

Chesterfield Borough Council

Residential Caravan Site Fees Policy



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Chesterfield Council Park Homes Fees Policy

1. Introduction

The Caravan Sites and Control of Development Act 1960 (CSCD1960) introduced a licensing system to regulate the establishment and operation of caravan sites. The definition of caravan in this context includes mobile park homes. The licensing system, required Local Authorities to regulate the establishment and operation of caravan sites but the Local Authority could not levy a fee.

The Caravan Sites and Control of Development Act 1960 has now been amended by the Mobile Homes Act 2013, making important changes to park home site licensing and introducing to give greater protection to occupiers of residential caravans (park homes).

Local Authorities can now to charge site owners a fee for applying for a site licence; for transfers of an existing licence; revising site licence conditions; depositing site rules, and an annual licence fee. Site owners may recover licence application fees through an increase in pitch fees up until 1st April 2015.

Section 10A (2) of the Caravan Sites and Control of Development Act 1960 as amended by the Mobile Homes Act 2013 requires a Local Authority to publish a Fees Policy for the licensing of park home sites.

Fees may be charged for:-

- Applications to grant a new licence
- Applications to transfer, vary or amend an existing licence
- Annual licence fees for monitoring existing sites (annual inspection)

This policy has been developed to enable the Council to charge appropriate fees..

The Act also introduced the ability for Local Authorities to serve enforcement notices (Compliance notices), undertake emergency remedial works and to carry out works in default to remedy breaches of site licence conditions. A charge can be made on a case by case basis to recover costs incurred and fees for enforcement are part of this policy.

2. Site Rules

The Act also introduces changes to how site rules are administered. Site rules are not the same as the site licence conditions but are an agreed set of rules between the site owner and residents, relating to contractual matters and other conditions e.g. keeping of pets. Regulations came into force on 4th February 2014 which set timescales (12 months from that date) within which site owners will need to replace any existing site rules with new ones that should be deposited with the Council. A fee for depositing and publishing the site rules is also set out in this policy.

The Council will charge a fee for the depositing and publishing of site rules. The fee is payable by the site owner.

3 Exemptions

Licence fees only apply to sites which fall within the definition of 'relevant protected sites'

The provisions relating to payment of fees do not apply to:-

- Sites that are for holiday use only or are only allowed to have units stationed on them at certain times of the year
- Sites that are occupied by seasonal workers employed by the landowner (unless the home is occupied under an agreement to which the Mobile Homes Act 1983 applies.)

Sites that are not 'relevant protected sites' and are not subject to fees are still subject to licensing requirements contained within the Caravan Sites and Control of Development Act 1960,

4. Full cost Recovery

Fees are calculated on the basis that they will recover the full costs incurred by the Council in administering licences which includes both the fixed costs and inspection of the site. Relevant considerations when calculating the fees include; administering applications, issuing licences, officer time, annual inspections, stationery costs, postage, time spent consulting with other organisations, legal advice, licensing software and enforcement costs.

5. Review of Fees

Site fees will be reviewed after 12 months of introduction and thereafter on an annual basis which will take into account any surplus/deficit in costs that may have built up over time.

6. When Fees are payable

For existing sites fees are payable within 28 days of receipt of invoice following the annual licence inspection and on each anniversary of that date.

Where a new site licence is issued then payment of the New Site Licence fee will be required as part of the application. The annual fee will be charged the following financial year from then on. Sites which are exclusively owner occupied will be exempt from annual payments.

7. Charges for Enforcement Notices and Works in Default

Section 9A of the Act allows Local Authorities to serve compliance notices on site owners where site licence conditions are breached. These notices will set out what the site owner needs to do to correct the breaches and the timescales, and the notice will attract a charge. Annual site licence fees do not include any costs incurred in relation to enforcement activities, such as serving compliance notices, emergency action, and works in default. These costs will be recovered on a case by case basis calculated on a full cost recovery basis.

8. Depositing of Site Rules

Site rules will be accepted and published by the Council if the correct fee is paid and the site owner can provide evidence that the rules have been correctly consulted and agreed and that there are no outstanding appeals.

9. Proposed fees -

Caravan & Mobile Homes Park Licence	Fee per application
Application for a new licence	£303 plus £4.22 per unit of accommodation
Application (by the current licence holder) to Amend or Vary an Existing licence	£126 where no site inspections required £177 where site inspection required
Application to transfer an existing licence to a new site owner or manager	£125 where no site inspections required £179 where site inspection required
Annual Licence fee – full charge (includes site inspection)	£194 plus £4.22 per unit
Annual Licence fee – reduced	A 50% discount applies where all of the following apply:- a. the licence holder supplies all requisite documentation 14days ahead of the proposed inspection date <u>and</u> b. no Compliance notices have been served within the last three consecutive years <u>and</u> c. the fee is paid within 28days of receipt of Council invoice
Fee to Deposit/Vary or Delete Site Rules	£37
Compliance Notices	Charge will be based on the officer time (including overheads & legal expenses) and any other eligible expenses incurred. This will be calculated on a case by case basis.
Emergency Remedial Work	Charges will be in accordance with statutory provision – cost of expenses incurred plus interest
Work in Default	Recovery of costs incurred including Council's administration fees

Nothing in this policy fetters the discretion of the Executive Member for Housing to vary licence fees for individual cases in appropriate circumstances

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