

Test Valley Borough Council Mobile Homes Sites Licensing Fee Policy

Introduction

The Caravan Sites and Control of Development Act 1960 (“the Act”) requires certain caravan sites (also referred to as Mobile Home Parks or Park Homes) to be licensed by Councils. The Mobile Homes Act 2013 amends this legislation and allows the Council to charge site owners a fee in specified cases. This Act came into effect on 26 May 2013.

Section 10A (2) of Act requires a Council to publish a Fees Policy before charging a fee. This fee policy details when a fee is payable, what fee is payable and how these fees have been calculated. In setting this policy, Test Valley Borough Council has had regard to the DCLG document “The Mobile Homes Act 2013 – A Guide for Local Authorities on setting site licensing fees”.

Scope of the Licensing fees

Fees will apply to relevant protected sites who require a site licence under the Act.

A relevant protected site is defined in the Act as any land to be used as a caravan site other than one detailed in the exemptions.

The licence fee will not apply to the following sites

- i. Sites for holiday use only
- ii. Sites where conditions require that there are times of year when no caravan may be stationed on the land for human habitation
- iii. Sites that are occupied only by the site owner and his/her family or by a person employed by the site owner except where under an agreement to which the Mobile Homes Act 1983 applies.

Fees will be charged for:

- i. applications to grant a new site licence,
- ii. applications to transfer a site licence;
- iii. applications to vary site licence conditions;
- iv. depositing of site rules with the Council;
- v. an Annual fee for administering and monitoring licences

In addition the Council is able to charge for enforcement activity and works in default which are not included in the licence fee.

Calculation of the licence fee

Licence fees have been calculated on the cost to the Council for carrying out the specified activity.

The Annual fee includes the cost to the Council for carrying out an annual site survey, and associated correspondence, and dealing with enquiries and complaints from residents (not including the taking of formal enforcement action).

The Council cannot make a profit on licensing fees. Charges must be limited to recovering the costs of exercising their licensing function as it relates to relevant protected sites.

Licence Fees

Applications for Granting a Site Licence

Fees are payable on application. Applications will not be processed until the correct fee is received.

Number of units proposed	1-5	6-15	16-30	31-45	46 and above
Charge	£288	£340.50	£375.50	£419.25	£463

Applications for Transferring a Site Licence

Fees are payable on application. Applications will not be processed until the correct fee is received.

£110.25 regardless of site size

Applications for varying a Site licence conditions

Fees are payable on application from a licence holder to vary the site licence conditions. Applications will not be processed until the correct fee is received. No fee is payable if Test Valley Borough Council decides on its own initiative to vary the licence conditions.

Please note that an application to vary site licence conditions and payment of a fee does not mean that Test Valley Borough Council will agree to this variation.

£253.75 regardless of site size

Applications for depositing Site Rules

The Mobile Homes Act 1983 (as amended) requires a site owner to deposit the site rules with the local authority and for the local authority to publish them on its website. The cost for this takes into account the officer time required to do this. The fee is payable at the time of depositing site rules.

£46.75 regardless of site size

Annual Fee

The Annual Fee will apply from 1 April each year. Requests for payment will be sent out in April and are expected to be paid within 28 days of the date of the invoice.

Site licences which are issued part way through the year will not be required to pay an annual fee until the following April.

If a fee is not paid within the 28 days, the Council will apply to a tribunal for an order requiring its payment by a date specified. If the fee is not paid as directed by that order the Council may enforce the order in the county court, and after a period of 3 months of the date specified in that order if it still remains unpaid, apply to the First Tier Tribunal for an Order revoking the site licence.

Number of units on site	2-5	6-15	16-30	31-45	46 and above
Charge	£232.75	£250.25	£337.75	£372.75	£390.25

Enforcement Fees

Any enforcement action cannot be included in licensing fees. The Mobile Homes Act 2013 amends the Act to include provision for charging for enforcement. The Council is entitled to recover its costs in deciding to and in the service of a compliance notice. This includes costs incurred in inspections, preparing the notice and obtaining expert advice on it (including legal costs) and any interest the authority intends to charge. This will be calculated on an individual case basis and the demand for recovery will be sent with the compliance notice.

The Council can and will recover the costs involved in respect of work in default and emergency works including the cost of serving notices.

Review of Fee policy

As this is a new provision the policy for fee calculation will be reviewed 2 years from implementation to assess any changes that need to be made. However the fee levels will be reviewed each year as part of the Council's Fees and Charges report to take into account the effect of inflation and any surpluses or deficits incurred on the predicted level of expenditure in the previous year.

In setting annual fees each year the council will inform the site owner of the extent to which they have had regard to any surpluses/deficits from the previous year and will confirm to the site owner the annual fee for the forthcoming year.