



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

Case Reference : **BIR/00GA/PHI/2019/0016**

Property : **66 Linton Park, Worcester Road, Bromyard,
Herefordshire HR7 4DB**

Applicant : **Country Parks Limited**

Respondent : **Anthony Edgar Bowcott**

Type of Application : **Pitch Fee Review 2019**

DECISION

Background

1. On 10th February 2016 the Respondent took an assignment of the agreement under which he is entitled to station his mobile home on the pitch known as 66 Linton Park.
2. On 25th February 2019 the Applicant served a Pitch Fee Review Form proposing new pitch fee of £1752.06 per annum to take effect on 1st April 2019.
3. On 14th May 2019 the Applicant made application to the Tribunal.
4. On 16th May 2019 the Tribunal issued Directions.
5. The Applicant has complied with paragraph 2 of Directions and produced Bundle of documents on 3rd June 2019.

Barring the Respondent

6. Paragraph 3 of Directions required the Respondent to produce his Bundle of documents by 27th June 2019. He has failed to do so.
7. On 2nd July 2019 the Tribunal wrote to the Respondent in the following terms:

“On 16th May 2019 the Tribunal issued Directions requiring you to prepare a Bundle of documents and Statement of Case by 27th June 2019.

No documents have been received from you.

Accordingly, a Procedural Judge has directed that unless you comply with Paragraph 3 of Directions by 12^h July 2019 you will be barred from taking further part in the proceedings. If you are barred from taking further part in proceedings the Tribunal need not consider any response or other submissions made by you and may summarily determine all issues against you (Rules 9(7)(a) and 9(8) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013).”

8. The Respondent has failed to comply.
9. Accordingly, the Respondent is barred from taking further part in the proceedings under Rule 9(1) and 9(7)(a) of the Tribunal Procedure Rules.

Disposal

10. The Tribunal summarily determines all issues against the Respondent under Rule 9(8).
11. The Tribunal has considered the Applicant’s Bundle dated 3rd June 2019.
12. The Tribunal applies the presumption that the pitch fee shall increase by a percentage which is no more than the percentage increase in the retail prices index under paragraph 20(A1) of Chapter 2, Part 1, Schedule 1 Mobile Homes Act 1983. In the absence of any representations from the Respondent the Tribunal finds that such increase is reasonable.

Decision

13. The Tribunal determines that the pitch fee shall be increased to £1752.06 per annum and will take effect on 1st April 2019.

D Jackson
Judge of the First-tier Tribunal

Either party may appeal this decision to the Upper Tribunal (Lands Chamber) but must first apply to the First-tier Tribunal for permission. Any application for permission must be in writing, stating grounds relied upon, and be received by the First-tier Tribunal no later than 28 days after the Tribunal sends this written Decision to the party seeking permission.