

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

SETTING A FEES POLICY FOR LICENSING OF PARK HOME SITES

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To establish a fees policy for licensing of Park Home Sites.
- 1.2 The report outlines the options for calculating the fees structure and the preferred method.

2. BACKGROUND INFORMATION

- 2.1 The Caravan Site and Control of Development Act 1960 (CSCDA60) introduced a licensing system to regulate the establishment and operation of caravan sites. This Act has remained unchanged for over 50 years.
- 2.2 The licence has conditions attached to it. There are generally three types of caravan site covered by the Act, namely:-
 - Park Home (residential),
 - Static Holiday,
 - Holiday/Touring,

Each type of site has relevant conditions attached.

- 2.3 In 2014, The Mobile Homes Act 2013 (MHA13) came into force. The changes introduced by the MHA13 include the ability to charge fees for all the licensing functions related to Park Home or residential sites. Within North Lincolnshire, we have seven park home sites with over 500 pitches in total. Each has a site licence with conditions attached.
- 2.4 To be able to charge a fee, the council must publish a fees policy on its web site, which must be transparent, reasonable and consistent across sites. Fees can be charged for the following activities –

- Granting a licence,
- Transferring a licence,
- Annual licensing inspection, including monitoring of the licence conditions,
- Fees for altering site conditions,
- Fees for publishing the site rules.

2.5 The published guidance sets out advice on matters that can or cannot be taken into account in setting fees and the fee structure along with how the fees can be calculated. Subject to legal restrictions, both the level of fees and how they are charged are at our discretion but they should fairly cover the costs incurred by licensing. Enforcement costs cannot be reflected in the fee structure.

2.6 There are 3 options for setting the annual licence fee, namely:-

- A fee based on a price per unit.
- A fee based on the banding of sites related to their size/number of units on site.
- A fee based on a risk rating that takes into account the size of the site, the level of compliance and the confidence in the site management.

3. OPTIONS FOR CONSIDERATION

3.1 Option one – chose not to charge a fee for our licensing functions related to park homes.

3.2 Option two – charge for all licensing functions and the annual licence fee to be set using a price per unit calculation.

3.3 Option three – charge for all licensing functions, with the setting of the annual fee by banding sites according to size.

3.4 Option four – charge for all licensing functions, with the setting of the annual fee using a risk based approach.

4. ANALYSIS OF OPTIONS

4.1 Option one – this would not achieve the council's policy of full cost recovery for services wherever possible. Given the size of the sites and the number of pitches, there is a significant time and staff resource involved in the annual compliance inspection.

- 4.2 Option two - this is the preferred option, as we consider it the fairest method of charging in North Lincolnshire. Using this method, the larger the site, the more they would pay.
- 4.3 Option three – this option still ensures that the larger the site, the more they pay. However, proportionally, the costs to a smaller site will be more than a larger site and not directly linked to the individual units on site.
- 4.4 Option four – using a risk based approach taking into account the size of the site, the level of compliance and confidence in management. This option is far more problematic with us having to justify how we had arrived at the particular rating for the site and resulting in a fluctuating fee scale from year to year making it more difficult to understand.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 Financial – by charging for this function, we will be able to recover our reasonable costs for undertaking this work.
- 5.2 Staff resource – the current annual compliance inspection is completed within existing staff resource. Charging a fee for this function will not increase the time spent on site or the staff resource required to complete the visits.
- 5.3 IT – the current system is adequate – we have no additional needs.

6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 6.1 No potential impacts identified.

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 7.1 Following the introduction of the Mobile Homes Act 2013, we hosted a couple of update sessions. One was for site owners and one for residents. At that time, the issue of charging for our licensing functions was discussed with the site owners. At the time they raised no particular concerns.
- 7.2 The draft fees policy will be circulated to all site owners for their comments.

8. RECOMMENDATIONS

- 8.1 That the licensing committee agrees to the development of a fees policy, its publication and the charging of park home sites for all aspects of licensing, including the annual inspection and compliance visit.
- 8.2 That all decisions in the future related to the setting of the fees for licensing, including the fee structure, calculation and exemptions are delegated to the Director for Operations.

DIRECTOR OF OPERATIONS

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Background Papers used in the preparation of this report:-

The Mobile Homes Act 2013 – A guide for Local Authorities on setting site licensing fees.