



Tunbridge Wells Borough Council

Park Homes Licensing Fee Policy 2016 - 2021

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Executive Summary

The Mobile Homes Act 2013 provides greater protection to occupiers of residential caravans and mobile homes. The Act amends the Caravan Sites and Control of Development Act 1960 and introduced a new licensing regime which came into force on 1st April 2014. Local authorities have the ability to charge site owners a fee for applying for a site licence, for amendments or transfers of existing licences, and for annual fees. These powers can be used only for “relevant protected sites”. Sites that are used for holiday use or are only allowed to have units stationed on them at certain times of the year are exempt from licensing fees. Licences can only be issued to the owners of sites that have obtained valid planning permission.

In order to be able to charge these fees, the Council needs to publish a Fees Policy document. Local Authorities can determine that no fee is required to be paid in certain cases. It was felt appropriate for Tunbridge Wells Borough Council to make sites with less than five pitches exempt from annual fees (but no other licensing fees) as these lower risk sites are less onerous to inspect and collecting annual fees from them would not be cost effective.

The Mobile Homes Act 2013 also introduced the ability for Local Authorities to serve enforcement notices and to carry out works in default to remedy breaches of site licence conditions from 1st April 2014. The fees and charges are included in the Fees Policy.

The Mobile Homes Act 2013 also introduced changes relating to site rules. Site owners will be able to replace existing site rules with new ones that should be deposited with the Local Authority which must publish an up to date register of these rules and can charge a fee for their deposit. This fee is included in the Fees Policy.

The Council may require a fee to register site owners who wish to be “fit and proper persons” for managing relevant protected sites.

Introduction to licence fees

Site Owners must ensure their park homes sites are licensed unless there is a valid exemption. Failure to licence will be an offence under Section 1(2) of the CSCDA 1960. Local Authorities may charge a fee for alterations to licence conditions where requested by a site owner or where an application to transfer the licence to another person/organisation is received.

The annual licence fee reflects the costs associated with monitoring conditions on sites, dealing with licensing matters informally, dealing with valid complaints, officer time spent on site inspections and office administration of the licence.

Costs incurred in relation to enforcement activities such as serving notices cannot be recovered from the licence fee.

Annual revision of fees

The fees covered by the Park Home Fees Policy will be increased annually by the same percentage that is applied to other fees in the Council's Fees and Charges Schedule.

Charges for Enforcement Notices

This will be in accordance with existing Housing Act 2004 Notices which uses time and officer cost calculation. This is increased annually in accordance with the Council's Fees and Charges Schedule and is currently £320 for 2016/17.

Fees for Depositing Site Rules

Site Rules are neither created nor enforced by Local Authorities. They are a set of rules created by the site owner which residents have to comply with. Site rule regulations came into force on 4th February 2014 which requires existing site rules to be replaced with new site rules to be deposited with the Local Authority. It is estimated that it will take approximately 1 hour for officers to undertake their duties in relation to the deposited site rules. It is therefore appropriate to set a fee of £38 (based on the appropriate hourly rate) for the depositing of site rules by site owners.

Licensing Fees

New site licence fee = £300

Transfer or standard amendment fee = £175

Site expansion amendment fee = Standard amendment fee plus £10 per additional pitch

Annual inspection fee = variable as advised to individual sites