

BRECKLAND DISTRICT COUNCIL

Report of: Cllr Charles Carter Executive Member for Growth

To: Cabinet 22 September 2015

Author: Tim Mills Interim Housing Manager

Subject: Introduction of fees for certain residential caravan sites

Purpose: To approve the introduction of fees for certain residential caravan sites and the setting of fees and exemptions.

Recommendation(s):

- 1) That the Council approve the introduction of fees for the licensing of Relevant Protected Sites.
- 2) That the schedule and justification of fees and proposed exemptions be agreed.

1.0 BACKGROUND

- 1.1 The Mobile Homes Act 2013 modified the Caravan Sites and Control of Development Act 1960 to allow for the charging for licenses under that Act and to be able to set annual fees for the inspection of certain residential caravan sites.
- 1.2 The residential sites covered are Relevant Protected Sites, (RPS), which are sites with Planning Permission for permanent residential use and guidance, indicates the aim of the legislation is to target sites run on a commercial basis i.e. Park Homes sites. Local Authorities are allowed to exempt sites from the requirements to charge fees.
- 1.3 Currently there are only 4 sites in Breckland deemed to fall into the criteria for being RPS.

2.0 OPTIONS

- 2.1 The Council has the option of whether to charge fees or not.
- 2.2 If the Council chooses to charge fees it has the option whether to exempt sites.

3.0 REASONS FOR RECOMMENDATION(S)

- 3.1 In introducing the legislation the Government has created an expectation that Local Authorities will charge fees. The sites affected are commercial and it is reasonable to expect them to pay the costs of the Local Authority issuing licenses and inspecting as is current practice where similar services are provided by Local Authority to other businesses.
- 3.2 The legislation is aimed at sites run primarily on a commercial basis. The exemptions proposed are designed to exclude sites which do not fit this description
- 3.3 The proposals and justifications have been drawn up in accordance with the guidance

contained in the Best Practice Guide for Local Authorities on Enforcement of the New Site Licensing Regime 2015 and A Guide for Local Authorities 2014 on setting site license fees, (Department for Communities and Local Government) and are on a cost recovery basis. The methodology to calculate the fees based on the guidance has been developed with the neighbouring authorities of Broadland and Kings Lynn and West Norfolk. The introduction of fees will ensure the Council can resource its obligations on an ongoing basis.

- 3.4 There is no requirement in the legislation to consult and the Guidance indicates that the Secretary of State does not consider that this should be necessary. In view of this and that there is clear guidance on the setting of fees which is on a cost recovery basis it is not proposed to consult.

4.0 **EXPECTED BENEFITS**

- 4.1 The Council will be operating in accordance with its legislative responsibilities and inspections will be on a defined annual basis rather than the more reactive service currently. While the sums recovered are small the Council will cover its costs and be protected from costs if further sites are developed.

5.0 **IMPLICATIONS**

5.1 **Carbon Footprint / Environmental Issues**

- 5.1.1 It is the opinion of the Report Author that there are no implications.

5.2 **Constitution & Legal**

- 5.2.1 The proposals are in accordance with legislation

5.3 **Contracts**

- 5.3.1 It is the opinion of the Report Author that there are no implications.

5.4 **Corporate Priorities**

- 5.4.1 The proposals are in accordance with the Council's Priority of providing the right service in the right way at the right time.

5.5 **Crime and Disorder**

- 5.5.1 It is the opinion of the Report Author that there are no implications.)

5.6 **Equality and Diversity / Human Rights**

- 5.6.1 It is the opinion of the Report Author that there are no implications.)

5.7 **Financial**

- 5.7.1 It is anticipated that initial site licence fees for existing sites would be £760 plus an annual inspection fee of £639. Other fee income will arise if there are chargeable activities as outlined in the schedule of fees and justification.

5.8 Health & Wellbeing

5.8.1 The regular inspection of these sites helps ensure the health and safety of the residential occupiers.

5.9 Risk Management

5.9.1 It is the opinion of the Report Author that there are no implications.

5.10 Safeguarding

5.10.1 It is the opinion of the Report Author that there are no implications.

5.11 Staffing

5.11.1 While there will be additional work to establish the new arrangements it is not considered additional staffing will be required to meet these obligations in the longer term. The short term needs will be met by reprioritisation. However establishing a fee based system will ensure the Council can meet its obligations on an ongoing basis.

5.12 Stakeholders / Consultation / Timescales

5.12.1 It is the opinion of the Report Author that there are no implications.

6.0 WARDS/COMMUNITIES AFFECTED

6.1 All

7.0 ACRONYMS

7.1 RPS - Relevant Protected Sites which are caravan sites with Planning Permission for permanent residential use ...

Background papers:-

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Key Decision: Yes

Exempt Decision: No

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix A Fee schedule and justification