

Park Homes Fees Policy

Charnwood Borough Council

June 2021

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	Areas reviewed June 2021	Comments	Amendments
1.	What was the overall aim of the Policy?	To introduce charges for applying for a site licence, for amendments or transfers of existing licences and for annual fees in accordance with the Caravan Sites and Control of Development Act 1960, as amended by the Mobile Homes Act 2013.	The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person)(England) Regulations 2020 (“the Regulations) require the manager of a site to be a Fit and Proper Person. The Regulations permit the local authority to determine the fee for an application or registration for someone to be added to the register. As such this Fees Policy has been revised to reflect the fee determined.
2.	What was the budget and was it sufficient to meet the aims of the Policy?	N/A – this is a fees Policy	
3.	Did the Policy enable the Service to deliver what was expected?	<p>The Park Homes Fee Policy introduced a fee structure to fairly cover the costs incurred by the Council in performing particular functions in relation to the licensing of park home sites, including issuing a licence, amendments, transfers and an annual fee.</p> <p>The annual fee includes the cost of a pre-programmed annual inspection to each site. This has ensured an improved service with proactive monitoring of sites and compliance with licence conditions.</p>	<p>The Regulations have introduced a new requirement for site owners to apply to the Council for a relevant person (themselves or their appointed manager) to be added to the register of fit and proper persons managing sites in their area (“the register”).</p> <p>A local authority must be satisfied that the site owner “<i>is a fit and proper person to manage the site</i>” or, if the owner does not manage the site, <i>that a person appointed to do so by the site owner is a fit and proper person to do so</i> or has, with the site owner’s</p>

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			<p>consent, <i>appointed a person to manage the site.</i></p> <p>The introduction of this requirement will provide a safeguard that site owners, or their managers will not pose a risk to the welfare or safety of persons occupying mobile homes on the site.</p> <p>The Regulations permit the Council to determine the fee for an application or registration for someone to be added to the register. The fee must be included with the application - and applications for existing sites can be submitted from 1 July 2021 up to and including 30 September 2021.</p>
4.	<p>Since the implementation of this Policy, have there been any major legislative changes that could affect delivery?</p>	<p>As detailed above in Section 1 and 3.</p>	<p>The Regulations permit the Council to determine the fee for an application or registration for someone to be added to the register.</p> <p>The amendment of the Policy to include this fee will allow for continued service delivery.</p>
5.	<p>What other issues have arisen that may require Policy changes?</p>	<p>A review of the annual fee costings has also been undertaken to ensure that it continues to reflect the costs incurred by the Council. in line with current officer costs has been undertaken to</p>	<p>The existing fees, since introduction, have been increased annually in line with inflation. Excluding 2020-2021 and 20-2022 when they were frozen to minimise the impact on residents during the COVID pandemic.</p> <p>Moving forward, the fees will be reviewed annually in line with changes to officer costs</p>

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			rather than in line with inflation.
6.	Changes to be made to the Policy to be approved by the Head of Strategic and Private Sector Housing in consultation with the Lead Member for Housing.	<p>Executive Summary</p> <p>Amended to include details of the The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person)(England) Regulations</p> <p>Proposed Fees To include reference to the Guide for Local Authorities on setting fees for the fit and proper person test” published in June 2021 and amend the existing fees in line with the Guidance.</p>	<p>Insert:</p> <p>The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person)(England) Regulations 2020 (“the Regulations) require the manager of a site to be a Fit and Proper Person. The Regulations permit the local authority to determine the fee for an application or registration for someone to be added to the register. As such this Fees Policy has been revised to reflect the fee determined.</p> <p>Delete (shown in bold):</p> <p>This Fees Policy has therefore been formulated so that these fees can be incorporated within the Private Sector Housing Team’s 2014/15 Fees and Charges Schedule.</p> <p>Delete (shown in bold):</p> <p>Approval and subsequent publication of this Fees Policy in May 2014 will enable fee recovery by the Council at the earliest possible point in time and enable site owners to recover these costs should they opt to increase pitch fees at the next pitch fee review date.</p> <p>Insert reference to:</p> <p>“Guide for Local Authorities on setting fees for the fit and proper person test” published in June 2021 - and associated weblink.</p>

	Areas reviewed June 2021	Comments	Amendments
			<p>Delete (shown in bold):</p> <p>The fees associated with applying initially for a new site licence, for transfers/standard amendments of existing licences, site expansion amendments, and for annual fees are to be set initially as follows:</p> <p>Amend the existing fees to (shown in bold):</p> <ul style="list-style-type: none"> • Annual Fee = £14.00 [amend to £11.18] per pitch/unit. • Transfer or Standard Amendment Fee = £210.56 [amend to £177.97] per site/application • Site Expansion Amendment Fee = Standard Amendment Fee + £34.66 [amend to + £32.66] for first pitch/unit and £7.15 [amend to £6.41] per pitch thereafter. • Initial (new) Licence Fee = £28.29 per pitch [amend to £405.22 + 6.41 per pitch/unit over 1] • Deposit site rules = £43.23 [amend to £38.45] • Fit and Proper Person Register Applications = (subject to being introduced) £108.09 [amend to £142.44] <p>Insert:</p> <p>See appendix 1 for details of how the fees are calculated</p>

	Areas reviewed June 2021	Comments	Amendments
			<p>Delete:</p> <p>The MHA 2013 also makes provision for regulations to be made requiring site owners to be “Fit and Proper Persons” and for local authorities to keep up to date a register of fit and proper persons to manage relevant protected sites. Local authorities would be able to charge a fee for fit and proper person register applications. Subject to the Regulations being introduced, the fee for such applications will be set at £100.37. (NB this was the original fee figure prior to inflationary increases)</p> <p>Insert:</p> <p>A site owner under the Regulations must apply to their local authority for the relevant person (themselves or their appointed manager) to be added to the register of fit and proper persons managing sites in their area (“the register”).</p> <p>The site owner may only apply to be added to the register if they hold, or have applied for, a site licence for the site. This provision also applies where the site owner or site manager is a registered company. The fee for the application must be included with the application.</p> <p>Site owners will be required to submit a completed application from 1 July until October 2021 (3 months) and pay the fee, outlined below, to their local authority, which will also include any additional fees such as an annual site fee.</p>

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			<p><u>Fees for Fit and Proper Persons Register Applications</u></p> <p>Initial application fee</p> <p>The Council believes that fit and proper person assessments and checks to be included on the fit and proper register will take a total of 220 minutes per application. This time of 220 minutes includes updating and publishing the register.</p> <p>Ultimately, the checks are likely to be carried out by the same officers who carry out the licensing functions and, therefore, their hourly rate (inc. on costs) of £38.45 has been applied to the calculation. The fee is set at £142.44 for the fit and proper person application. See appendix 1 for details of the calculation.</p> <p>The Council will take into account the following matters on which costs are incurred, or likely to be incurred (by various departments, including costs incurred by outsourcing contracts), when determining its fee policy for consideration of applications for inclusion on a fit and proper person register:</p> <ul style="list-style-type: none"> • Initial enquiries; • letter writing/ telephone calls etc to make appointments and requesting any documents or other information from the site owner or from any third party

	Areas reviewed June 2021	Comments	Amendments
			<p>in connection with the fit and proper process;</p> <ul style="list-style-type: none"> • sending out forms; • updating files/ computer systems and websites; • processing the application fee; • land registry searches; • time for reviewing necessary documents and certificates; • preparing preliminary and final decision notices; • review by manager or lawyers; review any representations made by applicants or responses from third parties; • updating the public register; • carrying out any risk assessment process considered necessary and • reviews of decisions or in defending appeals. <p>In addition, the Council will need to make such inquiries as are necessary in connection with the application, such as those relating to the relevant</p>

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		<p>Fees in the Event that the Council have to Appoint a Person to Manage the Site To allow for management fees to be recovered</p>	<p>persons ability to secure the proper management of the site.</p> <p>Appendix 1 outlines the above and provides transparent justification for the fee to be imposed upon receipt of the initial application. The purpose of this table is to demonstrate that the fees imposed are fair and transparent providing justification as to why a site is required to pay the fee.</p> <p>Delete:</p> <p>The administration charge for works in default for park home site enforcement will be set at the same level as that for Housing Act enforcement works in default which is likely to remain at 15%.</p> <p>Insert:</p> <p>Fees in the event that the Council have to Appoint a Person to Manage the Site</p> <p>A local authority must be satisfied that the site owner <i>“is a fit and proper person to manage the site”</i> or, if the owner does not manage the site, <i>“that a person appointed”</i> to do so by the site owner <i>“is a fit and proper person to do so”</i> or has, with the site owner’s consent, <i>“appointed a person to manage the site.”</i></p> <p>Where a site owner or their manager fails the fit and proper person test, and they are unable to identify and appoint a suitable alternative manager, who must pass the fit and proper person assessment, the</p>

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		<p>Fee Payment To include the fee for applications to consider inclusion in the fit and proper person register</p> <p>To allow time for the Invoice for the annual fee to be issued in line with the revised Annual Fee</p> <p><u>Review of Fees</u></p>	<p>local authority can instead appoint a person to manage the site, but only with the consent of the site owner.</p> <p>In the event that the Council have to appoint a person to manage a site, with the occupier's consent, the costs incurred by the Council will be recovered from the occupier in accordance with the Regulations.</p> <p>Insert (shown in bold):</p> <p>The Council is not required to consider an application for the grant of a licence, a transfer of a licence, an application to alter conditions or an application to consider inclusion in the fit and proper person register unless that application is accompanied by the correct fee.</p> <p>Delete (shown in bold):</p> <p>When demanding the annual fee the Council will:</p> <ul style="list-style-type: none"> • give reasonable time in which the fee is to be paid (which will be 28 days); • state the date by which it is due (which will be 1st June each year) <p>Insert:</p> <p>The policy will be monitored and reviewed on an annual basis or more frequently as changes in legislation may dictate.</p>

	Areas reviewed June 2021	Comments	Amendments
		<u>Add Appendix 1</u>	<p>Minor changes which make no significant difference to service provision will be made to the document under delegated authority by the Head of Strategic and Private Sector Housing in consultation with the Lead Member for Regulatory Services and Enforcement/Private Housing</p> <p>Delete:</p> <p>The fees covered by the Park Homes Fees Policy will be increased annually by the same percentage (in line with inflation) that is applied to other fees in the Private Sector Housing Team’s Fees and Charges Schedule.</p> <p>Insert:</p> <p>Appendix 1 – (an excel spreadsheet demonstrating the calculations for each fee.)</p>
7.	Changes to be made to the Policy/Strategy which will require Cabinet approval	No changes at this time.	Not Applicable.
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8.	What was the overall aim of the Policy?	To introduce charges for applying for a site licence, for amendments or transfers of existing licences and for annual fees in accordance with the Caravan Sites and Control of Development Act 1960, as amended by the Mobile Homes Act 2013.	The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person)(England) Regulations 2020 (“the Regulations) require the manager of a site to be a Fit and Proper Person. The Regulations permit the local authority to determine the fee for an application or

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			<p>registration for someone to be added to the register. As such this Fees Policy has been revised to reflect the fee determined.</p>
9.	<p>What was the budget and was it sufficient to meet the aims of the Policy?</p>	<p>N/A – this is a fees Policy</p>	
10.	<p>Did the Policy enable the Service to deliver what was expected?</p>	<p>The Park Homes Fee Policy introduced a fee structure to fairly cover the costs incurred by the Council in performing particular functions in relation to the licensing of park home sites, including issuing a licence, amendments, transfers and an annual fee.</p> <p>The annual fee includes the cost of a pre-programmed annual inspection to each site. This has ensured an improved service with proactive monitoring of sites and compliance with licence conditions.</p>	<p>The Regulations have introduced a new requirement for site owners to apply to the Council for a relevant person (themselves or their appointed manager) to be added to the register of fit and proper persons managing sites in their area (“the register”).</p> <p>A local authority must be satisfied that the site owner “<i>is a fit and proper person to manage the site</i>” or, if the owner does not manage the site, <i>that a person appointed to do so by the site owner is a fit and proper person to do so</i> or has, with the site owner’s consent, <i>appointed a person to manage the site</i>.</p> <p>The introduction of this requirement will provide a safeguard that site owners, or their managers will not pose a risk to the welfare or safety of persons occupying mobile homes on the site.</p> <p>The Regulations permit the Council to determine the fee</p>

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			for an application or registration for someone to be added to the register. The fee must be included with the application - and applications for existing sites can be submitted from 1 July 2021 up to and including 30 September 2021.
11.	Since the implementation of this Policy, have there been any major legislative changes that could affect delivery?	As detailed above in Section 1 and 3.	<p>The Regulations permit the Council to determine the fee for an application or registration for someone to be added to the register.</p> <p>The amendment of the Policy to include this fee will allow for continued service delivery.</p>
12.	What other issues have arisen that may require Policy changes?	A review of the annual fee costings has also been undertaken to ensure that it continues to reflect the costs incurred by the Council. in line with current officer costs has been undertaken to	<p>The existing fees, since introduction, have been increased annually in line with inflation. Excluding 2020-2021 and 20-2022 when they were frozen to minimise the impact on residents during the COVID pandemic.</p> <p>Moving forward, the fees will be reviewed annually in line with changes to officer costs rather than in line with inflation.</p>
13.	Changes to be made to the Policy to be approved by the Head of Strategic and Private Sector Housing in consultation with the Lead Member for Housing.	<p>Executive Summary</p> <p>Amended to include details of the The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person)(England) Regulations</p>	<p>Insert:</p> <p>The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person)(England) Regulations 2020 ("the Regulations) require the manager of a site to be a Fit and Proper Person. The Regulations permit the local authority to determine the fee</p>

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	Areas reviewed June 2021	Comments	Amendments
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			<p>being introduced, the fee for such applications will be set at £100.37. (NB this was the original fee figure prior to inflationary increases)</p> <p>Insert:</p> <p>A site owner under the Regulations must apply to their local authority for the relevant person (themselves or their appointed manager) to be added to the register of fit and proper persons managing sites in their area (“the register”).</p> <p>The site owner may only apply to be added to the register if they hold, or have applied for, a site licence for the site. This provision also applies where the site owner or site manager is a registered company. The fee for the application must be included with the application.</p> <p>Site owners will be required to submit a completed application from 1 July until October 2021 (3 months) and pay the fee, outlined below, to their local authority, which will also include any additional fees such as an annual site fee.</p> <p><u>Fees for Fit and Proper Persons Register Applications</u></p> <p>Initial application fee</p> <p>The Council believes that fit and proper person assessments and checks to be included on the fit and proper register will take a total of 220 minutes per application. This time of 220 minutes includes updating and publishing the register.</p>

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			<p>Ultimately, the checks are likely to be carried out by the same officers who carry out the licensing functions and, therefore, their hourly rate (inc. on costs) of £38.45 has been applied to the calculation. The fee is set at £142.44 for the fit and proper person application. See appendix 1 for details of the calculation.</p> <p>The Council will take into account the following matters on which costs are incurred, or likely to be incurred (by various departments, including costs incurred by outsourcing contracts), when determining its fee policy for consideration of applications for inclusion on a fit and proper person register:</p> <ul style="list-style-type: none"> • Initial enquiries; • letter writing/ telephone calls etc to make appointments and requesting any documents or other information from the site owner or from any third party in connection with the fit and proper process; • sending out forms; • updating files/ computer systems and websites; • processing the application fee; • land registry searches;

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			<ul style="list-style-type: none"> • time for reviewing necessary documents and certificates; • preparing preliminary and final decision notices; • review by manager or lawyers; review any representations made by applicants or responses from third parties; • updating the public register; • carrying out any risk assessment process considered necessary and • reviews of decisions or in defending appeals. <p>In addition, the Council will need to make such inquiries as are necessary in connection with the application, such as those relating to the relevant person's ability to secure the proper management of the site.</p> <p>Appendix 1 outlines the above and provides transparent justification for the fee to be imposed upon receipt of the initial application. The purpose of this table is to demonstrate that the fees imposed are fair and transparent providing justification as to why a site is required to pay the fee.</p>

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		<p>Fees in the Event that the Council have to Appoint a Person to Manage the Site To allow for management fees to be recovered</p>	<p>Delete:</p> <p>The administration charge for works in default for park home site enforcement will be set at the same level as that for Housing Act enforcement works in default which is likely to remain at 15%.</p> <p>Insert:</p> <p>Fees in the event that the Council have to Appoint a Person to Manage the Site</p> <p>A local authority must be satisfied that the site owner <i>“is a fit and proper person to manage the site”</i> or, if the owner does not manage the site, <i>“that a person appointed”</i> to do so by the site owner <i>“is a fit and proper person to do so”</i> or has, with the site owner’s consent, <i>“appointed a person to manage the site.”</i></p> <p>Where a site owner or their manager fails the fit and proper person test, and they are unable to identify and appoint a suitable alternative manager, who must pass the fit and proper person assessment, the local authority can instead appoint a person to manage the site, but only with the consent of the site owner.</p> <p>In the event that the Council have to appoint a person to manage a site, with the occupier’s consent, the costs incurred by the Council will be recovered from the occupier in accordance with the Regulations.</p>

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		<p>Fee Payment To include the fee for applications to consider inclusion in the fit and proper person register</p> <p>To allow time for the Invoice for the annual fee to be issued in line with the revised Annual Fee</p> <p><u>Review of Fees</u></p>	<p>Insert (shown in bold):</p> <p>The Council is not required to consider an application for the grant of a licence, a transfer of a licence, an application to alter conditions or an application to consider inclusion in the fit and proper person register unless that application is accompanied by the correct fee.</p> <p>Delete (shown in bold):</p> <p>When demanding the annual fee the Council will:</p> <ul style="list-style-type: none"> • give reasonable time in which the fee is to be paid (which will be 28 days); • state the date by which it is due (which will be 1st June each year) <p>Insert:</p> <p>The policy will be monitored and reviewed on an annual basis or more frequently as changes in legislation may dictate.</p> <p>Minor changes which make no significant difference to service provision will be made to the document under delegated authority by the Head of Strategic and Private Sector Housing in consultation with the Lead Member for Regulatory Services and Enforcement/Private Housing</p> <p>Delete:</p> <p>The fees covered by the Park Homes Fees Policy will be</p>

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		<u>Add Appendix 1</u>	<p>increased annually by the same percentage (in line with inflation) that is applied to other fees in the Private Sector Housing Team's Fees and Charges Schedule.</p> <p>Insert:</p> <p>Appendix 1 – (an excel spreadsheet demonstrating the calculations for each fee.)</p>
14.	Changes to be made to the Policy/Strategy which will require Cabinet approval	No changes at this time.	Not Applicable.

Executive Summary

The Mobile Homes Act 2013 (MHA 2013) was introduced in order to provide greater protection to the occupiers of residential caravans and mobile homes. It received royal assent on 26th March 2013 with some parts implemented on 26th May 2013. The MHA 2013 introduced some important changes to park home site licensing on 1st April 2014 due to its amendments to the Caravan Sites and Control of Development Act 1960 (the Amended Act).

These changes include the ability for local authorities to charge site owners a fee for applying for a site licence, for amendments or transfers of existing licences, and for annual fees.

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person)(England) Regulations 2020 (“the Regulations”) require the manager of a site to be a Fit and Proper Person. The Regulations permit the local authority to determine the fee for an application or registration for someone to be added to the register. As such this Fees Policy has been revised to reflect the fee determined.

In order to be able to charge these fees the Council needs to publish them within a Fees Policy. This Charnwood Borough Council Park Homes Fees Policy has therefore been formulated so that these fees can be incorporated within the Private Sector Housing Team’s Fees and Charges Schedule. Approval and subsequent publication of this Fees Policy in will enable fee recovery by the Council at the earliest possible point in time and enable site owners to recover these costs should they opt to increase pitch fees at the next pitch fee review date.

Proposed Fees

The Council has adhered to the DCLG “Guide for Local Authorities on setting site licensing fees” published in March 2014 and “Guide for Local Authorities on setting fees for the fit and proper person test” published in June 2021 in determining this fees structure and has used Option 1 in the guides to calculate the fees. The documents can be viewed by following the links below:

<https://www.gov.uk/government/publications/mobile-homes-act-2013-a-guide-for-local-authorities-on-setting-licence-fees>

<https://www.gov.uk/government/publications/mobile-homes-fit-and-proper-person-test-guidance-for-local-authorities/mobile-homes-a-guide-for-local-authorities-on-setting-fees-for-the-fit-and-proper-person-test>

In setting the level of application fee in this fees policy the Council has taken into account the following matters on which costs are incurred (by whichever department, including costs incurred by contracting out):

- sending out and processing the application (including dealing with the initial inquiry)
- site inspections
- third party consultation
- consultation with the site owner
- preparing draft licences (with altered conditions);
- review by manager or lawyers; review any consultation responses from third parties;
- notification of decision (including where appropriate the updated final licence) and
- where appropriate up-date of register.

The fees associated with applying initially for a new site licence, for transfers/standard amendments of existing licences, site expansion amendments, and for annual fees are set as follows:

- Annual Fee = **£11.18** per pitch/unit.
- Transfer or Standard Amendment Fee = **£177.976** per site/application
- Site Expansion Amendment Fee = Standard Amendment Fee + **£32.66** for first pitch/unit and **£6.41** per pitch thereafter.
- Initial (new) Licence Fee = **£405.22 + 6.41** per pitch/unit over 1

See appendix 1 for details of how the fees are calculated.

Sites that are for holiday use only or are only allowed units stationed on them at certain times of the year are exempt from licensing fees. These are the only statutory exemptions however the Amended Act enables local authorities to fix different fees or to determine that no fee is required to be paid in certain cases or descriptions of case.

It was felt appropriate for Charnwood Borough Council to make single pitch sites exempt from annual fees (but not other licensing fees) as these lower risk sites are less onerous to inspect and collecting annual fees from them would not be cost effective.

The MHA also introduced the ability for local authorities to serve enforcement notices and to carry out works in default to remedy breaches of site licence conditions from 1st April 2014. The Council will be able to charge fees in relation to this. The fee for Housing Act 2004 enforcement notices is based on the hourly rate plus on-costs of the relevant enforcing officer and due to the similarity of Housing Act and park home site enforcement notices the latter will be set to mirror the former.

Fee for Depositing Site Rules:

Site Rule Regulations came into force in autumn 2013 which set out the timescales within which site owners will need to replace existing site rules with new ones that should be deposited with the local authority.

The fee for depositing site rules with the Council will be set at **£38.45**

Fee for Fit and Proper Persons Register Applications:

A site owner under the The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person)(England) Regulations 2020 (the “Regulations”) must apply to their local authority for the relevant person (themselves or their appointed manager) to be added to the register of fit and proper persons managing sites in their area (“the register”).

The site owner may only apply to be added to the register if they hold, or have applied for, a site licence for the site. This provision also applies where the site owner or site manager is a registered company. The fee for the application must be included with the application.

Site owners will be required to submit a completed application from 1 July until October 2021 (3 months) and pay the fee, outlined below, to their local authority, which will also include any additional fees such as an annual site fee.

The Council believes that fit and proper person assessments and checks to be included on the fit and proper register will take a total of 220 minutes per application. This time of 220 minutes includes updating and publishing the register.

Ultimately, the checks are likely to be carried out by the same officers who carry out the licensing functions and, therefore, their hourly rate (inc. on costs) of £38.45 has been applied to the calculation. The fee is set at **£142.44** for the fit and proper person application. See appendix 1 for details of the calculation.

The Council will take into account the following matters on which costs are incurred, or likely to be incurred (by various departments, including costs incurred by outsourcing contracts), when determining its fee policy for consideration of applications for inclusion on a fit and proper person register:

- Initial enquiries;
- letter writing/ telephone calls etc to make appointments and requesting any documents or other information from the site owner or from any third party in connection with the fit and proper process;
- sending out forms;
- updating files/ computer systems and websites;
- processing the application fee;
- land registry searches;
- time for reviewing necessary documents and certificates;
- preparing preliminary and final decision notices;
- review by manager or lawyers; review any representations made by applicants or responses from third parties;
- updating the public register;
- carrying out any risk assessment process considered necessary and
- reviews of decisions or in defending appeals.

In addition, the Council will need to make such inquiries as are necessary in connection with the application, such as those relating to the relevant persons ability to secure the proper management of the site.

Appendix 1 outlines the above and provides transparent justification for the fee to be imposed upon receipt of the initial application. The purpose of this table is to demonstrate that the fees imposed are fair and transparent providing justification as to why a site is required to pay the fee.

Fees in the Event that the Council have to Appointment a Person to Manage the Site:

A local authority must be satisfied that the site owner “*is a fit and proper person to manage the site*” or, if the owner does not manage the site, “*that a person appointed*” to do so by the site owner “*is a fit and proper person to do so*” or has, with the site owner’s consent, “*appointed a person to manage the site.*”

Where a site owner or their manager fails the fit and proper person test, and they are unable to identify and appoint a suitable alternative manager, who must pass the fit and proper person assessment, the local authority can instead appoint a person to manage the site, but only with the consent of the site owner.

In the event that the Council have to appoint a person to manage a site, with the occupier’s consent, the costs incurred by the Council will be recovered from the occupier in accordance with the Regulations.

Fee payment

The Council is not required to consider an application for the grant of a licence, a transfer of a licence, an application to alter conditions or an application for inclusion in the fit and proper person register unless that application is accompanied by the correct fee.

If the Council decides not to approve an application, the applicant is not entitled to a refund of the fee paid.

When demanding the annual fee the Council will:

- give reasonable time in which the fee is to be paid (which will be 28 days);
- state the date by which it is due
- say what matters we took into account in fixing the annual fee and the extent to which we had regard to deficits and surpluses arising out of the previous year.

The Council will not increase the fee payable to take account of any arrears in payment and instead will follow the procedure set out below to recover arrears.

- (i) Where a fee is overdue the Council may apply to a tribunal for an order requiring its payment. The order must specify when the fee must be paid by.
- (ii) If the fee is not paid by that date the Council may enforce the order in the county court in the same way as judgement of that court can be enforced.

If after a period of three months following the date specified in the order the arrears have still not been paid the Council may apply to a tribunal for an order revoking the site licence.

Review of Fees

The policy will be monitored and reviewed on an annual basis or more frequently as changes in legislation may dictate.

Minor changes which make no significant difference to service provision will be made to the document under delegated authority by the Head of Strategic and Private Sector Housing in consultation with the Lead Member for Private Housing.

Contact us...

by telephone: 01509 634651 - Direct line to the Private Sector Housing Team

by email: private.housing@charnwood.gov.uk

on the web: www.charnwood.gov.uk

Write to: Private Sector Housing Team, Charnwood Borough Council, Southfields, Loughborough, Leicestershire, LE11 2TX.

Appendix 1: Charnwood Licensing Fee Calculation 2021-2022

Licence Fee:

Officer Time	(Mins)
Enquiry received and a service request entered onto Civica	15
Obtain planning documents. Record the type of development permitted, restrictions etc.	30
Send out a site licence application form with a covering letter and enter the action onto Civica	10
Contact the applicant and arrange an appointment to carry out an initial site inspection and enter the action onto Civica	10
Carry out an initial site inspection. Advise the applicant on the layout, spacing and all other site licence conditions. Assist with any queries in respect of completing the application form. Enter details of the inspection on Civica.	60
Travel time (average)	23
Receive the application form, enter the details from the form onto Civica.	10
Check that the application is valid e.g. all the compulsory questions have been completed and the correct fee is included. Examine the electrical certificate and any other documentation submitted with the licence for validity.	40
Carry out a Land Registry Search to verify that the applicant is the owner of the land.	20
Carry out checks to see whether the applicant has had a site licence revoked in the last three years	30
Obtain the next consecutive site licence number and add the details of the site to the spreadsheet.	10
Prepare a draft site licence and send it to the applicant with a covering letter. Include any recommendations and works required resulting from the initial inspection. Save the draft licence to Civica.	60
Discuss the proposed licence conditions with the applicant if necessary. If amendments are requested by the applicant seek authority from the line manager to amend the conditions. Update Civica.	45
Upon expiry of the consultation period amend the site licence if required. Print two copies of the final licence and proof read.	40
Site licence to be checked and signed by the line manager - see below.	
Send out the final site licence to the applicant with a covering letter.	15
Update the Civica system and save a hard copy of the site licence to the case file.	15
Upon occupation of the site, contact the site owner to make an appointment for a licensing inspection	10
Carry out a full site inspection, note any breaches of site licence conditions/work required.	
Approx inspection time for first unit.	30
Travel time (average)	23
Record details of the visit on Civica, including breaches identified. Enter scheduled visits for the next routine inspection and the re-visit to check completion of any remedial works	30
Write to the applicant notifying them of the outcome of the licensing visit and detailing any further scheduled visits	30
Update the spreadsheet and public register of licensed sites	15

Total Officer Time:	571
Hourly Officer Rate (HS Officer):	£38.45
Sub Total:	£365.92

Manager Time

Site licence to be checked and signed by line manager	30
Hourly Rate (Manager):	£52.21
Sub Total (Manager):	£26.11

Additional costs

(£)

Mileage costs from initial site inspection	5.10
Milage costs from full site inspection	5.10
Printing hard copy of plans	0.04
Printing application form and covering letter	0.04
2nd Class postage cost	0.69
Printing Land Reg Search	0.04
Printing Draft licence	0.04
2nd Class postage cost	0.69
Printing final licence	0.04
2nd Class postage cost	0.69
Printing outcome letter	0.04
2nd Class postage cost	0.69

Sub Total:	13.20
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Total:	£405.22
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Additional Units/Pitches over 1

Per unit inspection time (mins)	10
Officer hourly rate (HS Officer)	£38.45



Officer time + Manager time + Additional cost + (officer hourly rate/6 x No. of additional units/pitches over 1)

Transfer or Amendment Fee:

Officer Time	(Mins)
Enquiry received and a service request entered onto Civica	20
Send out an application form with a covering letter, detailing the fee required and enter the action onto Civica	15
Receive the application form, enter the details from the form onto	10
Check that the application is valid e.g. all the compulsory questions	30
Carry out a Land Registry Search to verify that the applicant is the new owner of the site.	20
Carry out checks to see whether the applicant has had a site licence	30
Amend the site licence and proof read.	30
Amended site licence to be checked and signed by the line manager - see below.	
Check the file for outstanding historic breaches, outstanding notices etc.	15
Send out the amended site licence to the new site owner with a covering letter. Send written notification of the outstanding historic breaches and outstanding notices to the new site owner.	30
Update the Civica system and save a hard copy of the site licence and cover letter/notice of breaches to the case file.	15
Update the licence spreadsheet and public register of licensed sites	15
 Additional time taken with telephone conversations and correspondence with the applicant on a typical variation enquiry	 25
 Total Officer Time:	 255
Hourly Rate (HS Officer):	38.45
Sub Total:	163.41
 Site licence to be checked and signed by line manager	 15
Hourly Rate with on-costs (Manager):	52.21
Sub Total (Manager):	13.05
 Additional costs	 (£)
Printing application form and covering letter	0.04
2nd Class postage cost	0.69
Cost of Land Reg search	
Printing Land Reg Search	0.04
Printing final licence and cover letter, notice of breaches etc.	0.04
2nd Class postage cost	0.69
 Sub Total:	 1.50
 Grand Total:	 177.965

Additional costs for amendment fee for site expansions

(Visit Required)

Officer Time	(Mins)
Visit the site to inspect where the variation is in relation to expansion of site etc. Average journey time	23
Inspection time for First pitch (inc. general areas)	20
Total Officer Time:	43
Hourly Rate (HS Officer):	£38.45
Mileage:	5.1
Sub Total:	£32.66 1st Unit/Pitch

Subsequent additional pitches over 1 (mins) 10

Total Officer Time:	10
Hourly Rate (HS Officer):	£38.45
Sub Total:	£6.41 Each

Officer Time + Manager Time + Additional costs

add Additional costs for site expansion where a visit is required

Licence Annual Fee:

Officer Time	(Mins)
Check the site inspection register to determine the next routine inspection	10
Contact the site owner to notify them of the time and date of inspection. Enter the action on Civica	15
Look up historic breaches records	15
Visit site and carry out routine inspection to verify compliance with licence conditions. Note all breaches of the site licence. Approx inspection time for first unit .	30
Travel time (average)	23
Record details of the visit on Civica, including breaches identified. £	30
Record the visit on the Mobile Home Site inspection spreadsheet	10
Write to the site owner detailing results of inspection and works required to remedy breaches plus request any certificates required	30
Attach the letter to Civica and a hard copy to the paper file	10
Follow up telephone conversations and letters	15
Total Officer Time:	188
Hourly Rate with on-costs (HS Officer):	£38.45
Sub Total:	£120.48
Additional Costs	(£)
Mileage costs - routine inspection (average)	5.1
Printing 2 page letter advising on outcome of routine inspection	0.04
2nd class postage cost for above plus envelope	0.66
Printing of above item for file	0.04
Printing of additional letter	0.04
2nd class postage cost for above envelope	0.66
Sub Total:	£6.54
Grand Total:	£127.02
Per unit inspection time (mins)	10
Officer hourly rate	£38.45
Additional cost per unit	6.408333

Fox Park 10	£184.69
Proctors 50	£441.03
Whiteways 5	£152.65
Blue Granite 20	£248.78
Berkeley Close 23	£268.00
County Bridge 10	£184.69
Palma Park 49	£434.62
Lady Jane 0	
Orchard Park 33	£332.08
Inglenook Park 56	£479.48
Unicorn Park 17	£229.55
The Haven 5	£152.65
Total cost for all sites:	£3,108.22 278 units
Per unit fee:	£11.18

This fee is based on the total cost to the Council of completing annual pro-active site checks and inspections to all relevant protected sites, divided by the total number of units across all those sites

Depositing Site Rule:

It is estimated that it will take approximately 1 hour of officer time to deal with site rules deposited by site owners including checking that rules have been made in accordance with the statutory procedure and updating the associated register. The hourly rate with on-costs for a HS officer is currently **£38.45**.

Application for Inclusion on the Fit and Proper Person Register:

Officer Time	(Mins)
Initial enquiries regarding the process and requirements. Civica update	15
Assist with any enquiries in relation to completion of the application form/process	10
Application received and checked for completeness - linked to Civica case record	15
Calls and enquiries to obtain any information or documents from the site owner or from any third party in connection with the fit and proper person process	30
Land Registry Search/Companies House Searches	20
Assessing the application and all documents/certificates for consideration	30
Preparing preliminary decision and final decision notices, proof reading, 2nd checks, review of any representations made in response to preliminary decision where necessary	60
Review of representations by applicants or third parties/ inc. potential consultation with Manager or solicitor	30
Update the public register	10
Total Officer Time:	220
Hourly Officer Rate (HS Officer):	£38.45
Sub Total:	£140.98

Additional costs	(£)
Printing Preliminary Decision Notice	0.04
2nd Class postage cost	0.69
Printing Final Decision Notice	0.04
2nd Class postage cost	0.69
Sub Total:	1.46

Grand Total: **£142.44**

Officer time + Additional Costs