

COVID-19 – Practical guidance for holiday park members as tourism accommodation businesses

This is a rapidly evolving situation which the NCC is monitoring carefully.

It is critical that members keep under constant review the advice and guidance issued by Government which is clinically led and based on medical advice provided by the UK Chief Medical Officer for England, The Public Health Chief Officer for England and the relevant Chief Medical Officers in the other nations of the UK.

This guidance is intended to provide practical advice for your customers and your staff. It is not exhaustive, and each business must consider its own position as a tourism accommodation provider and respond appropriately according to the unique conditions it may find itself in.

To close or not to close - updated advice for parks in relation to private holiday caravan owners.

In his statement to the UK, the Prime Minister announced on Monday 23 March that with **immediate effect** everyone in the UK is **ordered to stay at home** to stop COVID-19 from spreading. This order will be reviewed in **three weeks'** time when it may be relaxed if there is evidence to show that the measure has been effective. It may be extended.

People can only venture outside in the following situations:

- To collect essential food shopping
- For basic exercise once a day
- For any medical need and
- To travel to and from essential work where working from home is not an option.

All shops selling non-essential goods will be shut and gatherings in public of more than two people who do not live together are prohibited.

The enforced closure includes all caravan parks campsites hotels hostels, bed and breakfasts and hoarding houses for commercial/leisure use. It excludes permanent residents and key workers.

The police forces will have the powers to enforce these rules through fines and dispersal orders if people do not adhere to the guidance.

This follows earlier Government advice that travelling to a second holiday home or to a caravan park is regarded as NON-ESSENTIAL travel and confirmation from the Welsh Government that:

“Caravan parks, campsites, tourist hotspots and popular beauty spots will be closed to visitors from today – 23 March 2020.”

Park operators are now advised to **start the process of closing parks** to all those on the park – holiday makers and private holiday caravan owners – with immediate effect for the foreseeable future and to encourage all to leave the park as soon as possible and return home.

We are aware that most parks have either cancelled or transferred holiday bookings to later dates.

Private holiday caravan owners

Parks are now advised to contact **ALL** private holiday caravan owners **NOT ON PARK** by email/telephone/text message/letter to tell them that the park is closed with immediate effect. Parks should contact all owners by telephone in the first instance.

Contact with holiday caravan owners should be followed up in writing stating when the park expects to re-open. It is important that parks keep a digital and written copy of any advice they issue to holiday caravan owners in relation to the closure of the park and its facilities. Evidence to show that the park owner acted on Government advice/instruction or industry best practice, which resulted in limiting the holiday caravan owners access or use of their caravan for a given period, will enable the park to determine if any financial compensation should be made as a result of following Government guidance and restricting holiday caravan owners from using the park and occupying their caravan e.g. a potential pitch fee refund or credit against next year's fees.

Parks with holiday caravan owners currently on park

Parks should now speak to each private holiday caravan owner/occupant on park (either over the telephone or in person whilst maintaining a 2 metre distance) and explain that in light of the unprecedented circumstances, all those currently on park with a permanent residence within the UK should now make arrangements to leave the park no later than by close of business on Wednesday 25 March. Notices should be put up in all communal areas to reinforce the message.

For those holiday caravan owners/occupants that use their holiday caravan for up to 11 months a year and do not have a permanent residence in the UK then following a statement by the Government's representative, Baroness Barran in the House of Lords on Monday 23 March, the Government advice is that these owners should remain in their caravan.

This has subsequently been confirmed in the Government advice – and also applied to any key workers who are also on park – see www.assets.publishing.service.gov.uk

To facilitate this, the park will need to provide a skeleton staff which will keep utilities open (gas, electricity and water) for these 'resident' owners.

Parks will need to consider the possible impact on their business insurance, being mindful of the guidance issued by Government on 17th March – <https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses>.

Where businesses have insurance cover for both pandemics and Government-ordered closure, this should allow them to make a claim on their policies as long as all other terms and conditions are met. Insurance policies differ significantly, so businesses are encouraged to check the terms and conditions of their specific policy and to contact their providers as a matter of priority.

Parks are also advised to make contact with their local authority Site Licensing Officer/Department to make them aware of the current Government guidance regarding 'resident owners' so the park is not subject to any subsequent enforcement measures by the local authority.

Owners, visitors and staff falling ill or reporting ill

If owners or staff contact the park management or reception to report virus symptoms during their visit to the park, or in the course of their employment at the park, then they must follow the government advice online at www.111.nhs.uk or by calling 111. If possible they should leave the park immediately and self-isolate at home.

Owners self-isolating on parks

If it is not possible and safe for the caravan owner to return home because they have contracted coronavirus or they have symptoms, then they can self-isolate in their caravan, but they must follow the Government guidelines on self-isolation and ensure that the park management team are made aware. Park staff must speak with the holiday caravan owner to confirm the date when they arrived and the date they went into self-isolation. This must be recorded in writing and a copy given to the caravan owner and a copy retained on their file.

The maximum is 14 days for those without symptoms but who have been in contact with someone who has the virus. For those that have symptoms, the maximum is 7 days. The earliest date a holiday caravan owner with a permanent residence in the UK will be required to leave the park will be with effect from the day they started the self-isolation or a maximum of 14 days of when they advise the park of the start of their self-isolation, whichever is the earlier. They should be informed that the expectation is that they must leave as soon as the isolation period comes to an end.

Owners on park and identified by NHS as vulnerable and at risk

Owners on park that are identified as being in one of the 'at risk' groups announced by Government on 22 March 2020 must provide the park with evidence of this – letters are due to be sent to this group's home address on Tuesday 24 March and will provide details of the condition that they are suffering from.

If an owner receives such a letter then park must be advised so they can take specialised advice from the NHS or the relevant Public Health department.

Owners on park who are not self-isolating and have a permanent residence in the UK.

Where a holiday caravan owner who is not self-isolating or is not in the “at risk” group announced by Government refuses to leave, then park management should try and persuade them to follow Government advice. If they continue to refuse to leave, they should take a note of their name and their permanent address, the date they were advised to leave, their response and then ask them to sign this notice.

In such circumstances the park operator should seek advice from the local authority and, if appropriate, take legal advice as to their options in such circumstances.

If the park is subsequently challenged or approached by an enforcement agency – such as the local police force – asking why there are people still on the park – then the park can identify those who have refused to leave if asked to do so. The police force has been given additional enforcement powers to deal with those not following the ‘stay at home’ instruction.

Private lettings

Private owners who sub-let must be told over the telephone and in writing to contact their customers and inform them that the park is to close for the foreseeable future. They should be told to contact anyone already on the park and inform them that they are required to leave. They should also be told that anyone new arriving on the park will be turned away and that they should not take any further bookings for the time being.

Cancellations by those with bookings

The vast majority of parks have now followed Government advice that travelling to a second holiday home or to a caravan park is regarded as **NON-ESSENTIAL** and cancelled or transferred all holiday bookings to a later date.

If it is not possible to transfer a booking to a later date, due to advance holiday bookings or because dates may not be convenient because of school term dates etc, then the customer may be entitled to a full or partial refund. Parks should consider any reputational risk in keeping strictly to what their terms and conditions might say.

In such circumstances, parks need to check the terms and conditions of their bookings carefully, including whether there is a ‘force majeure’ clause and if there is, what it says.

In addition, if any parks contract with a third party to let their accommodation, parks should be aware of their obligations under this contract and any changes.

Plan ahead and be prepared

Government advice is changing on a daily basis. Larger parks will still need an operational plan which needs to be kept under constant review, as circumstances and Government advice changes. If a skeleton staff is required on parks while it closes, then measures should be taken to plan for additional staff to be ready on standby for extra rotas, particularly if colleagues fall ill with the virus.

Fragility of the supply chain

In these exceptionally challenging times, it is so important that all those in the supply chain act responsibly and where commitments for products have been made, then these need to be honoured. Many parks are reliant on distributors, manufacturers who in turn rely on their suppliers – if all in the supply chain work together it will minimise potential business failures.

Summary

In summary, parks are urged to employ openness, honesty and consideration at all times. Look at the moral obligations as well as the legal ones, being mindful of the company's reputation and long-term customer relationships. Be fair, but it is fine to be imaginative in ways that will satisfy customers whilst minimising loss to the business and staying compliant with the consumer contract regulations.

Overall employ common sense, apply empathy, and follow the social distancing restrictions – no more than 2m (7ft) when speaking to individuals.

Following this guidance will help reduce the spread of COVID-19, support the NHS and ultimately save lives.