

Cabinet

22 June 2016



Title	Caravan Site Licence Fees Policy		
Purpose of the report	To make a decision		
Report Author	Tracey Willmott-French		
Cabinet Member	Councillor Tony Mitchell	Confidential	No
Corporate Priority	Value for money Council		
Cabinet Values	Accountability		
Recommendations	Cabinet is asked to: <ul style="list-style-type: none">• approve the 'Caravan Site Licensing Fee Policy' for Spelthorne attached.• delegate authority to the Deputy Chief Executive to approve any future minor amendments to the Caravan Site Licence Fees Policy.		

1. Key issues

- 1.1 By virtue of the Caravan Site and Control of Development Act 1960 (the Act), relevant caravan sites and park home sites¹ are required to hold a license granted by the local authority.
- 1.2 A list of caravan and park home sites in Spelthorne is attached at **Appendix 1**.
- 1.3 The licensing scheme is in place to ensure that the health and safety of residents living in caravans and park homes are better protected and that the value of their homes are safeguarded.
- 1.4 The costs associated with considering site licence applications, variations, transfers, administration and compliance monitoring were previously absorbed by the local authority and therefore funded through the public purse. This has changed, local authorities are now able to charge site owners directly for these activities.
- 1.5 The Department for Communities and Local Government (DCLG) has issued guidance to local authorities on setting the fee structure. This includes advice on how fees are to be calculated and the matters that can and cannot² be taken into account.

¹ A relevant protected site is defined as being any land to be used as a caravan site (or park home site) except one for holiday use only, or subject to conditions which restrict the use of the site of stationing caravans for human habitation at certain times of the year.

² In setting the fees local authorities may only recover their costs, nor may they charge for enforcement action as recovery can only be granted by the law courts.

- 1.6 Officers have taken into account the DCLG guidance in developing this fee setting policy. The proposed fees policy and the proposed charges for 2016/17 are attached at **Appendix 2**.
- 1.7 If local authorities decide to charge for caravan/park home site licensing activities the Act requires the local authority to prepare and publish its fee setting policy before charging any fee in relation to the licensing activities. If Cabinet approve the attached fees policy, officers will publicise the policy and bring the policy to the attention of the caravan/park home site owners.
- 1.8 If a local authority revises its fees policy, it must publish the revised policy and act in accordance with that policy.

2. Options analysis and proposal

- 2.1 Spelthorne has the discretion as to whether they charge for site licensing. However, the Council does already charge for the recovery of its costs associated with other licensable premises and activities (e.g. House in Multiple Occupation licences, immigration inspections, and taxi licensing).
- 2.2 If Spelthorne decides to introduce charges there may be a legitimate expectation from homeowner's that they will get a better licensing service over and above what they currently receive (assuming the site owner passes on his licence fee). Residents' expectations would need to be managed in respect of this as officer time in relation to dealing with harassment or non-licensing complaints cannot be funded through this proposed fee structure.
- 2.3 Charging will provide a revenue stream to fund these licensing functions.
- 2.4 It is proposed that Cabinet approve the 'Caravan Site Licensing Fee Policy' for Spelthorne attached at Appendix 2. Cabinet are also asked to delegate authority to the Deputy Chief Executive to approve any future minor amendments to this Caravan Site Licence Fees Policy.

3. Financial implications

- 3.1 Historically, the Council's duties associated with licensing caravan and park home sites has been funded by Spelthorne Borough Council. The adoption of this 'Caravan Site Licence Fees Policy' only enables the Council to recover its costs in carrying out this work. The Act does not permitted the Council to make a profit, only recover its costs.

4. Other considerations

- 4.1 There are none.

5. Timetable for implementation

- 5.1 If Cabinet approve the officer's recommendations the Caravan Site Licence Fees Policy will be taken forward immediately.

Background papers: None

Appendices:

- Appendix 1 – List of mobile home / caravan sites in Spelthorne
- Appendix 2 – The Caravan and Park Homes Site Fee Setting Policy; including schedule 1 detailing the proposed fees and charges.