Borough Council of
King's Lynn &
West Norfolk

Fees Policy for Licensing Residential Caravan Sites

Borough Council of King's Lynn & West Norfolk
King's Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX

1.0 Introduction

1.1 The Borough Council of King's Lynn & West Norfolk ('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.

1.2 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)
- It does not include sites that are owned by the local authority

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

1.3 Local authorities can charge;

- A licence fee for applications to grant or transfer a licence or an application to alter the conditions attached to a licence and;
- An annual licence fee for administering and monitoring licences.
- A fee for the deposition of site rules

Before a local authority can charge a fee, it must prepare and publish a fees policy. When determining a fee the local authority:

- Must act in accordance with their fees policy
- May set different fees in different cases
- May determine that no fee is required in some cases

1.4 Any fees charged must fairly cover the costs (or part of the costs) incurred by a local authority under its functions in Part 1 of the Act, other than the costs of enforcement action. They must be reasonable and transparent and whilst different fees can apply to different types of cases, there must be consistency in the fee structure and its application.

2.0 The Fee Structure

2.1 In calculating a fee structure, the Council will calculate its fees in accordance with the provisions of the 2013 Act which allows a local authority to include all its reasonable costs and this includes administrative costs, officer visits to the site, travel costs, consultations, meetings, undertakings and informal advice.

2.2 The Council will, when deciding its fee structure, base it on the size of a site because the cost to the Council in terms of Officer time and administration is proportional to the number of units on a site. Sites are banded according to the number of units on each site and costs are apportioned to take into account the costs incurred.

2.3 Single family owned and occupied sites where they are not operated as a business will be exempt from an annual fee as it is not intended to undertake annual inspections of these sites*.

2.4 It is also proposed that fees not be charged for new site licence applications for Band A sites for a period of 12 months following the adoption of this policy so as to encourage historic sites that have gone unlicensed for some time to make a site licence application. All other activities surrounding the licensing function will be chargeable as per the fees policy.**

	Band A	**Band B**	**Band C**	**Band D**
Units	**1-5 (including family owned & occupied sites)**	**6-24**	**25-50**	**51-100**
Annual Fee	£0* £175	£219	£279	£346
New site licence Application	£0** £284	£411	£487	£577
Transfer of site licence	£128	£140	£152	£163
Amendment of site licence	£172	£186	£200	£216
Registering of site rules	£35	£35	£35	£35

3.0 Review of the Fee Structure

3.1 A review of the fee structure will be carried out annually and revised if necessary. Any adjustments will take into account variations inactual officer 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.

3.2 Where a deficit appears because expenditure was more than anticipated the shortfall will be reflected in the fee charged to the site owner in the next year. Similarly, where a surplus is made the fee for the following year will be reduced by that amount.

4.0 Publishing the Fees Policy

4.1 The fees policy for licensing of caravan sites will be published on the Councils website.

4.2 If the Council revises its fees policy, it will replace the published policy with the revised policy.

4.3 There will be a copy of the fees policy kept within the Housing Standards department which will be available to view during normal office hours at the Council Offices.

5.0 How fees are to be paid

5.1 The Council requires all fees to be included with any application for a new site licence, for amending a site licence or transferring a site licence.

5.2 In the case of sites, where an annual fee is payable, the request for payment will be made in April each year and must be paid to the Council within 28 days of the date of request.

5.3 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 3 months from the date of the Order, the Council may apply to the First Tier Tribunal for an Order revoking the site licence.

5.4 Any licence holder has the right to apply to the First Tier Tribunal where they disagree with the licence fee being charged.

5.5 Where a new site is licenced is issued part way through the year then an invoice with 28 day payment terms will be issued for the pro-rata amount.

5.6 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 that point. In such cases an invoice with the same payment terms, covering the difference between the original and increased fee for the remainder of the financial year will be sent shortly after the amended licence has been issued.

6.0 Enforcement Costs

6.1 Where there has been a breach in a site licence condition which comes to the attention of the Council we may serve a Compliance Notice.

6.2 The Mobile Homes Act 2013 has amended the Caravan Sites and Control of Development Act 1960 so that it now details 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.

6.3 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.

7.0 Other Matters

7.1 Please note that once the application form and all necessary supporting information, including the correct fee, has been submitted to the Council the application will be deemed as complete and the Council will aim to determine the application within 8 weeks.

7.2 If the application is not approved then the applicant is not entitled to a refund, as the application has been processed.