



SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

- 1.1 The Caravan Site and Control of Development Act 1960 (the amended **Act**) as amended by the Mobile Homes Act 2013, allows local authorities to charge for licensing functions on residential park home sites, but only after first preparing and publishing a charging policy.
- 1.2 Appendix 1 to this report sets out the proposed Fees and Charges Policy for Telford and Wrekin. Fees are calculated in accordance with the methodology set down in the Act and are compliant with the EU Services Directive and subsequent Provision of Services Regulations 2009
- 1.3 The report seeks that the Licensing committee approve the adoption of the Fees and Charges Policy and recommend that fees and charges be set in accordance with those laid out in the report

2. RECOMMENDATIONS

- 2.1 **That the Licensing Committee recommends the adoption of the Park Homes Fees and Charges Policy (attached at Appendix 1).**
- 2.2 **That the Licensing Committee delegate authority to the Public Protection Service Delivery Manager and Public Protection Manager to approve any future minor amendments to the Park Homes Fees and Charges Policy.**

3. SUMMARY IMPACT ASSESSMENT

Community Impact	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	<ul style="list-style-type: none">• protect and support our vulnerable children and adults• regenerate those neighbourhoods in need and work to ensure that local people have access to suitable housing
	Will the proposals impact on specific groups of people?	
	Yes	Park Home owners and residents
Target Completion/ Delivery Date	1 st August 2016	

Financial/Value for Money Impact		<p>The Park Home fees detailed in the policy have been calculated using the principle of total cost recovery. Hourly rates for officers include salary costs plus on costs and an amount to cover overheads. An estimate of officer time taken for each activity was made and then applied to the relevant hourly rate in order to arrive at a suitable fee.</p> <p>Income generated from Park Home Fees will go towards existing Public Protection income targets. MLB 30.06.16</p>
Legal Issues		<p>The Council has the discretion as to whether they charge for site licensing. The Council does already charge for the recovery of its costs associated with other licensable premises and activities (e.g. House in Multiple Occupation licences and taxi licensing).</p> <p>If local authorities decide to charge for park home site licensing activities the Act requires the local authority to prepare and publish its fee setting policy before charging any fee in relation to the licensing activities. If the Licensing Committee approve the attached fees policy, officers will have to publicise the policy and bring the policy to the attention of the park home site owners before bringing the charges into force.</p> <p>If the Council revises its fees policy, it must publish the revised policy and act in accordance with that policy.</p>
Other Impacts, Risks & Opportunities		<p>(i) Charging will provide a revenue stream to fund the park home licensing functions</p> <p>(ii) The Council will not be able to recover the costs associated with the licensing and regulation of Park Home site unless it has a policy that complies with the requirements of the Act.</p>
Impact on Specific Wards	Yes	All Wards with a Park Home will be affected

4. ADDITIONAL INFORMATION

- 4.1 The Mobile Homes Act 2013 introduced some important changes to park home site licensing on 1st April 2014 due to its amendments to the Caravan Sites and Control of Development Act 1960 (the Amended Act). It allows local authorities to charge for licensing functions on residential park home sites. The Act applies to designated “relevant Protected site” applications, which are those on land permitting all year round occupation not merely holiday use and excluding single occupation by the owner of the land and certain employees. The sites that fall under this classification in Telford and Wrekin is attached in Appendix 2.
- 4.2 Under the legislation site owners can be charged for new site licence applications, for transfers and amendments to site licences and for the registration of site rules. Local authorities may also charge an annual licensing fee for existing sites but only after first preparing and publishing a charging policy. The scheme being recommended takes into account the DCLG guidance on setting licence fees. Under section 9C of the Act the local authority is entitled to recover its expenses in deciding to and in the service of a compliance notice. Similarly an authority can recover costs in serving notice in respect in works in default and emergency works.

- 4.3 Appendix 1 to this report sets out the proposed Fee Policy for Telford and Wrekin. Fees are calculated in accordance with the methodology set down in the Act and are compliant with the EU Services Directive and subsequent Provision of Services Regulations 2009. When fixing a fee the local authority must act in accordance with their fees policy, may fix different fees in different cases and may determine that no fees are required in some circumstances. Fees have been calculated based on the following criteria:
- Each task involved in the process;
 - The average amount of time taken to complete each task; and
 - The job role of the Officer completing the task.
 - The 'On-Costs' (Salary of postholder + any additional costs incurred by the employer as a result of employing a person in that position)
- 4.4 Fees are proportionate to the size of the site. The fees calculation is part of the policy attached in Appendix 1 to this report
- 4.5 The Act introduced certain rules under additional legislation and requires Park Home (Relevant Protected Site) owners to set down Site Rules which become a contract between owners and occupiers. Such Site Rules must be lodged with the Local Authority and a fee is payable for lodgement. Any existing Site Rules not lodged with the Council are not admissible and have no effect until lodged.
- 4.6 The Local Authority is required to maintain a register of all caravan and mobile home sites including relevant protected sites and must also keep a register of Site Rules where applicable.

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

The impacts of this report can be contained within existing resources.

Equal Opportunities

The Act introduces improvements to the security of tenure for residents of residential mobile and Park homes and as such seeks to achieve a better balance between Park Home owners and occupiers.

6. PREVIOUS MINUTES

No Previous Minutes.

BACKGROUND DOCUMENTS

Caravan Sites and Control of Development Act 1960
Mobile Homes Act 1983
Mobile Homes Act 2013
DCLG Guidance - A Guide for Local Authorities on setting site licensing fees

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