

REPORT TO	DATE OF MEETING
GENERAL LICENSING COMMITTEE	8th September 2015

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SUBJECT	PORTFOLIO	AUTHOR	ITEM
MOBILES HOME FEE POLICY	REGENERATION & LEISURE	WAJED IQBAL	4

SUMMARY AND LINK TO CORPORATE PRIORITIES

This report deals with the implementation of the Mobile Homes fee policy.

RECOMMENDATIONS

The committee is requested to view the Policy and associated documents and request it go out for public consultation prior to its approval and subsequent implementation.

DETAILS AND REASONING

South Ribble Borough Council has granted Caravan site licences under **The Caravan Sites and Control of Development Act 1960** (as amended) (CSCDA60) for sites that have planning permission for a caravan site.

The CSCDA60 has now been amended by the **Mobile Homes Act 2013** (MHA 2013). The MHA 2013 was introduced in order to provide greater protection to occupiers of residential park homes and caravans as the existing legislation had not been updated for more than 50 years.

This Act introduces some important changes to the buying, selling or gifting of a park home and the pitch fee review process. There is an expectation that councils will inspect sites annually and use the additional powers to ensure compliance with site licence conditions.

The council can also now charge a fee for different licensing functions, serve enforcement notices and publish any site rules relating to a site. The Fee generated by the MHA 2013 is not designed to include investigation of harassment or matters not related to the Site Licence – these should be dealt with through Residents Associations or other appropriate channels.

The changes introduced by the MHA 2013 for Site Licensing came into force on 1st April 2014.

These include powers for local authorities to charge fees for their licensing functions in respect of “relevant protected sites”. A relevant protected site is defined in the Act as any land to be used as a caravan site with planning consent, other than one where a licence is:

- Granted for holiday use only
- In any other way subject to conditions which restrict the usage of the site for the stationing of caravans for human habitation at certain times of the year (such as planning conditions).

Relevant protected sites to which the legislation applies are typically known as residential parks, mobile home parks and Gypsy Roma and Traveller sites and so on.

Sites which do not fall within the definition of ‘relevant protected sites’ are still subject to the licensing requirements contained within the CSCDA60, but the provisions relating to payment of fees do not apply.

Under the new Act, a fee can be charged for:

- applications to GRANT a new licence
- applications to TRANSFER or AMEND an existing licence
- Annual licence fees for administering and monitoring existing site licences.

This policy details the fees to be charged for all of these licensing functions.

The fee levels have been calculated based on the estimated average time and costs involved in undertaking the activities involved. (Appendix 1 details what the council can consider in calculating the fee levels)

The fee rates set out in this policy cover the period 1st April 2015 to 31st March 2016.

As a result, the Licensing Unit now seeks approval from the General Licensing Committee as to the measures contained within the policy, and to request the policy be sent for consultation prior to the implementation of the policy.

It is hoped to give the providers and users of the Mobiles Homes sites, an ample opportunity to comment regarding the changes including the fee changes prior to its eventual implementation.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas shown below. A risk assessment has also been carried out. The table shows the implications in respect of each of these.

FINANCIAL	Under the provisions of The Caravan Sites and Control of Development Act 1960 and Mobiles Homes Act 2013, a district council may set the Licensing fees to cover various aspects such as administering and enforcement. It is anticipated that due to the timescale for implementation, the charges are likely to be implemented from 2016/17 and the forecast fee income for that financial year based on the current number of pitches and sites in the Borough is in the region of £2,000.
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LEGAL	None
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RISK	None
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OTHER (see below)	
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<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

BACKGROUND DOCUMENTS

- Appendix 1 – SRBC Mobile Homes Fees Policy (draft)
- Appendix 2 – SRBC fees working out document (draft)
- Appendix 3 – SRBC Mobiles Homes Application form (draft)