



Public Protection

Park Home Fees and Charges Policy

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1. Introduction

The Mobile Homes Act 2013 introduced amendments to the Caravan Sites and Control of Development Act 1960 and the Mobile Homes Act 1983. The new legislation affects how councils licence residential caravan sites only. These sites are termed as “relevant protected sites”¹ under the Mobile Homes Act 2013.

By virtue of the Caravan Site and Control of Development Act 1960, relevant caravan sites and park home sites are required to hold a license granted by the local authority.

The licensing scheme is in place to ensure that the health and safety of residents living in caravans and park homes are better protected and that the value of their homes are safeguarded.

The costs associated with considering site licence applications, variations, transfers, administration and compliance monitoring were previously absorbed by the local authority and therefore funded through the public purse.

The new legislation brought in the ability for local authorities to charge fees for a range of activities associated with regulating such sites. The ranges of site licensing functions which attract a charge include;

- Determining and issuing new site licences;
- An annual fee for licensing existing sites;
- Amendments to site licences;
- Transferring existing licences to new site managers;
- Depositing of site rules with the Council; and
- Costs associated with issuing Enforcement Notices on site owners².

The site owner or licensee is responsible for the payment of all associated fees, as set out above, however they are only allowed to pass on the cost of the annual licensing fee to site residents.

2. Setting of Fees and Charges

In setting the fees and charges the council has taken into account both national guidance, Department for Communities and Local Government “ A Guide for Local authorities on setting site licensing fees” and local experience. The aim of this is to ensure that the setting of the various fees is proportionate and transparent. In line with this the legislation only allows councils to set fees and charges to recover costs incurred.

3. Establishing the units (caravans) per Site

All sites have varying numbers and types of units (qualifying caravans); the most equitable method for setting fees is to make it relative to the number of units on site. Therefore, it is important to establish the definition of a unit and how the council determines the number of units per site.

¹ A relevant protected site is defined as being any land to be used as a caravan site or park home site except one for holiday use only, or subject to conditions which restrict the use of the site of stationing caravans for human habitation at certain times of the year.

² In setting the fees local authorities may only recover their costs, they cannot charge for the enforcement of notices or subsequent enforcement/legal action as such recovery can only be granted by the law courts.

For the purposes of this policy a unit (caravan) is classed as a single dwelling, which is capable of being moved from one place to another. This can be in the form of a traditional caravan, which is towed on the back of a vehicle or a chalet type dwelling in up to 2 parts joined on site. The precise definition of a caravan can be found in Section 29(1) of the Caravan Sites and Control of Development act 1960 as amended.

It is important for the setting of fees and charges to be able to determine the precise number of units on each site. All sites must have planning permission or a Certificate of Lawful Use, which sets out the maximum number of permissible units and this will be the determining factor for calculating the number of units for each site. However, there may be occasions due to historic use where this information is not available and these instances this will be based on the number of units set out in the existing site licence.

4. Charging Approach

The council considered a number of options in relation to charging approaches. The council decided on a charging approach based on a price set per the number of units on each site. These charging rates have been split into different bands as being a clear, transparent, equitable and cost efficient system of caravan site charging.

The bands have been set out as follows:

Band A	1 - 5 caravan
Band B	6 - 10 caravans
Band C	11 - 20 caravans
Band D	21 – 30 caravans
Band E	31 – 40 caravans
Band F	41 – 50 caravans
Band G	51 – 74 caravans
Band G	75 or more

The allocation of site banding is based on either the number of units set out in planning permission or as set out in the site licence, where there is no specific planning condition. A total of 8 bands have been set with the top band applying to sites with 75 units or more.

5. Licensing Fees

5.1 Considerations

The following fees per band have been set based on the assessed time taken for various activities, officer grades and on costs. Activities include:

- Administration of licence fees;
- Pre-inspection preparation;
- Site inspection (including travelling time and mileage allowances at current rates);
- Post inspection administration e.g. notification of compliance or detailing non-compliance;
- Re-inspection due to non-compliance;
- General administration - maintaining files, electronic records and cost accounting;
- Training and research;
- Maintenance and development of ICT systems;
- Support and shared services on costs e.g. HR and Legal
- Officer grade – Officers involved with caravan site licensing functions span Grades PO3 for Environmental Health Officer and PO10 for Public Protection Manager.

Caravan site fees and charges will be reviewed annually, taking into account the regulatory activity undertaken in the previous 12 months.

5.2 Annual Inspection Fee

Band	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
No. of Units	1-5	6-10	11-20	21-30	31-40	41-50	51-74	75+
Fee	91	172	233	294	372	449	538	658

5.3 New Application Licence Fee

It is estimated that processing a new license would not be considerably different to the work proposed for the annual licence thus we propose to duplicate the annual licence fee as the new licence fee in the first year of fee setting

Band	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
No. of Units	1-5	6-10	11-20	21-30	31-40	41-50	51-74	75+
Fee	282	325	392	480	544	616	680	817

5.4 Transfer and Standard Amendment Fee

A fee of **£116** will be charged to process a transfer of licence or a standard amendment

5.5 Fee Combination

New sites are required to apply for a site licence on a non refundable fee basis as this will cover the administration and verification of application documents, whether granted or refused. Where the licence is granted the annual fee is also payable within the same year.

5.6 Fees and Charges Payment Time-frames

Annual Fees and Charges are to be levied from the 1st April each year and all other fees are per application or required function. Any new sites will pay a pro rata payment for annual fees on licensing.

6. Fees for Depositing Site Rules

Site rules are different to site licence conditions in that they are neither created nor enforced by the council. They are a set of rules created by the site owner with which residents have to comply, which may reflect the site licence conditions, but will also cover matters unrelated to licensing. Local Authorities will need to satisfy themselves that new rules deposited with them have been made in accordance with the statutory procedure. They will also be required to establish, keep up to date and publish a register of sites which have deposited their site rules. In doing so a Local Authority may levy a fee for the depositing of site rules, or the variation or deletion of site rules.

A fee of **£45** will be made for the checking and depositing of site rules by site owners.

This fee would also be levied in the event that the posted site rules are amended and require updating.

7. Exemptions

Local Authorities can elect to exempt sites for reasons of risk and/or cost, scale etc.

- Any site that does not require a licence.
- Any site used exclusively for recreational type use.
- Any site exempted by legislation such as the Caravan Sites and Control of development Act 1960; Schedule 1.
- A recreational site where planning permission/Certificate of Lawful Use has been issued and the number of residential units on the site is 5% or less of the overall capacity.
- In accordance with the legislation Gypsy and Traveller sites owned by the Local Authority that do not require a site licence.

8. Charges for Enforcement Notices

From the 1st April 2014, Section 9A of the Mobile Homes Act 2013 allows Local Authorities to serve statutory notices on site owners for non compliance with licence conditions and such a Notice incurs a charge to the site owner. These notices will set out how the site owner needs to comply with the relevant licence condition and the timescales involved. In accordance with the legislation the site owner is not allowed to pass this charge on to the residents of the site.

Under section 9C of the Mobile Homes Act 2013, the council is entitled to recover costs associated with the service of a notice. This includes the costs incurred with inspections, preparing the notice and obtaining expert advice (including legal costs) and any interest the authority intends to charge. The demand for recovery is served with the notice and must clearly breakdown the costs. The right to recover costs is subject to appeal by the site owner in certain circumstances. These will therefore be calculated on a case by case basis.

This charge is only for the service of enforcement notices and costs associated with taking any action for non-compliance with such a notice would be recoverable through the courts. This will be costed at a rate per hour as shown below.

MANAGER	Discussion and agreement to serve	£38.62
EHO	Preparation and service of notice	£32.09

In addition, if compliance with such a notice is through works in default the costs for this would be as a charge against the site owner. This will include the cost for the actual cost of works in default and the officer time to administer this process. This will be costed at a rate per hour as shown above.

9. Review

This fees and charges policy will be published on the Telford & Wrekin Council website. The fees detailed in this policy have been determined based on experience of dealing with site licensing historically and with consideration of the changes the Mobile Homes Act 2013 has introduced. Some of the processes are new (for example the depositing of site rules) and therefore estimates have been made as to the cost of providing these services. In addition, at the time of producing this policy some elements of the licensing regime are still awaiting further regulation by government, which may impact on the processes and time involved resulting in a revision to the proposed charges.

The initial policy will be reviewed no later than September 2017.

Application For New Site Licence								
Site size	75+	51-74	41-50	31-40	21-30	11-20	6-10	1-5
Initial enquiry and correspondence to facilitate application (mins)	60	60	60	60	60	60	60	60
Receipt of application and validation checks (mins)	90	90	90	90	90	90	90	90
Preparation for site visit (mins)	30	30	30	30	30	30	30	30
Site Inspection (mins)	300	240	180	150	120	90	60	30
Travel time (mins)	60	60	60	60	60	60	60	60
Draft Licence (incl. Conditions) (mins)	240	180	150	120	90	60	45	30
Licence review and correspondence with site owner & other interested parties (mins)	150	120	120	120	90	60	30	30
Manager review (mins)	30	30	30	30	30	30	30	30
Issue licence & register (mins)	30	30	30	30	30	30	30	30
Preparation for revisit (mins)	75	60	60	45	45	30	30	30
Re-visit (total mins)	240	180	150	120	90	60	30	15
Travel time (mins)	60	60	60	60	60	60	60	60
Secondary review & correspondence (mins)	150	120	120	90	90	60	40	20
Total time (hours) EHO	24.25	20	18	15.75	13.75	11	8.92	7.58
Total time (hours) MAN	1	1	1	1	1	1	1	1
Hourly rate EHO	32.09	32.09	32.09	32.09	32.09	32.09	32.09	32.09
Hourly Rate Manager	38.62	38.62	38.62	38.62	38.62	38.62	38.62	38.62
Total fee EHO	778.2	641.87	577.69	508.48	441.29	353.03	286.17	243.38
Total fee Manager	38.62	38.62	38.62	38.62	38.62	38.62	38.62	38.62
Total fee (Rounded)	£817	680	616	544	480	392	325	282

Annual Site Licence Fee								
Process	75+	51-74	41-50	31-40	21-30	11-20	6-10	1-5
Preparation for site visit (mins)	180	140	120	100	80	60	40	30
Site inspection (mins)	240	210	180	150	120	90	60	30
Travel time (mins)	30	30	30	30	30	30	30	30
Correspondence with site owner & other interested parties (mins)	150	120	90	75	60	45	30	20
Preparation for revisit (mins)	180	140	120	100	80	60	40	30
Re-visit (total mins)	180	140	120	100	80	60	40	30
Routine monitoring visit (mins)	90	75	60	50	40	30	20	0
Travel time (mins)	30	30	30	30	30	30	30	0
Work arising from routine monitoring (mins)	150	120	90	60	30	30	30	0
Total time (hours)	20.50	16.75	14.00	11.58	9.17	7.25	5.33	2.83
Hourly rate (£)	32.09	32.09	32.09	32.09	32.09	32.09	32.09	32.09
Total Fee (Rounded)	£658	538	449	372	294	233	171	91

Transfer/Standard Amendment fee	
Process	Minutes
Receipt of application and validation checks (mins)	120
Review information & determine licence (mins)	30
Manager review (mins)	10
Issue licence & register (mins)	45
Total time (hours)EHO	2.5
Total Time (Hours) Manager	0.92
Hourly rate (£)EHO	£32.09
Hourly rate (3) Manager	£38.62
Total fee (Round)	£ 116

Deposition of Site Rules	
Process	Minutes
Receipt of site rules (mins)	15
Acknowledgement letter (mins)	30
Scan & Upload to website	20
Verify uploaded file	20
Total time (hours)	1.42
Hourly rate (£)EHO	£ 32.09
Total fee (£)(Rounded)	£ 45.00

Calculation of Officer Hourly Rate

Environmental Health Officer

Salary incl supperann & NI	£ 40,726
Hourly rate	£ 21.17
Admin on costs	£ 10.93
Total Hourly Rate	£ 32.09

Public Protection Manager

Salary incl supperann & NI	£ 49,011
Hourly rate	£ 25.47
Admin on costs	£ 13.15
Total Hourly Rate	£ 38.62