all the circumstances made known to it, that it does not order reimbursement of the application fee relating to Plot 53 Warren Park.
31. In addition, the Tribunal also determines that having regard to all the circumstances made known to it, that it does not order reimbursement of the application fee relating to Plots 77 and 83 Warren Park.

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 to the First-tier Tribunal at the Regional office which has been dealing with the case. Where possible you should send your application for permission to appeal by email to rpsouthern@justice.gov.uk as this will enable the First-tier Tribunal Regional office to deal with it more efficiently.
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.
5. Either party seeking to appeal a decision are referred to form RPPTA.

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