

FEE POLICY FOR RELEVANT PROTECTED SITES (THE MOBILE HOMES ACT 2013)

1.0 Introduction

- 1.1 The Mobile Homes Act 2013 introduced new legislation that makes it possible for a local authority to charge appropriate fees for issuing a site license for residential mobile home sites. It can also charge an annual fee for the residential mobile home site license inspection. This is to cover the expense of the site inspection and other summary costs involved.
- 1.2 Adur District Council has decided to charge a fee on the basis of four bandings based upon the number of units on a site for the 1st year and then to review this charge annually. The future charge may increase to reflect costs actually incurred during the process or where costs have been incurred by additional visits or administration due to non-compliance issues. The future charge may also be reduced fee should it become apparent that less work was involved in the process during the previous year.
- 1.3 The changes introduced by The Mobile Homes Act 2013 for site licensing will come into force on the 1st April 2014. All residential sites that are not solely owner occupiers are included in the new and annual site license fee policy. These residential sites will also have to deposit their new site rules with Adur District Council between 4th February 2014 and 4th February 2015.
- 1.4 A relevant protected site is defined in the Act as any land to be used as a caravan site with planning permission, other than where a license is:
- 1.4.1 Granted for holiday use only
- 1.4.2 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)
- 1.5 The following documents have been consulted during the drafting of this policy.
- The Caravan Sites and Control of Development Act 1960 as amended (CSCDA60)
 - Mobile Homes Act 2013 (MHA 2013)
 - Regulators Compliance Code
 - DCLG Guidance on Site Licensing Fee Setting

2.0 Fees charged for site licenses

- 2.1 Under the Act fees can be charged for the following:
- Applications for a new license
 - Applications to transfer or amend an existing license

- Annual site license inspection fee for administering and monitoring existing licensing functions.

2.2 Deposit of site rules

2.2.1 This fee policy is for the period 1st April 2014 to 31st March 2015.

2.2.2 Application for a new site license

- New site license for residential mobile home site will be charged at the following rate according to size of site:
 - 1-5 mobile homes on site. £135.75
 - 6-24 mobile homes on site. £220.60
 - 25-99 mobile homes on site. £243.63
 - 100+ mobile homes on site. £271.26

2.2.3 The fee is based on a set administration time and a differing inspection time based on the size of the planned site.

2.3 Annual fee for existing site license

2.3.1 Annual site license condition inspection and process according to size of site:

- 1-5 mobile homes on site. No charge
- 6-24 mobile homes on site. £147.55
- 25-99 mobile homes on site. £183.34
- 100+ mobile homes on site. £226.29

2.3.2 The fee is based on set administration time for each site and additional time for the inspection on larger sites. The fee has been set after consultation with other Sussex local authorities. The fee will be reviewed annually and surpluses and deficits used to base future charges for annual inspection fees. The fee is payable on 1 October of each year.

2.4 Transfer or Amendment of a License

2.4.1 The cost to transfer or amend a license will be £77.30. This is if conditions are changed or if there is a change of owner for the mobile home site. The fee must accompany the application to transfer the license.

2.5 Fee for the Deposit of Site Rules

2.5.1 The owner or manager of a relevant protected site must issue prescribed site rules for his/her site. From the 4th February 2014 existing site rules on Park Home Sites must be replaced with new ones and these rules deposited with Adur District Council.

2.5.2 The site rules will contain procedures in regards to the management and conduct expected on this site. The owners of mobile homes must be given a

consultation period to respond to these rules and the site owner/manager must take account of any proposals and decide whether to implement these proposals or not to implement these proposals. The owner of a mobile home has the right to appeal. All new site rules should be deposited by the 4th February 2015 after this consultation.

2.5.3 All Local Authorities with Relevant Protected Sites must publish a register of all sites (except Gypsy and Traveller sites) that have issued site rules. These rules will be made available for inspection on the Adur & Worthing Council Website under the Environmental Health, Private Sector Housing, Park Homes section.

2.5.4 The Council has imposed a charge for the depositing of these rules as allowed under The Mobile Homes (Site Rules) (England) Regulations 2014 section 16. The fee for this service has been calculated at £81.46. (Deposit of Site rules and administration of site rules register).

2.5.5 The set format for the new site rules can be found at the following web-link.

<http://www.legislation.gov.uk/uksi/2014/5/contents/made>

3.0 Enforcement

3.1 The Council will also charge additional fees if costs are incurred in carrying out enforcement activities, such as service of an improvement notice (if site conditions are breached) however they will be calculated on a case by case basis and therefore no set fees apply.