



# **Mobile Homes Site Licensing Fees Policy**

under the

## **Mobile Homes Act 2013**

2025

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## 1. Introduction

This policy establishes the principles and methods of calculation for fees and charges permitted to be charged under the Mobile Homes Act 2013 (and related regulations).

The Council has a duty to grant licences for caravan sites under the Caravan Sites and Control of Development Act 1960 (“the 1960 Act”) for sites that have been granted planning permission. The Control of Development Act 1960 was amended by the provisions of the Mobile Homes Act 2013 (“the 2013 Act”). The 2013 Act was introduced in order to provide greater protection to occupiers of residential park homes and caravans as the existing legislation had not been updated for more than 50 years.

The 2013 Act introduced important changes to the buying, selling or gifting of a park home and the pitch fee review process. There is an expectation that Councils will inspect sites and use these powers to ensure compliance with site licence conditions.

The 2013 Act refers to these sites as ‘Relevant Protected Sites’. Section 10A(2) of the 1960 Act as amended by the 2013 Act requires a Local Authority to publish a Fees Policy for the licensing of park home sites.

In addition, The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (“the Regulations”) states that an occupier cannot use land as a “Relevant Protected Site” unless the licence holders or their appointed manager satisfy the local authority that they are a “fit and proper” person. The Regulations permit the Council to charge a fee upon the consideration of an application to assess if a person is “fit and proper” to manage a site, under the Regulations.

A relevant protected site is defined in the Act as any land to be used as a caravan site other than one where the application for a licence is:

- For holiday use only, or
- Subject to restrictions or conditions which limit the times of the year when the site may be used for stationing caravans for human habitation (e.g. planning conditions).

If any doubt arises whether a site falls under the definition of a Relevant Protected Site, then the guidance issued by the Department for Communities and Local Government (DCLG) will be referred to by officers in order to clarify the status of the site, this can be found at Appendix 1 of [Mobile Homes Act 2013: advice to local authorities on the new regime for applications for the grant or transfer of a site licence](#).

Sites which do not fall within the definition of ‘relevant protected sites’ are still subject to the licensing requirements contained within the 1960 Act but the provisions relating to payment of fees do not apply.

The Council has calculated fees in accordance with the provisions of the 2013 Act which allows a local authority to include all reasonable costs, and this includes administrative costs, officer visits to the site, travel costs, consultations, meetings, undertakings and informal advice. Local Authorities are able to reclaim costs for administering and

monitoring site licences for these sites. The fee generated by the 2013 Act is not designed to include investigation of harassment, enforcement action or matters not related to the site licence.

This policy details what will be charged for each function. Current fees are shown in Table 1 in Annex 1. The table will be updated to reflect the current fees agreed by the Council's Licensing Committee. Fees will be reviewed annually ahead of each new fiscal year and from time to time as and when the cost of delivering licensing function is considered to have materially changed. Where fees are increased equal to or below Retail Price Index (RPI), the matter will not be returned to Licensing Committee for consideration.

## **2. Fee Structure**

In setting this fee policy and the fees to be charged the Council has had regard to the [Mobile Homes Act 2013: a Guide for Local Authorities on Setting Site Licensing Fees issued by the Department for Communities and Local Government](#) (April 2014).

The Act and the Regulations set out that Local Authorities can charge:

- A licence fee for applications to grant or transfer a licence or application to alter the conditions of a licence.
- An annual fee for administering and monitoring licences.
- A deposit fee for site rules.
- Application for inclusion in the Register of Fit and Proper Persons.

This policy should be read alongside the Council's [Fit and Proper Person Determination Policy](#) and the process to apply for inclusion on the fit and proper person register which can be found via the Council's website. The fee for this process has been set separately due to the relevant section of the legislation being enacted at a different point in time and being subject to The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020.

Section 10A(5) of the 1960 Act (as amended by the 2013 Act) states that a fees policy must include provision about the time at which the annual fee is payable. All fees are to be included at the time that the relevant application is made, and the application process will not be considered completed and the application validated or determined until the relevant fee has been paid.

The annual fee for existing sites will be charged to the site owner/licence holder and invoices will be sent during the financial year, with payment due within 30 days. Following the granting of a new licence the first annual fee will be due on annual anniversary of the granting of the initial licence.

In the event an annual fee is not paid within the terms of the invoice the Council may apply to the First Tier Tribunal (Property Chamber) for an order requiring the licence holder to pay the amount due.

Where an amended licence is issued part way through the year (which included either additional units or a reduction in units), the change in annual fee will be calculated on a pro rata basis for the remainder of the year and the difference in fee will be either invoiced if moving up a band or refunded if moving down a band.

### **3. Fee setting process**

The Council has determined that the most appropriate and proportionate approach to setting site application and annual fees is to implement a banding structure based upon the size of the site. This approach is supported by DCLG guidance, as is the method used to calculate the fees for each band. When calculating the fees found at Appendix 1, the Council used a formula based on the time taken for the various activities listed below, taking into account whether the average time taken for each activity is affected by the size of the mobile home site. This method recognises that larger sites are more complex and take up more time in terms of site inspections, than smaller sites.

The time taken for each activity was then multiplied by the hourly rate (inclusive of on-costs) for the appropriate level of officer that would usually undertake the respective activities.

In line with the DCLG guidance, the fees have been set based on calculations for the expected time taken to carry out the following activities:

- i. letter writing/ telephone calls etc. to make appointments and requesting any documents or other information.
- ii. information from the site owner or from any third party in connection with the licensing process.
- iii. handling enquiries and complaints.
- iv. updating document storage and computer systems (including maintenance and upgrade of such systems and the future development of e-forms etc.)
- v. updating the website as appropriate.
- vi. processing the licensing fees.
- vii. time for reviewing necessary documents and certificates.
- viii. review by manager and/or legal services.
- ix. carrying out any risk assessment process considered necessary.
- x. full site inspections and reports.
- xi. any follow up inspection to monitor compliance as necessary.

As there are a large number of licensed relevant protected sites within Buckinghamshire, it is considered disproportionate and impractical for all sites to receive a full inspection each year. As such, the fees have been calculated based on inspecting each site on a three yearly basis. Therefore, the annual fee is partly made up of the cost of an inspection for the relevant sized site, divided by three. This would not prevent officers

carrying out site visits more frequently if required, based upon received complaints or intelligence of non-compliance.

#### **4. Application fee for a new site licence**

All sites require a site licence to operate (subject to exemptions in the Caravan Sites and Control of Development Act 1960); failure to apply for licence is an offence under Section 1(2) of the Caravan Sites and Control of Development Act 1960. The council may only issue a licence for a site with a valid and correct planning permission for the use.

As details of the planning permission are required as part of a complete application, no application for a site licence will be deemed valid without this. Sites which have the correct planning permission in place will be processed within 2 months of the licence application being validated.

All applications must be accompanied by the appropriate application fee. For determining the appropriate fee banding, the size of the site will be taken as the maximum amount of caravans permitted under the planning consent for the site not the amount of caravans on the site at the time of the application. Where there is no maximum figure within the planning consent, the size of the site will be calculated based upon historic information and/or compliance with space standards set out in the Model Standards 2008 for Caravans in England produced by the Government.

#### **5. Annual Fee for the Caravan Site Licensing**

Annual fees do not take into account any costs incurred in relation to enforcement activities such as serving compliance notices, emergency action, and works in default as these costs can be recovered by other means.

The annual fee is payable on or before 1<sup>st</sup> April for all relevant protected sites that are licensed prior to the date of this policy coming into effect.

It should be noted that this annual fee is separate to the fees associated with Fit and Proper test.

Sites which meet the following criteria will be exempt from the annual fees set out in this policy:

**Exemption One** - Sites with fewer than five caravans as they are considered low risk.

**Exemption Two** - Sites with caravans solely occupied by members of the same immediate family and not run for financial gain

The above sites have been exempted because these sites are inspected less frequently so the small size of the fee once split by the frequency of inspection would make the collection untenable.

One fundamental aim of the Act and Regulations is to minimise unfair practices of site owners who have control of the permanent homes of residents. This is not generally a

problem on single and small family run sites, though any complaints received will be responded to in accordance with the Council's complaints procedure.

If the applicant claims to qualify for exemption from the annual fee due to being a family site, then additional information may be requested by officers in order to verify this claim. If there is any doubt as to the legitimacy of the claim, then the matter will be referred to an Environmental Health Manager to determine the appropriate fee that needs to accompany the application.

The above exemptions only apply to the annual fee and therefore any new application, transfer/amendment and depositing of site rules fees will still apply due to the cost related to the administration of these processes.

## **6. Transfer/amendment of existing site licence (including changes to conditions)**

Where a licence holder wishes to transfer the licence, an application must be made to the Council, for which a fee is payable. The fee must accompany the application to transfer the licence.

Similarly, where a site owner requests an amendment to site licence conditions the Council can charge a fee for this function. Applications can be made by licence holders to vary or cancel conditions; the fee is payable at the application stage. Whether a site visit will be required as part of any variation application will be a decision of the Council, and an additional fee will apply when this is the case.

If the Council deem it necessary to alter conditions of an existing site licence, there will be no fee payable.

## **7. Depositing Site Rules**

Site Rules are different to the site licence conditions and are put in place by the owner of a site to ensure acceptable standards are maintained which will be of benefit to occupiers or will promote and maintain community cohesion on the site. The 2013 Act changes the way site rules must be agreed between both parties. The Local Authority must keep an up-to-date register of site rules on relevant protected sites and publish the register on-line.

Before publishing the site rules the Local Authority will ensure the rules deposited have been made in accordance with the statutory procedure and a fee can be charged for this function.

Any site rules deposited with the Local Authority for the first time, or applications to vary or delete existing site rules must be accompanied by the appropriate fee. The fee is the same for either a first deposit or for a subsequent variation or deletion. This is because the process will be similar for all three types of deposits.

## **8. Enforcement costs**

Enforcement costs are not included in the calculation of the fees fixed by this Fees Policy as the 1960 Act makes specific provisions for the taking of enforcement action and the recovery of the costs associated with such action.

Section 9A of the 1960 Act allows Local Authorities to serve compliance notices on the occupier of the land where site licence conditions are breached. These notices will set out what the site owner needs to do to correct the breaches and the timescales by which the work must be completed. The notice will attract a charge. Failure to comply with the notice is a criminal offence, punishable by a fine at level 5 on the standard scale (currently unlimited).

When sentencing the court could consider revoking a licence if the site owner has been convicted on two or more previous occasions. Following a successful prosecution for breaching a compliance notice the Authority is able to serve notice to enter the site and carry out the necessary works in default.

In addition to this, Section 9E of the 1960 Act allows a notice to be served on the occupier of the land enabling the Local Authority to enter the site and take emergency action where there is an imminent risk of serious harm.

The occupier of the land has the right to appeal to a residential property tribunal against a notice and charges imposed.

Section 9F provides Local Authorities with the power to reclaim expenses associated with carrying out necessary compliance works and/or emergency action. The charges would include the actual cost of the works, by a third party if necessary, and an appropriate sum for officer time, based on an hourly rate, and the cost of the administration of the charge. A detailed breakdown of the relevant expenses would be provided with the compliance notice. Section 9I of the 1960 Act enables a local authority to charge interest from the operative date of a demand for expenses at a rate fixed by the authority. Unpaid charges can be placed as a charge against the land.

## **9. Policy publication and review**

This fees policy will be published on the Council's website.

The Council will review this policy in light of any changes in legislation or otherwise every three years.



## Appendix 1

### Table of fees (From 1 April 2025)

Application for new site licence	
Number of pitches	Fee
1-10 pitches	£430.00
11-30 pitches	£506.00
31-99 pitches	£629.00
100 + pitches	£782.00
Annual fee	
Number of pitches	Fee
1-5 pitches	Exempt
6-10 pitches	£257.00
11-30 pitches	£323.00
31-99 pitches	£412.00
100 + pitches	£493.00
Other fees	
Transfer of licence	£186.00
Variation of licence	£186.00
Depositing of site rules	£58.00