



Housing Conditions and Supply Team

Mobile Home Park Fees Policy

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Policy

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This document is held by Tamworth Borough Council, and the document owner is Rob Barnes.

Printed documents may be obsolete. An electronic copy will be available on Tamworth Borough Council's Intranet and the Strategic Housing Policy Register. Please check for the current version before using the document.

Revision History

Revision Date	Version Control	Summary of changes
23.03.16	1	This is a new fee policy introduced in line with the provisions of the Mobile Home Act 2013 Section 10A(2). The owners of 'Relevant' sites will now be subject to fees for licensing functions carried out by the Council, including site licensing and registering of site rules.

Document Review Plans

This document is subject to a scheduled annual review. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

Distribution

As a Draft Policy it will be circulated to the owners of the relevant sites (by post) and will be hand delivered around the sites to the residents.

The document will be available on the Intranet and the website.

Contents

1	Introduction	5
2	Fees charged for site licenses	5
2.1	Authority to charge	5
2.2	Scope of fees	6
2.3	Definition of a site	6
3	Fee structure methodology	6
4	Annual licence monitoring fee	7
5	Exclusion from annual charge for sites less than 10 pitches	7
6	New site licence, transfer and amendments	8
7	Checking and registering site rules	8
8	Revision of fee policy.	8
9	Dealing with surpluses and deficits	9
Appendix A	Fees schedules	10

1. Introduction

This policy sets out the fees and charging policy of Tamworth Borough Council with regard to Mobile Home sites. Tamworth currently has three licensable sites within its Boundary.

Tamworth Borough Council currently grants licenses to Mobile Home sites under The Caravan Sites and Control of Development Act (CSCDA) 1960 (as amended) for sites that have planning permission for a caravan site. All sites are required to hold a Licence (subject to the exemptions in the CSCDA600.) Failure to apply for a licence is an offence under section 1 (2) of the CSCDA60.

The CSCDA60 has now been amended by the Mobile Homes Act 2013 (MHA). 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 introduced some important changes to the buying, selling or gifting of a park home and the pitch fee review process.

Following the introduction of the MHA in 2013 there is an expectation that councils will inspect sites annually and use the additional powers to ensure compliance with site licence conditions.

2. Fees charged for site licenses

2.1 Authority to Charge

Since April 2014 Councils can charge a fee for different licensing functions, the serving of enforcement notices and publishing site rules relating to a Mobile Home site. The Department for Communities and Local Government published guidance for Local Authorities on setting licensing fees (2013) and the activities that can be charged for.

Councils are allowed to use their discretion in setting these fees but are not allowed to make a profit. Charges must be limited to recovery of the costs of exercising their licensing functions as it relates to Relevant Protected Sites.

2.2 Scope of Fees

- Applications to grant a new license
- 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.

Enforcement activity will attract separate charges and fees in line with the Council's current enforcement policy.

2.3 Definition of a site

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.

3. Fee structure methodology

The fee scales are calculated on the basis of the estimated time and costs involved in undertaking the activities involved. These fees include Officer's time and overheads. They are based on historical Council data on time spent on mobile home park work, consideration of the time and resources needed to undertake the new functions, benchmark figures from other Local Authorities and official guidance.

Sites are 'banded' from 1 to 5 according to their size in terms of the number of pitches. The method outlined recognises that larger sites are more complex and take more time in terms of site inspections than smaller sites.

Band	Number of pitches
1	1-10
2	11-40
3	41-99
4	100-199

5	200+
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(All 3 existing sites in Tamworth fall into Band 3)

The fees will be introduced from August 2016. The normal annual fee will be payable on the anniversary of the renewal.

4. Annual licence monitoring fee

Band	Band 5	Band 4	Band 3	Band 2	Band 1
Pitches	200+	100-199	41-99	11-40	1-10
Charge to owner	£516.81	£420.35	£323.89	£203.25	Exempt

Invoices will be sent to the Licence holders of the relevant protected sites at the start of the process for 2016 and at the commencement of the financial year in subsequent years. Payment will be due within 30 days.

If an annual fee remains unpaid Tamworth Council can apply the 1st Tier Property Tribunal requiring it to be paid. Ultimately if it remains unpaid the Licence can be revoked. A charge may also be placed against the land.

5. Exclusion from annual charge for sites less than 10 pitches

The method used for calculating fees means that residents on very small sites would have a disproportionately large pitch fee. The Council, in setting its fees policy, can exempt certain types or categories of sites from licence fees and it has been decided that the fee policy should exempt from the annual licence fee those sites that have 10 units or less (Band 1). Sites such as this are likely to require little Council involvement beyond issuing the licence in the first instance. For the avoidance of doubt the waiver for these sites has not been redistributed amongst the other larger sites.

6. New site licence, transfer and amendments

The following fees are applicable if a site owner wishes to apply for a new licence or transfers or amends a site licence. The charge for these functions cannot be passed on by the site owner to the site residents.

An invoice will be raised upon receipt of the application/ transfer/ amendment request. Payment will be due within 30 days.

	Band 5	Band 4	Band 3	Band 2	Band 1
New site licence application					
Charge to site owner	£ 537.46	£502.95	£406.49	£296.17	£ 230.69

Application to transfer a site licence					
Charge to site owner	£ 92.93	£ 72.28	£ 72.28	£ 61.95	£ 61.95
Application to amend a site licence					
Charge to site owner	£ 165.20	£ 123.90	£ 123.90	£ 103.25	£ 92.93

7. Checking and registering site rules

A fee is applicable for the checking and registering of site rules. The charge for this function cannot be passed on by the site owner to the site residents. This assumes an average of 2 hours admin and correspondence work.

Band 5	Band 4	Band 3	Band 2	Band 1
£ 41.30	£ 41.30	£ 41.30	£ 41.30	£41.30

An invoice will be raised upon receipt of the rules. Payment will be due within 30 days.

8. Revision of fee policy

The fee policy will be kept under review and a new policy will be published when any revisions are made.

9. Dealing with surpluses and deficits

The schedule has been designed to pass on the costs incurred in carrying out the licence function. In the first year of operation the Council has made what it believes to be a realistic assessment of the time and cost involved in carrying out the activities. Each year the Council will assess its previous costs to see they were accurate. Where a deficit appears because expenditure was more than anticipated the shortfall will be reflected in the fee charged to the site owner in the next year. Similarly, where a surplus is made the fee for the following year will be reduced by that amount.

Appendix A - Fee Schedules

The following schedules set out the matters and appropriate costs taken into account when setting each type of fee.

Annual licence monitoring - fee structure					
Process and time in minutes	200+ homes	100-199 homes	41-99 homes	11-40 homes	1-10 Homes
Prepare for and organise visit (mins)	60	60	60	60	0
Site inspection (mins)	360*	300*	240*	120*	0
Travel time (mins)	40**	40**	40**	40**	0
Licence review and correspondence with site owner, residents and other interested parties (mins)	360	300	180	120	0
Re -visit by (mins)	120	90	60	30	0
Travel time (mins)	40**	40**	40**	40**	0
Routine monitoring visits (mins)	120	60	60	30	0
Travel time for routine visits (mins)	40**	40**	40**	40**	0
Work arising from routine monitoring (mins)	120	90	60	30	0
Total time (mins)	1260	1020	780	510	0
Total time (hours)	21	17	13	8.5	0
Time at hourly rate	6	5	4	2	0

Joint visit rate (£)34.51					
Time at hourly rate SPSHO (£) 20.65	15	12	9	6.5	0
Total annual charge to site owner (£)	£516.81	£420.35	£323.89	£203.25	Exempt = 0

Notes

*Initial Site inspections will be undertaken by two Officers (Senior Private Sector Housing Officer (SPSHO) and Private Sector Housing Officer). Subsequent visits will normally be undertaken by a single officer (SPSHO rate)

** Travel time value is an average estimated from the Council's offices (Marmion House), as sites are spread around the Borough, and values assume both Officers will travel together

***Total hours are rounded up/down as appropriate

Application For New Site Licence- Fee Structure					
Process	200+	100-199	41-99	11-40	1-10
Initial enquiries and correspondence to facilitate application (mins)	60	60	60	60	60
Receipt of application and background checks (mins)	90	90	90	90	90
Prepare for and organise visit (mins)	60	60	60	60	60
Site inspection (mins)	360*	300*	240*	120*	60*
Travel time (mins)	40*	40*	40*	40*	40*

Draft licence including conditions (mins)	120	120	90	60	60
Licence review and correspondence with site owner, residents and other interested parties (mins)	300	300	240	180	120
Re-visit (mins)	120	120	60	30	30
Travel time (mins)	40*	40*	40*	40*	40*
Secondary review and correspondence	120	120	60	60	60
Issue Licence and Register	30	30	30	30	30
Total time (mins)	1340	1280	1010	770	650
Total time (hours)	22	21	17	13	10.5
Time at joint hourly rate joint (£) £34.51	6	5	4	2	1
Time at hourly rate SPSHO rate (£) 20.65	16	16	13	11	9.5
Total new application charge to site owner (£)	£ 537.46	£502.95	£406.49	£296.17	£ 230.69

Notes

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Application to Transfer Site Licence- Fee Structure					
Process	200+	100-199	41-99	11-40	1-10
Receipt of application, background checks and processing (mins)	120	120	120	120	120
Review information and determine licence (mins)	120	60	60	30	30
Issue licence and register (mins)	30	30	30	30	30
Total time (mins)	270	210	210	180	180
Total time at SPSHO rate £20.65 (hours)	4.5	3.5	3.5	3	3
Total charge to site owner (£)	£ 92.93	£ 72.28	£ 72.28	£ 61.95	£ 61.95

Application to Amend Site Licence- Fee Structure					
Process	200+	100-199	41-99	11-40	1-10
Receipt of application, background checks and processing (mins)	120	120	120	120	120
Site visit (mins)	120	60	60	30	30
Travel time (mins)	40 **	40 **	40 **	40 **	40 **
Licence review and corresponde	180	120	120	90	60

nce with site owner, residents and other interested parties (mins)					
Issue licence and register (mins)	30	30	30	30	30
Total time (mins)	490	370	370	310	280
Total time (hours) at SPSHO £20.65	8	6	6	5	4.5
Total charge to site owner (£)	£ 165.20	£ 123.90	£ 123..90	£ 103.25	£ 92.93

Notes

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