

Caravan Sites and Control of Development Act 1960 (as amended)

Licensing Fees Policy for Mobile Home sites

Scope

The Caravan Sites and Control of Development Act 1960 is the principle legislation governing the licensing and control of caravan sites. The ability to charge fees for implementing these provisions was introduced by Mobile Homes Act 2013 and local authorities now have the discretion to charge a fee fixed by the authority for the issue, variation and transfer of caravan site licences and for holding a register of site rules. Furthermore local authorities may charge an annual fee for the administration and monitoring of site licences.

It has been agreed to make charges for the licensing of relevant protected sites within Woking Borough in accordance with the powers granted 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 where the application for a licence is:

- For holiday use only, or
- Subject to restrictions or conditions which limit the times of the year when the site may be used for stationing caravans for human habitation (e.g. planning conditions)

A relevant protected site includes gypsy sites but does not include local authority owned sites.

Exemptions

Sites which consist of up to 10 pitches /units and are only occupied by members of a single family group will be exempt from the paying an annual fee.

Sites run on a commercial basis regardless of size will not be exempt from paying an annual fee.

Calculation of Licence Fees

In setting its fees policy and the fees to be charged the council has had regard to the Guide for Local Authorities On Setting Site Licensing Fees issued by the Department for Communities and Local Government (2014).

In determining those fees, the council has taken into account all administrative costs incurred in the licensing process, officer visits to sites, travel costs, consultations, meetings, monitoring of sites/investigation of complaints and the giving of informal advice. The charges are set out in Schedule 1.

Review of the Licence Fee

As this is a new provision, the policy for fee calculation will be reviewed within 2 years from implementation to assess any changes that need to be made. A review of the fee levels will be carried out annually and take into account any surpluses or deficits incurred on the predicted level of expenditure in the previous year in providing the licensing function.

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.

Any fees charged must fairly cover the costs (or part of the costs) incurred by the local authority in performing its functions under Part 1 of the act but must not result in a profit. Costs of enforcement action or any functions relating to prohibiting caravans on commons or provision of sites by the local authority itself are excluded as these can be received under separate provisions.

Publishing the Fee Policy

The fees policy for licensing of mobile home sites will be published on the council's website www.woking.gov.uk

The policy will also be available to view during normal office hours at:

Civic Offices, Gloucester Square, Woking, Surrey. GU21 6YL

Payment of Fees.

A fee must accompany an application for a new site licence, for amending a site licence or for transferring a site licence. The application will not be processed until the fee is received.

Application fees are not refundable if the application is not approved.

Annual fees will become due on 1st April each year, commencing 1st April 2016. The request for payment will be accompanied by information detailing what matters the council took into account in fixing the annual fee and the extent to which it had regard to deficits and surpluses from the previous year.

Where a fee becomes overdue for payment, the council may apply to a residential property tribunal for an order requiring the licence holder to pay the council the amount due by the date specified in the order. If the licence holder has still not paid the fee within three months from the date specified in the order, the council may apply to the tribunal for an order revoking the site licence.

Other Charges

Enforcement Expenses

Woking Council will recover expenses incurred in carrying out enforcement action involved in the service of a compliance notice. These expenses include costs incurred in deciding whether to serve a notice, site inspections, preparing the notice and obtaining expert advice.

Where appropriate, Woking Council will also seek to recover expenses incurred:

- In taking action following conviction of the site owner for failure to carry out actions required by a compliance notice; or
- In taking emergency action where there is an imminent risk of serious harm to any person on the site as a result of the site owner's failure to comply with licence conditions

Interest may be charged on any sums to be recovered as a result of enforcement action.

The Council will also be able to register any of the debts to be recovered for enforcement actions as a local land charge against the site.

Deposit of Site Rules

A fees of £30 is payable for the deposit of site rules with the Council.

**Schedule 1
Licensing Fees for Mobile Home Sites**

	Application for New Site Licence	Time (Mins) Licensing And officer Allocation	Admin/Officer/Manager 34 41av 51 Cost
	Action		
1	Enquiry received and service request entered on computer system.	15 (A)	8.5
2	Make up new file and attach above documentation	10(A)	5.66
3	Send out site application form with covering letter or email with link and enter action on computer worksheet.	10(A)	5.66
4	Contact applicant and make appointment to carry out initial site inspection	10 (A)	5.66
5	Enter particulars on application form on computer system. Scan and save application form to computer system.	20 (A)	11.33
6	Check application valid e.g. all compulsory questions completed and correct fee included Check all particulars entered on computer premises record correctly	40(O)	27.33
7	Carry out LRS to verify applicant is owner of land	15(O)	10.25
8	Examine electrical certificate and any other documentation submitted with licence for validity. Enter action on computer worksheet.	30(O)	20.5
9	Carry out fit and proper person checks with other council services e.g. council tax, housing benefit, and external agencies e.g. other local authorities.	30 (O)	20.5

10	Prepare draft site licence and send to applicant/Planning and Fire Service. In covering letter to applicant, include any recommendations and works required resulting from initial site inspection.	70 (O)	47.83
11	Discuss any feedback with applicant on proposed site licence conditions.	30(O)	20.5
12	Upon expiry of consultation period amend site licence if required . Print out two copies of site licence and proof read.	30 (O)	20.5
13	Site licence to be checked and signed by line manager	10(M)	8.5
14	Send out site licence to applicant with covering letter.	10(O)	6.83
15	Scan and save signed copy of site licence to system and add hard copy of licence to file.	15(A)	8.5
16	Update public register of licensed sites.	10(A)	5.66
17	Upon occupation of site, contact site owner to make appointment for licensing inspection	10(O)	6.83
18	Complete risk assessment to determine next routine visit.	15(O)	10.25
19	Travel time x 2	60(O)	41
20	Record details of visit on computer worksheet, download Send letter to applicant notifying them of outcome of licensing visit.photos etc	30(O)	20.5
21		60 (O)	41
	Base Cost		353.29
22	Carry out full site inspection. Make note of any breaches of site licence conditions/ works required	1-5 pitches 45 (O)	30.75
		6 -24 pitches 60 (O)	41

		25-100 pitches 90 (O)	60.5
23	Carry out revisit to check on completion of works	1-5 pitches 15(O)	10.25
		6-24 pitches 30(O)	20.5
		25-100 pitches 60(O)	41
	Total hours		
	Total Cost	1-5 pitches 45 (O)	394.29
		6 -24 pitches 60 (O)	414.79
		25-100 pitches 90 (O)	454.79

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455

Application to vary a site licence

	Action	Time (Mins) Amending Licence	
1	Enquiry received and service request entered on computer system.	15(A)	8.5
2	Send out application form and covering letter detailing fee required	10(A)	5.66
3	Upon receipt of application form, scan and save to computer system. Attach hard copy to paper file. Generate acknowledgement letter and send to applicant.	15(A)	8.5
4	Enter particulars on application form on to on computer system	10(A)	5.66
5	Check application valid e.g. all compulsory questions completed and correct fee included, computer record correct	40(O)	27.33
6	Contact applicant to arrange site visit	10(O)	6.83
7	Travel time	30 (O)	20.5
8	Record details of visit on computer, download photos	30 (O)	20.5
8	Prepare draft site licence and send to applicant with covering letter/Planning/Fire Service	70(O)	47.83
9	Discuss any feedback with applicant	30 (O)	20.5
10	Amend if necessary and print ready for signing	30 (O)	20.5
11	Site licence checked and signed by manager	10(M)	8.5
12	Look up records of outstanding historic breaches, outstanding notices etc.	15(O)	10.25

13	Send amended site licence to site owner with covering letter. Send written notification of outstanding historic breaches and outstanding notices to new site owner. Add to actions to electronic worksheet.	10(O)	6.83	
14	Scan and attached signed copy of site licence to electronic worksheet and attached signed hard copy to paper file.	10 (A)	5.66	
15	Attach hard copy of covering letter and notification of outstanding historic breaches and outstanding notices etc to electronic and paper file	15(A)	8.5	
16	Amend public register of park home site licences.	10(A)	5.66	
	Base Time / Cost	365 mins (6hr 5min)	237.71	
	Carry Out full site inspection and make note of any works required	1-5 pitches 45(O)	30.75	
		6-24 pitches 60(O)		
		25-100 pitches 90(O)		
		6-24 pitches 60(O)		41
	Total Cost	25-100 pitches 90(O)	60.5	
		1-5 pitches	268.46	268
		6-24 pitches	278.71	278
		25-100 pitches	298.21	298

	Application to Transfer Licence		
1	Enquiry received and service request entered on computer system.	15 (A)	8.5
2	Send out application form and covering letter detailing fee required	10 (A)	5.66
3	Upon receipt of application form, scan and save to computer system. Attach hard copy to paper file. Generate acknowledgement letter and send to applicant	15 (A)	8.5
4	Enter particulars on application form on to on computer system	15 (A)	8.5
5	Check application valid e.g. all compulsory questions completed and correct fee included, computer record correct	40 (O)	27.33
6	Carry out fit and proper person checks with other council services e.g. council tax, housing benefit, and external agencies e.g. other local authorities.	30 (O)	20.5
7	Carry Out Land Registry Search	15 (A)	8.5
8	Amend site licence and print out ready for signing	30 (O)	20.5
9	Site licence checked and signed by Manager	10 (M)	8.5
10	Send out licence with covering letter	10 (A)	5.66
11	Scan and save signed copy of site licence to computer record and add hard copy to file	10 (A)	5.66
12	Update public register of licensed sites	10 (A)	5.66
	Total Cost	210 mins (3hrs 30min)	133.47

Annual Fee					
Number of Pitches	Inspection Interval years	Officer £41p/h	Annual fee		
1-5 pitches	4	120 mins (O)	82 divided by 4	20.5	20.5
6- 24 pitches	3	240mins (O)	164 divided by 3	54.66	50.5
25 – 100 pitches	2	360 mins (O)	246 divided by 2	123	123