FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	HAV/24UL/PHI/2026/0303
Property	**:**	68 Brookside Park, Hawley Lane, Farnborough, Hampshire, GU14 9BA
Applicant	**:**	Simon Howard – Farnborough Caravan Sites Ltd
Representative	**:**	
Respondent	**:**	David Dudley
Representative	**:**	
Type of Application	**:**	Review of Pitch Fee: Mobile Homes Act 1983 (as amended)
Tribunal Member	**:**	Regional Surveyor Clist MRICS
Date of Decision	**:**	9 November 2026

DECISION

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Summary of the Decision

The Tribunal finds that the Application was not made in time. The Tribunal declines to extend time as no good reason was advanced by the Applicant and the Tribunal has no jurisdiction to determine the applications. Accordingly, the application is dismissed.

BACKGROUND

1. On 13 April 2026 the Applicant site owner sought a determination of the pitch fee of £276.91 per month payable by the Respondent from 1 January 2026.

2. A Pitch Fee Review Notice dated 27 November 2025 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 Prices Index.

3. Chapter 2, Paragraph 17 (5) of the Mobile Homes Act 1983 states that:

> An application under sub-paragraph (4)(a) may be made at any time after the end of the period of 28 days beginning with the review date [but . . . no later than 3 months after the review date].

4. The Review Date is 1 January 2026, and the application to the Tribunal was received on 13 April 2026, which is more than 3 months after the review date.

5. Sub - paragraph [(9A) states:

> A tribunal may permit an application under sub-paragraph (4)(a) or (8)(a) . . . to be made to it outside the time limit specified in sub-paragraph (5) (in the case of an application under sub-paragraph (4)(a) .....) if it is satisfied that, in all the circumstances, there are good reasons for the failure to apply within the applicable time limit and for any delay since then in applying for permission to make the application out of time.]

6. The Applicant has not given any reason as to why the application has been made outside of the 3-month time limit.

7. On 25 September 2026, the Tribunal issued Directions notifying the parties that it will need as a preliminary issue to consider whether the application can be made outside of the specified time limits.

8. The Tribunal will decide if the Applicant has a good reason for making a late application. If the Tribunal decides there is not a good reason, the application will be struck out.

9. The Tribunal issued Directions for the Applicant to provide a submissions and any supporting evidence as to the validity of the application, the reasons for the delay in making the application and whether the Tribunal has jurisdiction to determine it by 7 October 2026.

10. The Respondent was directed to providing submissions in response by 14 October 2026.

11. A remote preliminary hearing was set for 20 October 2026 for the Tribunal to consider the matter.

12. On the 13 October 2026, the Applicant sent the Tribunal and Respondent its submissions alongside a case management application for an extension of time to accept the same. The parties were informed that the matter would be considered as a preliminary issue at the forthcoming hearing.

13. On 16 October 2026, the Tribunal and Applicant received the Respondent's submissions.

14. Unfortunately, the preliminary hearing did not proceed on 20 October 2026 due to technical issues with the Tribunal's remote hearing platforms. The parties agreed to a new date of 9 November 2026 for the preliminary hearing.

Preliminary Hearing

15. The preliminary hearing was attended by Mr Simon Howard for the Applicant and Mr David Dudley for the Respondent. Mr Howard was unable to connect with video camera and so joined via telephone which provided clear audio throughout the hearing.

16. The first matter for the Tribunal to consider was Mr Howard's case management application on 13 October 2026 to accept his submissions (as per the 25 September 2026 Directions) late.

17. Both parties became submit confused between the case management application and originating application. Following clarification, Regional Surveyor Clist admitted the submission, accepting Mr Howard's case management application as both parties were able to make submissions in time prior to the preliminary hearing. Neither party were prejudiced in any way.

18. Having decided the same, Regional Surveyor Clist requested summarised each parties representations, noting that both parties agreed that in the period from the Pitch Fee Review Notice being served and Mr Howard's application to the Tribunal on 13 April 2026, the parties had been involved in negotiations as to the level of pitch fee. Mr Dudley disputed the term

negotiations owing to the fact that Mr Howard did not want to accept any figure below his own proposal. In any event, the parties had been corresponding on the matter.

19. Mr Howard explained that he felt the pitch fee would be agreed by Mr Dudley and did not want to burden the Tribunal system with an application, particularly where Mr Dudley's proposed figure was marginally below that of Mr Howard's proposal. All other home owners had accepted the proposal.

20. Mr Howard confirmed that he had had owned and operated the site since 2004 or 2005. The site has 69 homes and he owns and operates 3 other residential park home sites.

21. Regional Surveyor Clist referred to a decision of 24 October 2024 also of Brooklands Park concerning an application made outside of the specified 3 month time limit under Chapter 2, Paragraph 17 (5) of the Mobile Homes Act 1983.

22. Mr Howard recalled the application and explained that he had a previous employee who had lodged the application late, making an error. Mr Howard explained that he understood the procedure and the legislation and would not make the same mistake again.

23. Mr Dudley reiterated his remarks that Mr Howard had not engaged in genuine negotiations but had sought to achieve the figure as per the Pitch Fee Review Notice.

24. The parties then embarked upon a dispute as to the merits of their proposed pitch fees. No further submissions were made with regard to whether Mr Howard had a good reason for making the application for a determination of a pitch fee outside of the statutory time limit.

Consideration and Decision

25. Neither party disputed that a pitch fee review notice was served on 27 November 2026 with a review date of 1 January 2026. Further, neither party disputed that the application was received by the Tribunal 13 April 2026. I therefore find as a matter of fact that the Application was lodged outside of the 3 month time limit under Chapter 2, Paragraph 17 (5) of the Mobile Homes Act 1983.
26. It is clear from Mr Howard's submissions that he had relied upon the hope of reaching agreement with Mr Dudley and had not wished to apply to the Tribunal, having seen the same as undesirable and disproportionate for dispute over a marginal figure.

27. Mr Dudley did not consider that correspondence between him and Mr Howard to constitute genuine negotiations. He had provided a timeline of the correspondence within his written submission which Mr Howard did not dispute.

28. I would reiterate that either parties' comments as to their proposed pitch fee, or the reasonableness of with proposal was not the purpose for the hearing today. It was to establish whether there was a good reason for Mr Howard making the application outside of the required three-month time limit.

29. Having carefully considered both parties' submissions, the Tribunal finds there is no good reason for the failure to submit the application for a determination of a pitch fee within the required three-month time limit.

30. Mr Howard is an experienced residential park home site and had been through the Tribunal process previously. He is fully aware, following the decision date 24 October 2024 in respect of the same site, that an application needs to be made to the Tribunal within the required time limit.

31. Whilst Mr Howard's application was late by less than a fortnight, the period of time is not the primary consideration, rather it is whether there is a good reason for the delay. Whilst Sub paragraph (9A) makes provision for an appeal to be made outside of the statutory time limit, that in itself does not take away from the importance of complying with time limits clearly set out with the Mobile Homes Act 1983. The parties require certainty as to the process and the level of pitch fee due.

32. Mr Dudley, and indeed all park home owners alike, are entitled to dispute a proposed pitch fee review, no matter how marginal the figures involved are. It is incumbent upon a site owner to make an application in such circumstances to the Tribunal for determination, within the required timeframe. Mr Howard had engaged in unproductive discussions and placed reliance upon an agreement being reached. I am not satisfied that the same constitutes a good reason for failure to comply with the applicable time limit.

33. As such, I find that the application was not made in time and the Tribunal has no jurisdiction to determine the pitch fee. Accordingly, the application is dismissed and the pitch fee review notice. Mr Howard is not entitled to the increase claimed.

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.