

REPORT



REPORT OF	MEETING	DATE	ITEM
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	27 MARCH 2015	5

MOBILE HOME FEE POLICY FOR LICENSING OF RESIDENTIAL MOBILE HOME SITES

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Changes to the Caravan Sites and Control of Development Act 1960 allow Local Authorities to charge on a cost recovery basis for certain functions under the Act. These functions include annual site licencing, new site licence applications, amendment conditions, transferring an existing site licence and depositing site rules.

RECOMMENDATION

To seek approval to adopt Mobile Home Fee Policy for Residential Protected Sites, under the Caravan Sites and Control of Development Act 1960

CABINET PORTFOLIO

This item falls within the following cabinet portfolio(s):

Social Wellbeing - Councillor Cheryl Little

CORPORATE PRIORITIES

To Promote the Enhancement of The Natural & Built Environment (Place)		To Encourage Cohesive Communities (People)	
To Promote a Thriving Economy (Prosperity)		To Meet Expectations of our Customers (Performance)	√

SUMMARY OF PREVIOUS DECISIONS

17th June 2013 Mobile Homes Act 2013: Resolved-

- Note the report
- To ask officers to bring a further report to committee outlining the implications and policy and procedure requirements arising from the act.

REPORT

Background

1. The Mobile Home Act 2013 made amendments to the Caravan Sites and Control of Development Act 1960 ("the Act") to provide greater protection to occupiers of residential caravans and park homes.
2. The Act now empowers Local Authorities to charge licence fees in relation to "relevant protected sites" (RPS). The term RPS includes residential park home and traveller sites and can only be applied to those sites which have full residential planning consent. There are currently 21 RPS sites in Fylde Council ranging from sites with 2 park homes, to a site with 169 park homes.
3. If a local authority charges fees, the level of fees must be fair and transparent and must be published in a fees policy document. Fees should not be intended to do more than cover the authority's eligible costs associated with the licensing activities concerned.
4. The Government has published guidance on how fees are to be set. The guidance sets out in detail the matters that should and should not be taken into account in calculating the cost of the licensing activities, and provides alternative methodologies to translate these costs into fee structures.
5. Officers feel it is reasonable to recover costs of the regulatory activities taken under the Act. The policy details levels of fees Fylde Council will be charging for the following functions- annual licence fee, application for a new site licence, amending an existing licence condition, transferring of an existing licence and depositing site rules.
6. The fee levels have been calculated based upon officer time and costs involved in undertaking the Council's statutory function under the Act. These costs typically cover officer time, overheads and inspections. Appendix 1 of the policy details what the Council can consider in determining such fees.

Annual Licence Fee

7. Government guidance sets out alternative methodologies for calculating an annual licence fee. Option 1 has been adopted as it is considered to be the most transparent, proportionate and fair to site owners. The annual fee covers the cost of an annual inspection of sites.
8. Option 1 is based upon the total cost to the Council of carrying out its annual licensing function for all 'relevant protected sites' which is **£250**.
9. In addition, a unit pitch fee has been calculated of **£5 per pitch**, to allow for inspection costs and time when auditing each individual pitch on sites. This pitch cost is then multiplied by the actual number of residential units on site.

Examples-

Site A has 5 pitches at £5 per pitch= £25, plus a basic fee of £250. Total Annual fee for Site A= £275.

Site B has 169 pitches at £5 per pitch= £845, plus a basic fee of £250. Total Annual fee for Site B= £1095.

In adopting the Policy it is estimated that annual licence fees will provide an income to the Council to the region of £8,575.00

Application for a new site Licence

10.The cost of an initial site licence application (first time application for a new site) is **£320**.

Amendment to an existing Licence condition

11.Where a site licence owner seeks to amend, add, remove or vary an existing condition, a site licence a fee of **£375** is required.

Transferring an existing Licence

12.Where an existing owner or new owner wishes to transfer an existing licence, a fee of **£190** is required.

Depositing Site Rules

13.Site rules differ from site licence conditions in that they promote community cohesion on site. The rules are determined by the site owner in agreement with residents.

14.The Act allows Local Authorities to charge a fee for the depositing, amending, adding and deleting site rules. A fee of £80 is payable for depositing, amending, add or deleting of site rules.

15.The Council is required to keep an up to date register of site rules deposited and publish the register on-line.

IMPLICATIONS	
Finance	Financial implications arising as detailed within report.
Legal	As detailed within report.
Community Safety	There are no implications arising directly from the report.
Human Rights and Equalities	There are no implications arising directly from the report.
Sustainability and Environmental Impact	There are no implications arising directly from the report.
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	TEL	DATE	DOC ID
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LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
The Mobile Home Act 2013		www.legislation.gov.uk
The Caravan Sites and Control of Development Act 1960		www.legislation.gov.uk

Attached documents:

Appendix 1 Mobile Home Fee Policy