## Opens: 00.00 14 December 2021

**Closes: 23:59 8 March 2022**

## Contact

Heather Cammock

Private Rented Branch, Housing Division

Tel:(028) 9082 3433

[prs@communities-ni.gov.uk](mailto:Heather.Cammock@communities-ni.gov.uk)

**2**021 Review of Caravans Act (Northern Ireland) 2011

*[NOTE: This legislation does not cover Touring Caravans, Mobile Homes or Caravan/Traveller sites provided by the Northern Ireland Housing Executive (NIHE) as these are covered by separate legislation/guidance. Any comments provided in this Questionnaire on those categories cannot, therefore, be taken into consideration as part of this Review but will be brought to the attention of the appropriate Department].*

Overview

**Background**

The Department for Communities (DfC) is required under Section 4(6) of the Caravans Act (Northern Ireland) 2011 (the 2011 Act) to review Parts 1 and 2 of the Schedule every 5 years. The last review took place in 2016 and the 2021 Review is now underway by way of this consultation.

Parts 1 & 3 of the Act relate to the residential sector, and are the responsibility of the Department for Communities (DfC). Part 2 of the Act relates to the holiday sector and is the policy responsibility of the Department for Economy (DfE), while the Department for Infrastructure has a role under Part 4 of the Act to prescribe the dimensions of structures to be regarded as caravans.

The Department for Infrastructure also holds responsibility for the Caravans Act (Northern Ireland) 1963 which makes provision for the licensing and control of caravan sites. The licensing system is administered by district councils who are responsible for issuing and enforcing site licences. The 1963 Act does not form part of this current review.

Therefore, in recognition of the fact that the legislative provisions contained within the 2011 Act cut across the responsibility of more than one Department, DfC has undertaken to review all sections of the Act on behalf of the three Departments.

This consultation questionnaire aims to seek your views and identify potential areas for improvement.

## Why your views matter

It is important that all interested parties are given the opportunity to have their say or to raise their concerns in this Review to ensure the current legislation remains fit for purpose. Each response will be given due consideration to enable the three Departments to identify issues and, where appropriate, consider potential solutions to address these issues.

We very much welcome your views and comments in the context of the 2021 Review of the Caravan Act (Northern Ireland) 2011.

The information you provide in completing this survey will be controlled and processed in line with Data Protection Legislation by the DfC and its Communications Unit. To find out more about how we handle your personal information, DfC’s Privacy Notice can be viewed online at [DfC Privacy Notice](http://www.communities-ni.gov.uk/dfc-privacy-notice).

Further Information

In responding to this review please do not submit any sensitive personal data or information. You are under no obligation to provide personal details in responding to this review.

We will only use your information for the purposes of analysis of feedback in responding to this review.

Thank you for participating.



**2021 Review: The Caravans Act (Northern Ireland) 2011**

**QUESTIONNAIRE**

***Note:*** *The Caravans Act (Northern Ireland) 2011 relates to both the* ***Residential*** *and* ***Holiday*** *Sectors. As the Act contains cross-cutting legislation any comments made within this Questionnaire will be shared, as appropriate, with the responsible Department below to take forward. By completing this Questionnaire you are agreeing to this sharing of information.*

* ***Residential Sector –*** *Department for Communities (DfC)*
* ***Holiday Sector –*** *Department for Economy (DfE)*
* ***Site Licensing –*** *Department for Infrastructure (DfI*

**COMPLETING QUESTIONNAIRE**

**Residential Caravan Owners/Occupiers**

**Please complete SECTION 1**

**Holiday Caravan Owners/Occupiers**

**Please complete SECTION 2**

**Qualifying Residents’/Occupiers’ Associations (*nominated spokesperson)***

**Please complete SECTION 3**

**Caravan Site Owners – Residential and/or Holiday**

**Please complete SECTION 4**

**Other Organisations (eg. CCFNI, BHHPA, NCC etc.)**

**Please complete SECTION 5**

**Useful Links**

[**Caravans Act (Northern Ireland) 2011 (legislation.gov.uk)**](https://www.legislation.gov.uk/nia/2011/12/contents)

[**Caravans Act (Northern Ireland) 1963 (legislation.gov.uk)**](https://www.legislation.gov.uk/apni/1963/17/contents)

[**Having a caravan as your main home | nidirect**](https://www.nidirect.gov.uk/articles/having-caravan-your-main-home) **(Residential)**

[**Using a static caravan for holiday purposes | nidirect**](https://www.nidirect.gov.uk/articles/using-static-caravan-holiday-purposes) **(Holiday)**

[**https://www.economy-ni.gov.uk/publications/caravan-holiday-homes**](https://www.economy-ni.gov.uk/publications/caravan-holiday-homes) **(Holiday)**

**SECTION 1**

**To be completed by: RESIDENTIAL CARAVAN OWNERS (Occupiers)**

[A Residential Caravan owner lives in a static caravan as their permanent home on sites intended for that purpose.]

**Q1.** Has the Site Owner of your caravan park given you an Agreement/Written Statement setting out the terms and conditions relating to your occupancy?

**YES □ NO □**

**Q2.** To your knowledge were you provided with an Agreement/Written Statement within either 28 days of buying your caravan, or the date of which the Agreement/Written Statement was signed?

**YES □ NO □ Can’t Remember □**

**Q3**. Have you found the requirement for an Agreement/Written Statement to be provided a useful means of explaining all your rights and obligations under your contract with the Site Owner?

**YES □ NO □**

**Q4.** Have you had reason to raise any concerns directly with the Site Owner since 2017?

**YES □ NO □**

If **YES**, please specify whether they relate to the following and give a brief description of those issues/concerns under the appropriate heading:

| 1. The duration of the Agreement/Written Statement |
| --- |
| 1. The conditions which apply to the termination of the Agreement/Written Statement by the Site Owner |
| (c) The conditions which apply to the termination of the Agreement/Written Statement by you as the Occupier |
| 1. The arrangements for recovery of overpayments should the Agreement/Written Statement terminate |
| 1. The sale of your static caravan (*if so, please provide detail on any commission charged or %rate*) |
| 1. The gift of your caravan |
| 1. The re-siting of your caravan |
| 1. The upgrading of your caravan |
| 1. Your right as Owner/Occupier to quiet enjoyment of the caravan (*eg.free from harassment etc*) |
| 1. The Site Owner’s right of entry to the site |
| 1. The site fee, and awareness of the procedures that apply before any changes can be made to that fee |
| 1. Your obligations as Owner/Occupier |
| 1. The Site Owner’s obligations (*eg. ensuring parts of site which are not your responsibility are kept in clean and tidy condition, or the provision and maintenance of services such as decking, gas, electricity, water etc*) |
| 1. Being informed of the Site Owner’s name and address for the purposes of serving legal or other notices, if absolutely necessary |
| (o) Problems with the setting up or operation of any Residents’ Association on the site |

**Q5.**  Are you aware if your caravan Site Owner has a complaints procedure in place for resolution of any issues of concern?

**YES □ NO □**

**Q6.** If your caravan Site Owner has a complaints procedure have you had reason to use it and, if so, was it an effective way of dealing with your complaint?

**YES □ NO □**

If **YES,** please give details below

|  |
| --- |

**Q7.** Is there a Qualifying Residents’ Association on your caravan site?

**YES □ NO □**

**Q8.** Have you had any reason to raise concerns through your Residents’ Association or through the NI Courts and Tribunals System?

**YES □ NO □**

If **YES**, please give details below

|  |
| --- |

**Q9**. Are there any other issues you wish to raise in relation to the 2021 Review of the Caravans Act (Northern Ireland) 2011?

**YES □ NO □**

If **YES**, please give a brief explanation below:

|  |
| --- |

**SECTION 2**

**To be completed by: HOLIDAY CARAVAN OWNERS (Occupiers)**

[Aholidaycaravan owner rents a pitch for a period exceeding 28 days and does not use the caravan as their main residence.]

**Seasonal Agreement/Written Statement**

**Q1.** In relation to your Seasonal Agreement, has the Site Owner of your Caravan Park given you a Written Statement detailing legislative ‘implied terms’?

These are the:

1. names and addresses of each party;
2. details of the land where the caravan is to be sited, and
3. procedural arrangements relating to Residents’/Occupiers’ Associations.

**YES □ NO □**

If **NO,** did you raise this with the Site Owner and what was the outcome? Please give details below

|  |
| --- |

*Outside of (a-c) above, any other conditions that appear in your Written Statement will have been directly agreed between you and the site owner and are therefore contractual rather than legislative. These contractual conditions known as ‘express terms’ will normally be:*

1. *Length of the Agreement*
2. *Site Fees*
3. *Park Rules*
4. *Periods during the year when the caravan can be used*
5. *Termination of the Agreement – by either party*
6. *Resolution of disputes*
7. *The rights or obligations of either party about any specific matters likely to arise during the lifetime of the Agreement eg. moving/re-siting/upgrading the caravan or access by the Site owner to the caravan*

**Q2.**  Is your Seasonal Agreement applicable for a 12 month period and renewed year on year?

**YES □ NO □**

If **NO,** please detail the duration of your Seasonal Agreement before renewal

|  |
| --- |

**Q3.** If you have a 12 month Seasonal Agreement would you, if possible, like it to be for a longer term?

**YES □ NO □**

If **YES,** please detail what you consider to be a reasonable term for the duration of the agreement?

|  |
| --- |

**Q4.** If you have a 12 month Seasonal Agreement have you asked the caravan park owner for a longer term agreement?

**YES □ NO □**

If **YES,** please detail what response you received

|  |
| --- |

**Q5.** Were you aware, from the outset, that your Seasonal Agreement only existed for the duration of 12 months?

**YES □ NO □**

**Q6(a).** Have you been provided with any assurance that you can stay on the site beyond the initial term of your 12 month Seasonal Agreement?

**YES □ NO □**

**Q6(b).** If so, did you get this assurance in writing?

**YES □ NO □**

If you wish to provide any additional comments to your answers above please do so below

|  |
| --- |

**Pitch Fees**

**Q7(a)**. Was the method for calculating yearly fee increases made known to you in writing?

**YES □ NO □**

**or**

**Q7(b).** Was the method for calculating yearly fee increases made known to you verbally?

**YES □ NO □**

**Q8.** Are you aware of the method used by the Site Owner to calculate yearly pitch fee increases?

**YES □ NO □**

Please comment below on whether you believe pitch fees should be calculated in line with a price index (e.g. retail price index, consumer price index, etc):

|  |
| --- |

**Upgrading a Caravan**

**Q9(a).** Have you been asked to upgrade your caravan in the last 5 years (since 2017)?

**YES □ NO □**

If **YES,** please give details below in relation to the following:-

age of your caravan at the time you were asked to upgrade,

reason you were given for the need to upgrade (e.g. age, condition, safety concerns etc.),

the minimum cost of a caravan for you to upgrade to,

any additional comments you wish to make.

|  |
| --- |

**Q9(b).** Did your seasonal agreement contain a contract term that informed you of the upgrade requirement?

**YES □ NO □**

If **YES,** please provide details below

|  |
| --- |

**Q10.** Have you had reason to raise any concerns directly with the Site Owner since 2017?

**YES □ NO □**

If **YES**, please specify whether they relate to the following and give a brief description of the issues/concerns under the appropriate heading:

| 1. The duration of the Agreement |
| --- |
| 1. The conditions which apply to the termination of the Agreement by the Site Owner |
| (c) The conditions which apply to the termination of the Agreement by you as the Owner/Occupier |
| 1. The arrangements for recovery of overpayments should the Agreement terminate |
| (e) The sale of your caravan (*if so, please provide detail on any commission charged or %rate*) |
| (f) The gift of your caravan |
| (g) The re-siting of your caravan |
| 1. Your right as Owner/Occupier to quiet enjoyment of the caravan (*eg. free from harassment etc.*) |
| (i) The Site Owner’s right of entry to the site |
| (j) The site fee and awareness of the method that applies before any changes can be made to that fee. |
| (k) Your obligations as Owner/Occupier |
| (l) The Site Owner’s obligations (*eg. ensuring parts of site which are not the responsibility of occupiers are kept in clean and tidy condition, the provision and maintenance of services such as decking, gas, electricity, water etc*) |
| (m) Being informed of the Site Owner’s name and address for the purposes of serving legal or other notices, if absolutely necessary |
| (n) Problems with the setting up or operation of any Occupiers’ Association on the site |

**Q11.** Are you aware if your caravan Site Owner has a complaints procedure in place for resolution of any issues of concern?

**YES □ NO □**

**Q12.** If your caravan site has a complaints procedure have you had reason to use it and, if so, was it an effective way of dealing with your complaint?

**YES □ NO □**

If **YES,** please give details below

|  |
| --- |

**Q13.** Is there an Occupiers’ Association on your caravan site?

**YES □ NO □**

**Q14.** Have you had any reason to raise concerns through your Occupiers’ Association or through the NI Courts and Tribunals System?

**YES □ NO □**

If **YES**, please give details below

|  |
| --- |

**Q15**. Are there any other issues you wish to raise in relation to the 2021 Review of the Caravans Act (Northern Ireland) 2011?

**YES □ NO □**

If **YES**, please give a brief explanation below:

|  |
| --- |

**SECTION 3**

**To Be Completed By:-**

**QUALIFYING RESIDENTS’/OCCUPIERS’ ASSOCIATIONS (*nominated spokesperson)***

**Q1.** Have you had reason to raise any particular concerns with the Site Owner on behalf of the caravan owners since 2017?

**YES □ NO □**

If **YES**, please give a brief explanation below including how these concerns were resolved, if applicable

|  |
| --- |

**Q2.** Do you have a good working relationship with the Caravan Site Owner and are satisfied that your concerns are adequately and fairly addressed?

**YES □ NO □**

If **NO**, please give a brief explanation below including how you believe this could be improved

|  |
| --- |

**Q3.** Are there any other issues you wish to raise in relation to the 2021 Review of the Caravans Act (Northern Ireland) 2011?

**YES □ NO □**

If **YES**, please give a brief explanation below

|  |
| --- |

**Q4**. Do you wish to make any other additional comments?

**YES □ NO □**

If **YES**, please do so below:

|  |
| --- |

**SECTION 4**

**To be Completed By:-**

* **CARAVAN SITE OWNERS (Both Residential and Holiday Sites)**

**Q1.** What is the name of your Caravan Park?

|  |
| --- |

**Q2.** Is your Caravan Park:-

* Residential only □ (Tick one)
* Holiday only □
* Mixed Residential & Holiday □

**Q3.** How many **Residential** pitches are there on your Site?

|  |
| --- |

**Q4.** How many **Holiday** pitches are there on your Site? *(Static caravans only)*

|  |
| --- |

**Q5.** Have you issued Agreements/Written Statements setting out the terms and conditions applicable to all of the caravan Owners/Occupiers on your site?

**YES □ NO □**

If **NO**, please give a brief explanation below

|  |
| --- |

**Q6.** Were these Agreements/Written Statements issued to caravan Owners/Occupiers within either 28 days of them buying their caravan, or the date on which the Agreement/Statement was signed?

**YES □ NO □**

If **NO**, please give a brief explanation below

|  |
| --- |

**Q7.** Have any issues regarding these Agreements/Written Statements been raised with you either by Caravan Owners or Qualifying Residents’/Occupiers’ Associations?

**YES □ NO □**

If **YES**, please give a brief explanation below, including how they were resolved if applicable

|  |
| --- |

**Q8(a).** What length of duration do your Agreements/Written Statements have? (*Please specify if 12 months or longer*)

|  |
| --- |

**Q8(b)**. Would you provide longer Agreements/Written Statements if these were asked for?

|  |
| --- |

**Q9(a)**. How do you calculate yearly pitch fee increases?

|  |
| --- |

**Q9(b).** How do you communicate pitch fee increases to caravan Owners/Occupiers?

|  |
| --- |

**Q10.** Is there a Qualifying Residents’/Occupiers’ Association on your Site?

**YES □ NO □**

**Q11.** If there is a Qualifying Residents’/Occupiers’ Association what is the frequency of your contact with that Association?

|  |
| --- |

**Q12.** If there is a Qualifying Residents’/Occupiers’ Association do you have a good working relationship with that Association?

**YES □ NO □**

If **NO**, please give a brief explanation below

|  |
| --- |

**Q13.**  How many complaints (approximately) have you received from caravan Owners (or the Qualifying Residents’/Occupiers’ Associations) since 2017 in relation to:

| 1. The duration of the Agreement/Written Statement | Total |
| --- | --- |
| 1. The conditions which apply to the termination of the Agreement/Written Statement by you as Site Owner | Total |
| (c) The conditions which apply to the termination of the Agreement/Written Statement by the Occupier | Total |
| 1. The arrangements for recovery of overpayments should the Agreement/Written Statement terminate | Total |
| 1. The sale of the caravan | Total |
| 1. The gift of the caravan | Total |
| 1. The re-siting of the caravan | Total |
| (h) The upgrading of the caravan | Total |
| 1. The caravan Owner/Occupier’s right to quiet enjoyment of the caravan (*eg.free from harassment etc*) | Total |
| 1. Your right of entry to the site | Total |
| 1. The site fee and the procedures for making a change to the fee | Total |
| 1. The caravan Owner/Occupier’s obligations | Total |
| 1. Your obligations as Site Owner (*eg. ensuring parts of site which are not the responsibility of occupiers are kept in clean and tidy condition, the provision and maintenance of services such as decking, gas, electricity, water etc*) | Total |
| 1. Disclosure of the Site Owners name and address for the purposes of serving legal or other notices, if absolutely necessary | Total |
| (o) Problems with the setting up or operation of a Residents’/Occupiers’ Association on the site | Total |

**Q14.** Please provide your views on any of the following (*given ownership of the land and your responsibilities around aesthetics, amenities, maintenance and upkeep of the site*)?

| 1. The duration of your Agreement/Written Statement |
| --- |
| 1. The conditions which apply to the termination of the Agreement/Written Statement by you as the Site Owner |
| (c) The conditions which apply to the termination of the Agreement/Written Statement by the caravan Owner/Occupier |
| (d) The arrangements for recovery of overpayments should the Agreement be terminated by either yourself as Site Owner or the caravan Owner/Occupier |
| 1. The sale of the caravan and any commission charged by you as the Site Owner or %rate applied |
| 1. The gifting of a caravan |
| 1. The re-siting of a caravan |
| (h) The upgrading of a caravan |
| (i ) The caravan Owner/Occupier’s right to quiet enjoyment of the caravan (*eg.free from harassment etc*) |
| (j) Your right of entry as Site Owner |
| (k) The site fee, the procedures that you apply before making any changes to the fee, and notification of same to the caravan Owner/Occupier. |
| (l) The caravan Owner/Occupier’s obligations |
| (m) Your obligations as a Site Owner (*eg. ensuring parts of site which are not the responsibility of occupiers are kept in clean and tidy condition, the provision and maintenance of services such as decking, gas, electricity, water etc*) |
| 1. The obligation for you as Site Owner’s to supply a name and address (where legal or other notices can be served if absolutely necessary) |
| (o) Problems with any Residents’/Occupiers’ Association if operational on your site |

**Q15.** Have any issues, other than (a) – (o) above, been raised with you since 2017?

**YES □ NO □**

If **YES**, please give a brief explanation below including how the issue(s) was resolved, if applicable

|  |
| --- |

**Q16.** Is your Caravan Site licensed with your local District Council (*as required by the Caravans Act (Northern Ireland) 1963*)?

**YES □ NO □**

If **NO**, please provide a brief explanation below

|  |
| --- |

**Q17.** Have you had any issues with the licensing of your site or services provided by your local District Council?

**YES □ NO □**

If **YES**, please provide a brief explanation below, including how these were resolved, if applicable

|  |
| --- |

**Q18**. Do you wish to make any other additional comments in respect of the 2021 Review of the Caravans Act (Northern Ireland) 2011?

**YES □ NO □**

If **YES**, please do so below:

|  |
| --- |

**SECTION 5**

**To be Completed By:-**

* **OTHER ORGANISATIONS (eg. CCFNI, BHHPA, NCC etc.)**

**Q1.** In relation to each of the following, where applicable, please give a brief description of any issues/concerns that you have been made aware of either by a Site Owner, Caravan Owner or Qualifying Residents’/Occupiers’ Association since 2017

| 1. The duration of the Agreement/Written Statement |
| --- |
| 1. The conditions which apply to the termination of the Agreement/Written Statement by the Site Owner |
| (c) The conditions which apply to the termination of the Agreement/Written Statement by the caravan Owner/Occupier |
| (d) The arrangements for recovery of overpayments should the Agreement/Written Statement terminate |
| (e) The sale of a caravan (*and/or any commission or %rate applied*) |
| (f) The gifting of a caravan |
| (g ) The re-siting of a caravan |
| (h) The upgrading of a caravan |
| (i) The caravan Owner/Occupier’s right to quiet enjoyment of the caravan (*eg.free from harassment etc*) |
| (j) The Site Owner’s right of entry to the site |
| (k) The site fee and the procedures that apply before any changes can be made to that fee |
| (l) The caravan Owner/Occupier’s obligations |
| (m) The Site Owner’s obligations (*eg. ensuring parts of site which are not the responsibility of occupiers are kept in clean and tidy condition, the provision and maintenance of services such as decking, gas, electricity, water etc*) |
| (n) The provision of a Site Owner’s name and address for the purposes of serving legal or other notices if absolutely necessary |
| (o) Problems with the setting up or operation of any Residents’/Occupiers’ Association on the site |

**Q2.** Have you been made aware of any other issues which you have not already detailed since 2017?

**YES □ NO □**

If **YES**, please give a brief explanation below

|  |
| --- |

**Q3.** Are you aware of any issues with the licensing of caravan sites or services provided by the Northern Ireland local District Councils?

**YES □ NO □**

If **YES**, please provide a brief explanation below

|  |
| --- |

**Q4.** Do you consider the Caravans Act (Northern Ireland) 2011 gives effective legislative protection compared to what is in place in other UK jurisdictions?

[Reference link: [Caravans Act (Northern Ireland) 2011 (legislation.gov.uk)](https://www.legislation.gov.uk/nia/2011/12/contents) ]

**YES □ NO □**

If **NO**, please give a brief explanation below

|  |
| --- |

**Q5**. Do you wish to make any other additional comments in respect of the 2021 Review of the Caravans Act (Northern Ireland) 2011?

**YES □ NO □**

If **YES**, please do so below:

|  |
| --- |

**Thank you for completing this Questionnaire.**

**Your response should be sent by email to** [**prs@communities-ni.gov.uk**](file:///C:\Users\0933432\Desktop\prs@communities-ni.gov.uk) **or by post to the address below by 11.59pm 8 March 2022.** *[Please note that if you opt to email your response this information will be transferred across the internet which could result in your personal information being compromised].*

**2021 Caravans Review**

**Department for Communities**

**Private Rented Branch**

**Housing Division**

**Level 3 Causeway Exchange**

**1-7 Bedford Street**

**BELFAST**

**BT2 7EG**

**A range of alternative formats are available upon request from this Department. Please telephone 028 9082 3433 or write to the address above.**