



The Mobile Homes Act 2013

Mobile Home Fee Policy for Residential Relevant Protected Sites

Date of Issue:

1. Introduction

1.1 The Mobile Homes Act 2013 was introduced to provide greater protection to occupiers of residential caravans, and park homes and came into force on the 1st April 2014. It amends provisions in the Caravan Sites and Control of Development Act 1990 and the Caravan Act 1983.

1.2 Local Authorities now have the ability to charge site owners a fee for:

- Applying for a new site licence
- Transfer of an existing licence
- Alteration of a condition of an existing licence; and
- Depositing site rules
- Setting of an annual fee.

1.3 Sites that are for holiday use only or sites where caravans are only permitted to be stationed on the land at certain times of the year are exempt from licensing fees.

1.4 Amendments made by The Mobile Homes Act 2013 give local authorities provision for charging for enforcement including serving enforcement notices and to carrying out works in default to remedy breaches of site licence conditions.

1.5 Local Authorities will be able to require a fee when the site rules are deposited with them and then they are required to publish an up to date site register of the rules.

1.6 Section 10A of the Caravan Sites and Control of Development Act 1960 (“the Act”) requires the local authority to prepare and publish a fee policy, where they propose to charge for functions associated with the legislation.

1.7 This policy details the level of fees Burnley Borough Council will charge in relation to the different functions covered by the legislation.

1.8 The fee levels have been calculated based on the time and cost involved in undertaking the activities involved. The costs typically cover officer time and stationery.

1.9 The fee rates in the policy cover the period from 1st February 2016 to the 31st March 2017.

2. Areas of Work

2.1 The main areas of work undertaken for which fees are chargeable have been split into five functions:

2.2 **Application for a new licence.** Under the Act sites require a licence to operate as a caravan site. Failure to apply for a site licence is an offence.

2.3 **Transfer of an existing licence** where an existing licensing holder or new site owner wants to transfer a licence; an application must be made to the Council.

2.4 **Alteration of conditions on an existing licence** where the site owner requests variations in an already granted licence; an application must be made to the Council.

2.5 **Deposit of Site Rules.** Site rules are different to site licence conditions and are put in place by the site owner to ensure occupiers of the site maintain certain specified standards. The Council must keep a public register of the rules and publish any deposited site rules on line.

2.6 **Annual fees** cover the costs associated with annual site inspections which ensure compliance with the site licence conditions and the re-inspections to ensure compliance with schedules of work. Further costs may be incurred if any enforcement action needs to be taken.

2.6.1 This fee is calculated based on a price per unit. For the first year the costs are based on estimates. The Council must not make a profit for this function. Any surpluses or deficits will be calculated in the first year and will be reflected in the fee charged in the next year.

2.7. Should any sites with only one caravan be granted a licence in Burnley they would be exempt from this fee as the Council would not intend to undertake annual inspections of such sites.

3. Fees

The table below details the fee amount for each of area of work referred to in section 2.

Area of Work	Fee
Application for a new licence	£378
Transfer of an existing licence	£221
Alteration of conditions on an existing licence	£207
Deposit of Site Rules	£86
Annual Licence	£297
Pitch Fee	£5

4. Charging Arrangements

4.1 Upon receipt of a request for a new licence, for the transfer of an existing licence or alteration of conditions on an existing licence an invoice will be sent to the site owner which will be payable within 30 days.

4.2 The invoice for the annual licence fee will be issued to the site owner 30 days before the annual site inspection and payable within 30 days.

4.3 Where the fees are overdue the Council can apply to the First Tier Tribunal for an Order requiring its payment.

5. Enforcement Action

5.1 Where there are breaches of the site licence conditions the Council can serve a Compliance Notice.

5.2 The Act details the costs that the Council may include when serving this notice. These include the time involved in deciding to serve and prepare the notice. Charges would be based on an hourly rate, in addition to another other costs such as stationery incurred.

5.3 Where the works detailed in the notice are not complied with the licence holder commits an offence in respect of which the Council consider taking legal proceedings for a criminal offence. Two or more prosecutions for this offence can lead to the site licence being revoked.

5.4 In the event of a successful prosecution the Council have the power under the Act to serve notice to enter the site and carry out the works in default of the licence holder. An administration cost of 20% would be added to the cost of the works.

5.5 The Council may enter the site and take emergency remedial action where there is imminent risk of serious harm to residents or the wider community.

5.6 Unpaid charges in relation to service of notices and default work can be placed as a charge against the site owners land.

6. Revising the Policy

6.1 Some of the functions such as the depositing of site rules are new and as such estimates have been made to the cost of providing these services, subsequently the policy will be revised in March 2017.