

Fees Policy for Licensing Residential Caravan Sites

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1. Scope

- 1.1 The policy sets out the fee structure for the processing of applications for
- the issue, variation and transfer of caravan site licences
 - the determination of a fit and proper person
 - submission of site rules, and
 - an annual fee for the administration and monitoring of site licences.

2. Legislation

- 2.1 West Suffolk Council ('the council') has powers under the Caravan Sites and Control of Development Act 1960 ('the act') as amended by the Mobile Homes Act 2013 ('the 2013 act') to issue licences in respect of 'relevant protected sites' and to charge fees for the provision of their licensing functions.

- 2.2 A relevant protected site is defined in the Act as any land to be used as a caravan site 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)
- in respect of a site owned by the local authority.

The definition of protected site relates to all sites that are used for permanent residential use, apart from local authority owned sites.

- 2.3 This policy covers the following fees and charges:

- Fees for applications to grant or transfer a licence or an application to alter the conditions attached to a licence
- An annual licence fee for administering and monitoring licences

- A fee for the deposition of site rules
- A fee for an application for inclusion to the register of fit and proper persons to manage sites.

3. Determining the fee structure

3.1 In calculating a fee structure the council has had regard to the provisions of the 2013 Act and Guide for Local Authorities on Setting Site Licensing Fees issued by the Department for Communities and Local Government (2014). The fee structure allows for reasonable costs, and this includes administrative costs, officer visits to the site, travel costs, consultations, meetings, and informal advice.

4. Annual licensing fees

4.1 The annual licensing fees have been calculated as outlined in the table below. These fees have been based on an officer hourly rate at Band 6 at £44.29 per hour, and reflect the increased time required in both administrative and inspection functions as sites increase in pitch numbers. Application fees are higher than annual inspection fees due to the necessary increase in administrative time required. Applications to transfer or amend licences require less time. Fees also include those to register submitted site rules and for the application for inclusion in the register of fit and proper persons to manager a site.

Table 1. Table detailing annual licensing fee calculation

The fee is calculated by adding the administration time (A) and inspection time (B) together then multiplying by officer hourly rate (C)

Number of pitches	Formula	Administration time (minutes) (A)	Inspection time (minutes) (B)
3-9	$(A+B) \times C$	120	120
10-24	$(A+B) \times C$	120	180
25-99	$(A+B) \times C$	210	240
100-199	$(A+B) \times C$	240	270
200+	$(A+B) \times C$	300	300

Exemptions:

- Single family owned and occupied sites where they are not operated as a business.
- Sites licenced for holiday use only.
- Sites 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).
- Sites owned by the local authority.

5. New applications, transfer or amendment of licences

5.1 Applications for new site licences require more resource and the fee reflects an additional two hours of officer time above that calculated for the annual

inspection fee. Similarly, applications to transfer or amend licences require less time and the fee is adjusted to account for one hour less. Fees also include to register submitted site rules based on a nominal administration cost.

6. Register of fit and proper persons fees

- 6.1 The application for inclusion in the register of fit and proper persons to manage a site also incurs a fee. Fees for the application for inclusion to the register of fit and proper persons to manage sites are calculated at a fixed cost for all sizes of site based on five hrs of officer time at £44.29 per hour plus fixed costs related to necessary legal searches.

Table 2. Table detailing amounts of fees

Number of units on site	3-9	10-24	25-99	100-199	200+
Annual fee	£175	£220	£330	£375	£440
New application fee	£265	£310	£400	£465	£530
Transfer of licence	£135	£175	£265	£335	£400
Amendment to licence conditions	£135	£175	£265	£335	£400
Site rules submission	£25	£25	£25	£25	£25
Application for inclusion in the Register of Fit and Proper Persons	£250	£250	£250	£250	£250

Please note: all fees are rounded to £5.

7. Review of the fee structure

- 7.1 A review of the fee structure will be carried out annually and revised, if necessary, in accordance with our fees and charges policy. Any adjustments will consider variations in actual officer inspection and administration time to those predicted, any changes to officer hourly rates, mileage costs or any other typical associated costs in providing the licensing function.
- 7.2 Where a deficit appears because overall expenditure was more than anticipated, the shortfall will be reflected in increased fees charged to site licensees in the next year. Similarly, where a surplus is made the fees for the following year will be reduced by that amount.

8. Publishing the fees policy

- 8.1 The fees policy for licensing of caravan sites will be published on the West Suffolk Council website.
- 8.2 If the fee policy is revised the published policy will be replaced by the revised policy.

9. How fees are to be paid

- 9.1 The council requires all relevant fees to be included with any application for a new site licence, for amending a site licence, transferring a site licence or for inclusion to the register of fit and proper persons.
- 9.2 Where an annual fee is payable the request for payment will be made for the period of 1 April to 31 March and must be paid to the council within 28 days of the date of request.
- 9.3 Where an annual fee payment to the council becomes overdue, the council may apply to the First Tier Tribunal for an order requiring the licence holder to pay to the council the amount due by the date specified in the order. Where a licence holder fails to comply with such an order within the period of three months from the date of the order, the council may apply to the First Tier Tribunal for an order revoking the site licence.
- 9.4 Any licence holder has the right to apply to the First Tier Tribunal if they disagree with the licence fee being charged.
- 9.5 Where a site is expanded part way through a year to include additional units and hence an alternative banding applies, the corresponding higher fee would apply from the commencement of the next charging period.

10. Enforcement costs

- 10.1 Where there has been a breach in a site licence condition which comes to the attention of the council, a compliance notice may be served.
- 10.2 The Mobile Homes Act 2013 has amended the Caravan Sites and Control of Development Act 1960 to detail the elements which the local authority may include when imposing a charge for enforcement action. These include the time involved in deciding to serve and prepare the notice.
- 10.3 A detailed breakdown of the relevant expenses would be provided with the compliance notice. Charges would be based upon an hourly rate in addition to any costs incurred, for example legal costs. These costs do not form part of this fees policy

11. Other matters

- 11.1 Where fees are charged for application for a site licence, the transfer or amendment of a site licence or for inclusion to the register of fit and proper persons; the application will be deemed complete once all necessary applications forms, supporting documents and the correct fee have been submitted to West Suffolk Council.
- 11.2 If the application is not approved then the applicant is not entitled to a refund, as the application has been processed.