



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Housing Overview and Scrutiny Committee

21 September 2023

Report of Councillor Phil Dilks
Cabinet Member for Housing and Planning

Review of Fees Policy for Licensing of Mobile Homes

Report Author

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Purpose of Report

The Council is required to publish a policy if it is to charge for the licensing of mobile home and caravan sites. The Council has an existing policy and the fees are reviewed on an annual basis to set the fees for the next financial year. This is to reflect the true costs of the licensing process that the Council incurs in undertaking this statutory function.

Recommendations

That the Committee:

1. **Notes the Council's existing Fees Policy for the licensing of mobile homes and caravans.**
2. **Notes the proposed increase in fees and charges for the licensing activities associated with mobile homes and caravan sites, proposed for implementation from 1 April 2024.**

Decision Information	
Is this a Key Decision?	No
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	High Performing Council
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 The amendments to the fees and charges detailed in paragraph 2.3 of this report will be presented to Council for approval as part of the 2024/25 budget setting process.

Completed by Alison Hall-Wright, Assistant Director of Finance and Deputy S151 Officer

Legal and Governance

- 1.2 The Caravan Sites and Control of Development Act 1960 Section 10A allows the Authority to charge a fee for certain activities related to the statutory functions associated with the licensing of sites under the Caravan Sites and Control of Development Act 1960. For a fee to be charged a policy is required to be published stating the fees that are applicable.
- 1.3 An equality impact assessment is not required as it does not adversely affect any protected characteristics.
- 1.4 The decision associated with the fees and charges associated with mobile homes and caravan sites will be included as part of the Council's annual budget setting process.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

2. Background to the Report

- 2.1 The Caravan Sites and Control of Development Act 1960 requires “relevant protected sites” to be licensed by the Council. This is to ensure standards on such sites are maintained and to ensure more effective enforcement when site licence holders fail to comply with their licence obligations. In this context a relevant protected site to which the legislation applies are typically known as residential parks, mobile home parks or park homes sites.
- 2.2 As the requirement to process licence applications is a statutory requirement placed upon the Council the Caravan Sites and Control of Development Act 1960 allows for a fee to be charged to cover the costs associated with the activities surrounding this. Prior to a fee being charged a policy detailing the fees applicable is required to be published. The Council has an existing policy and a methodology established for the calculation of such fees. The fee is reviewed on an annual basis using the existing methodology and represents the cost to the Council in carrying out the function.
- 2.3 The only alteration to the existing policy is the increase of fees, the table below sets out the existing fees and the proposed fees:

Chargeable activity	Existing fees	Proposed fees
Application for a new site licence comprising of; Part A Part B	£543.00 £502.00 £41.00	£590.00 £545.00 £44.00
Transfer/amendment of up to 2 licence conditions	£203.00	£219.00
Significant amendments involving a site visit	£329.00	£355.00
Annual Fee	£81.00	£88.00
Additional Annual Fee per Plot	£5.50	£6.00
Enforcement	Based on an hourly rate	Based on an hourly rate
Deposit of site rules	£87.50	£95.00
Replacement licence certificate	£30.00	£33.00
Residential Site Fit and Proper person test	£277.00	£299.00

- 2.4 There are currently 51 licenced sites within the boundaries of South Kesteven and most fees do not have an impact upon these sites as some are exempt from certain charges. The exemptions are listed within Appendix 2 of the Policy (see Appendix A to this report). The regular fee that will have an impact on existing licenced sites are those to which the annual fee is applied and there are only currently 4 sites that this is relevant to. The fee increase is a small amount and it is anticipated that this will not have an adverse effect upon those site licence holders.

3. Key Considerations

- 3.1 As the licensing of relevant protected sites under the Caravan Sites and Control of Development Act 1960 is a statutory function, therefore a requirement that the activity be undertaken. As the legislation allows for the costs associated with these activities to be charged to licence holders and applicants it is appropriate to do so.
- 3.2 Charging for the activity is aimed at cost recovery.

4. Other Options Considered

- 4.1 To not increase the fees to represent the costs incurred and to continue with the existing fee structure.
- 4.2 To no longer charge for the activities and revoke the Fees Policy for Licensing of Mobile sites. This would result in the Council incurring the full costs without recovering any fees.

5. Reasons for the Recommendations

- 5.1 The fees currently charged for licence related activities under the Caravan Sites and Control of Development Act 1960 are no longer the accurate as the costs that will be incurred by the Council in the next financial year for this activity has increased.
- 5.2 Therefore it is recommended that the amended fees be approved, and the policy published to allow the Council to cover the associated costs relevant to the statutory function.

6. Consultation

- 6.1 There is no statutory requirements for a consultation on the proposed fee increase. As the fee calculation methodology has not changed and the fees are related to the carrying out of a statutory function it is proposed that no consultation is undertaken.

7. Background Papers

- 7.1 [Mobile Homes Act 2013: a guide for local authorities on setting licence fees - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/274211/mobile_homes_act_2013_guide_for_local_authorities_on_setting_licence_fees.pdf)

8. Appendices

- 8.1 Appendix A: Draft Amended policy – Fees Policy for Licensing of Mobile Homes