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Telford & Wrekin
Co-operative Council

Protect, care and invest
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Borough of Telford and Wrekin

Licensing Committee

Wednesday 13 March 2024

6.00 pm

Council Chamber, Third Floor, Southwater One, Telford, TF3 4JG

Democratic Services: Jayne Clarke 01952 383205

Media Enquiries: Corporate Communications 01952 382406

Committee Members: Councillors G C W Latham-Reynolds, L Parker (Vice-Chair), E Aston, A J Burford, P Davis, J Thompson (Chair), K T Tomlinson and R Tyrrell

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	To confirm the minutes of the previous meeting.	
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LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Tuesday 21 November 2023 at 6.00 pm in Walker Room, Meeting Point House, Southwater Square, Telford, TF3 4HS

Present: Councillors L Parker (Vice-Chair), E Aston, A J Burford, P Davis, J Thompson, K T Tomlinson and R Tyrrell

In Attendance: A Hunt (Public Protection Manager), S Fisher (Principal Licensing Officer), S Hardwick (Lead Lawyer: Litigation & Regulatory) and L Gordon (Democracy Officer (Scrutiny))

Apologies: Councillor G C W Latham-Reynolds

LIC24 Election of Chair

RESOLVED – that Cllr John Thompson be elected as Chair of the Licensing Committee.

LIC25 Declarations of Interest

None.

LIC26 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting of the Licensing Committee held on 8 September 2023 be noted and signed by the Chair.

LIC27 Terms of Reference 2023/2024

RESOLVED – that the Terms of Reference, as set out in Appendix A of the report, be approved.

LIC28 Review of Taxi CCTV policy

The Public Protection Group Manager provided the Committee with an update on the recent consultation on whether to make CCTV in Telford and Wrekin licensed vehicles mandatory and the feedback received.

Members discussed the strain that the cost of the CCTV installation presented to individual taxi drivers and questioned whether this cost could be subsidised by the operators, or whether it would be possible for the trial units to be resold.

The Committee recognised the benefits of mandatory CCTV but whilst this has been adopted by only 17 out of 266 licensing authorities there were inequalities across



Councils and therefore they recommended lobbying government and the Local Government Association asking that CCTV be made a mandatory requirement in law.

RESOLVED - that:

- a) The progress made to date regarding the installation of CCTV in Telford & Wrekin licenced vehicles on a voluntary basis be noted;
- b) The feedback from the CCTV consultation in June 2023 be noted;
- c) The Committee note the contents of the report and agree to maintain the current voluntary policy outlined in Appendix A, relating to the installation of CCTV in Telford & Wrekin licenced vehicles and officers continue to explore external funding opportunities to progress the installation of CCTV in taxis on a voluntary basis;
- d) Officers continue to work with other licensing officers regionally and other relevant bodies to ask that CCTV be made a mandatory requirement in law by the government.

The meeting ended at 6.28pm

Chairman:

Date: Wednesday, 13 March 2024



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Borough of Telford and Wrekin

Licensing Committee

Wednesday 13 March 2024

Licensing Fees

Cabinet Member:	Cllr Richard Overton - Deputy Leader and Cabinet Member: Homes & Enforcement
Lead Director:	Dean Sargeant - Director: Neighbourhood & Enforcement Services
Service Area:	Neighbourhood & Enforcement Services
Report Author:	Anita Hunt - Public Protection Group Manager
Officer Contact Details:	Tel: 01952 381818 Email: anita.hunt@telford.gov.uk
Wards Affected:	All Wards
Key Decision:	Not Key Decision
Forward Plan:	Not Applicable
Report considered by:	SMT- 27 February 2024 Licensing Committee – 13 March 2024

1.0 Recommendations for decision

It is recommended that Licensing Committee:

- 1.1 Review and approve the fees, charges and policy as set out in Appendices A, B and C.
- 1.2 Implement the revised fees and charges and policy from 1st April 2024 if approved.
- 1.3 In noting the content of this report, endorse the pre-application service and associated fee for new and renewing taxi licence applicants.

2.0 Purpose of Report

- 2.1 The purpose of this report is to provide an update on the current licensing fees, charges and policy and to seek approval for the revised licensing fees and charges. This report also provides an update on the pre-application service and for new and renewing taxi licence applicants.
- 2.2 If approved, the revised fees and charges will take effect on 1st April 2024.

3.0 Background

- 3.1 The Council as licensing authority can recover the costs of administering licences for Hackney Carriage/Private Hire, Gambling, general licences including Street Trading, Scrap Metal, Animal Establishments and Mobile Home Sites. There are also permits, registrations and licences where the level of fees are either set by statute or statutory instrument.
- 3.2 Fees and other charges associated with licenced activity such as Private Hire, Hackney Carriage, Gambling, Mobile Homes and General Licences were previously reviewed in March 2023.
- 3.3 When setting fees the Council must have regard to the impact that any increase may have upon the livelihood of licence holders. The Council follows the Local Government Association guidance on locally set licence fees to ensure a fair and transparent approach for local businesses and communities. The Licensing Team strives to streamline processes and maximise efficiency in order to reduce the burden on business.
- 3.4 In setting the proposed fees for Taxi, Street Trading and Gambling a statutory 28 day consultation has been undertaken. This consultation commenced on 02 January 2024 until 29 January 2024, no responses were received. Licencing Committee are asked to note that the remaining areas of proposed fees and charges adjustments do not require formal consultation.
- 3.5 A full fees and charges review has been carried out to reflect any changes in legislation, government guidance, changes to processes and compliance requirements and to reflect any increase in associated costs.
- 3.6 Scrap metal fees are included within this report for information only. These fees need to be reviewed and approved by Cabinet as set out in the council's constitution and under the law.
- 3.7 In January 2024, the Council introduced a pre-application service for new and renewing taxi licence applicants (both private and hackney carriages). Applicants can book a face to face appointment with a licensing officer to get expert advice on submitting a valid and complete application.
- 3.8 This non-statutory service provides opportunity for drivers to speak with a licensing officer to ensure their application is complete; this in turn allows prompt processing

Licensing Fees

of an error free application allowing the applicant to start operating at the earliest opportunity. This service costs £70 in addition to the associated application fee.

4.0 Summary of main proposals

4.1 This report and associated appendices sets out the proposed fees, charges and policy for 2024/25. If approved, it is proposed that the revised fees, charges and policy take effect from 1st April 2024.

5.0 Alternative Options

5.1 Committee can decide not to increase the fees and charges as outlined. However, if fees and charges remained the same, then the Council would not recover associated costs in administering and monitoring for compliance throughout the licence duration.

6.0 Key Risks

6.1 Any change in policy will carry some inherent financial risk to the Council in the event of a legal challenge. However, this has been mitigated by ensuring that current and relevant fee-setting and policy guidance has been considered and adhered to.

7.0 Council Priorities

7.1 The report supports the following Council priorities

- Every child, young person and adult lives well in their community
- All neighbourhoods are a great place to live
- Everyone benefits from a thriving economy
- A community-focussed innovative council providing efficient, effective and quality services

8.0 Financial Implications

8.1 A full review of licence fees and charges has been undertaken. Licence fees have been calculated on a cost recovery basis taking into account the statutory costs that the Council is permitted to recover.

8.2 In setting the fees and charges the Council has taken into account national guidance from both the Local Government Association on locally set licence fees and the Department for Communities, and the Local Government “ A Guide for Local authorities on setting site licensing fees”. The aim of this is to ensure that the setting of the various fees is proportionate and transparent. In line with this the legislation only allows Councils to set fees and charges to recover costs incurred.

9.0 Legal and HR Implications

- 9.1 The Committee's responsibilities are set out in the Council's Constitution and include setting and reviewing licensing fees other than those set by statute.
- 9.2 The power to levy fees is contained in the legislation relevant to each function or otherwise in the Local Government Act 2003 in relation to discretionary services.
- 9.3 For taxi licensing sections 53 of the Local Government (Miscellaneous Provisions) Act 1976 permits the Council to recover such fee as they consider reasonable with a view to recovering the costs of issue and administration in respect of licences to drive private hire or hackney carriage vehicles.
- 9.4 Section 70 of the 1976 Act provides that a district Council may charge such fees for the grant of a vehicle and operators' licence as may be resolved by them to cover the cost of providing stands and reasonable administrative and other costs in connection with the control and supervision of vehicles.
- 9.5 Generally under the Licensing Act 2003 and Gambling Act 2005, fees and charges are set by statute.
- 9.6 Fees charged must be reasonable in relation to costs incurred in the issue, administration and enforcement of licences covering the costs associated with the licensing process but not generate a profit.
- 9.7 The proposals contained in this report can be delivered using existing resources.

10.0 Ward Implications

- 10.1 This report has implications for all wards in the Borough.

11.0 Health, Social and Economic Implications

- 11.1 Licensing of certain premises and activities is important to ensure that businesses comply with licence conditions, guidance and standards set out in legislation or by government bodies. This safeguards public safety by setting clear guidelines for licensees operating within the borough. Gambling regulation incorporates an overarching social responsibility to help prevent gambling addiction and to protect children and vulnerable adults from harm by restricting access to gambling. Regulating animal establishments also ensures that good standards of animal welfare is maintained.
- 11.2 The Council should ensure it is recovering its full costs to reduce the risks of a subsidy that then falls on local tax payers. Therefore, any increase to licence holders will be reasonable and proportionate. This ensures that the Council can carry out its licensing functions to maintain compliance and not compromise public safety.

Licensing Fees

12.0 Equality and Diversity Implications

- 12.1 Having had regard to the council's obligations it is considered that there are no human rights or equalities implications associated with the proposed fees and charges report, as they will apply equally to everyone regardless of any protected characteristic.

13.0 Climate Change and Environmental Implications

- 13.1 Licensing of scrap metal sites and mobile collector's plays an important part in reducing the effects of environmental crime such as fly tipping.

14.0 Background Papers

None

15.0 Appendices

- A Proposed Licence Fees 2024-2025
- B Proposed Licence Fees 2024-2025 - Mobile Homes
- C Draft Mobile Homes Fees and Charges Policy 2024-2025

16.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	28/02/24	28/02/2024	SH
Finance	28/02/24	01/03/2024	PT
Director	28/02/24	01/03/2024	DRS

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Appendix A

Private Hire/Hackney Carriage			
Licence Type		Current Licence Fee	Proposed Licence Fee 2024/25
		£	£
Private Hire Vehicle/Hackney Carriage 12mth licence – New Application		135	155
Private Hire Vehicle/Hackney Carriage 12mth licence – Renewal Application		125	145
Vehicle Transfer		90	105
Dual Driver (HC&PH) 3yr licence – New Application		147	172
Dual Driver (HC&PH) 3yr licence – Renewal Application		137	162
Private Hire Operator licence (5yr)- New Application	1-5 vehicles	600	655
	6-20 vehicles	800	860
	21-50 vehicles	940	1000
	50+ vehicles	1110	1170
Private Hire Operator licence (5yr) – Renewal Application	1-5 vehicles	385	430
	6-20 vehicles	585	630
	21-50 vehicles	735	780
	50+ vehicles	905	950
Private Hire Operator licence (5yr) – Transfer Application		90	105
Change of Details		70	70

Gambling Act 2005 Licences									
Classes Premises Licence		Fee in respect of Provisional Statement	New Application Fee	First Annual Fee (payable within 30 Days of Issue of Licence)	Subsequent Annual Fee	Fee for Application to Vary a Licence	Fee for Application to Transfer a Licence	Fee for Application for Reinstatement of a Licence	
		£	£	£	£	£	£	£	£
Regional Casino Licence	Current	6,960	13,050	9,790	13,050	6,530	5,660	5,660	
	Proposed Licence Fee 2024/25	6,960	13,050	9,790	13,050	6,530	5,660	5,660	
Large Casino Licence	Current	4,350	8,700	6,530	8,700	4,350	1,870	1,870	
	Proposed Licence Fee 2024/25	4,350	8,700	6,530	8,700	4,350	1,870	1,870	
Small Casino Licence	Current	2,610	6,960	3,260	4,350	3,480	1,570	1,570	
	Proposed Licence Fee 2024/25	2,610	6,960	3,260	4,350	3,480	1,570	1,570	
Bingo Premises Licence	Current	355	640	195	260	355	355	355	
	Proposed Licence Fee 2024/25	380	460	210	310	380	380	380	
Adult Gaming Centre Licence	Current	355	640	195	260	355	355	355	
	Proposed Licence Fee 2024/25	380	460	210	310	380	380	380	
Betting Premises (Track) Licence	Current	355	640	195	260	355	355	355	
	Proposed Licence Fee 2024/25	380	460	210	310	380	380	380	
Family Entertainment Centre Licence	Current	355	640	195	260	355	355	355	
	Proposed Licence Fee 2024/25	380	460	210	310	380	380	380	
Betting Premises (other) Licence	Current	355	640	195	260	355	355	355	
	Proposed Licence Fee 2024/25	380	460	210	310	380	380	380	

Gambling Act 2005 – Other Fees			
Application type	Current Licence Fee	Proposed Licence Fee 2024/25	Maximum Licence Fee (Statutory)
	£	£	£
Notification of Change - All Premises	50	50	50
Copy Of Licence - All Premises	25	25	25

Animal Licences		
Licence Type	Current Licence Fee £	Proposed Licence Fee 2024/25 £
Animal Boarding (single activity) – New Application (1-3yrs)	500	520
Animal Boarding (single activity) – Renewal Application (1-3yrs)	485	500
Animal Boarding (single activity) – Re-Inspection	155	210
Animal Boarding (each additional activity) New, Renewal & re-inspection	130	200
Dog Breeding – New Application (1-3yrs)	800 includes Vets fees	840 includes Vets fees
Dog Breeding – Renewal Application (1-3yrs)	480	500 - Plus Vet's Fees If Applicable
Dog Breeding – Re-inspection	155 Plus vets fee if applicable charged @ £80 per hour plus mileage @ 45p per mile	210 Plus vets fee if applicable charged @ £115 per hour plus mileage @ 45p per mile
Keeping or Training Animals for Exhibition – New Application (3yrs)	500 Plus vets fee if applicable charged @ £80 per hour plus mileage @ 45p per mile	520 Plus vets fee if applicable charged @ £115 per hour plus mileage @ 45p per mile
Keeping or Training Animals for Exhibition – Renewal Application (3yrs)	485 Plus vets fee if applicable charged @ £80 per hour plus mileage @ 45p per mile	500 Plus vets fee if applicable charged @ £115 per hour plus mileage @ 45p per mile
Keeping or Training Animals for Exhibition - Re-inspection	135 Plus vets fee if applicable charged @ £80 per hour plus mileage @ 45p per mile	190 Plus vets fee if applicable charged @ £115 per hour plus mileage @ 45p per mile
Selling Animals as Pets – New Application (1-3yrs)	670 Plus vets fee if applicable charged @ £80 per hour plus mileage @ 45p per mile	700 Plus vets fee if applicable charged @ £115 per hour plus mileage @ 45p per mile
Selling Animals as Pets – Renewal Application (1-3yrs)	655 Plus vets fee if applicable charged @ £80 per hour plus mileage @ 45p per mile	680 Plus vets fee if applicable charged @ £115 per hour plus mileage @ 45p per mile
Selling Animals as Pets – Re-inspection	240 Plus vets fee if applicable charged @ £80 per hour plus mileage @ 45p per mile	300 Plus vets fee if applicable charged @ £115 per hour plus mileage @ 45p per mile
Licence Type	Current Licence Fee £	Proposed Licence Fee 2024/25 £
Dangerous Wild Animals – New Application (2yrs)	465 Plus vets fee if applicable charged @ £80 per hour plus mileage @ 45p per mile. Payable at time of Inspection	640 Plus vets fee if applicable charged @ £115 per hour plus mileage @ 45p per mile. Payable at time of Inspection
Dangerous Wild Animals – Renewal Application (2yrs)	425 Plus vets fee if applicable charged @ £80 per hour plus mileage @ 45p per mile. Payable at time of Inspection	600 Plus vets fee if applicable charged @ £115 per hour plus mileage @ 45p per mile. Payable at time of Inspection
Zoo – New Application including 4 inspections by Council officer and vet during the 4yrs of the licence	1800 + Zoo Inspectors fee In addition, Zoo Inspector's and vets fees for 1 periodic and 1 informal interim Local Authority inspections, payable at time of inspections	2160 + Zoo Inspectors fee In addition, Zoo Inspector's and vets fees for 1 periodic and 1 informal interim Local Authority inspections, payable at time of inspections
Zoo – Renewal Application including 6 inspections by Council officer and vet during the 6yrs of the licence	2100 + Zoo Inspectors Fee In addition, Zoo Inspector's and vets fees for 2 periodic and 2 informal interim Local Authority inspections, payable at time of inspections	2520 + Zoo Inspectors Fee In addition, Zoo Inspector's and vets fees for 2 periodic and 2 informal interim Local Authority inspections, payable at time of inspections
Change of details	70	70

Hiring Out Horses								
Licence	£	Proposed Licence Fee 2024/25					Current fee £	
		Part A Initial Application Fee	Part B Inspection application fee based on no. of horses includes vets fee		Part C Annual Inspection fees based on length of licence granted includes vets fee			Total Fee (A+B+C) £
			£	£	£	£		
Hiring out Horses – New Application (1-3yrs)	210	No of horses 1-5	190	1yr	270	670	620	
				2yrs	540	940	810	
				3yrs	810	1210	1000	
	210	6-10	350	1yr	430	990	885	
				2yrs	860	1420	1190	
				3yrs	1290	1850	1495	
	210	11-15	450	1yr	530	1190	1040	
				2yrs	1060	1720	1405	
				3yrs	1590	2250	1770	
	210	16-20	550	1yr	630	1390	1185	
				2yrs	1260	2020	1605	
				3yrs	1890	2650	2025	
	210	21-25	650	1yr	730	1590	1340	
				2yrs	1460	2320	1820	
				3yrs	2190	3050	2300	
	210	26-30	760	1yr	840	1810	1485	
				2yrs	1680	2650	2020	
				3yrs	2520	3490	2555	
	210	31-35	860	1yr	940	2010	1635	
				2yrs	1880	2950	2230	
				3yrs	2820	3890	2825	
	210	36-40	960	1yr	1040	2210	1780	
				2yrs	2080	3250	2430	
				3yrs	3120	4290	3080	
210	40+	1090	1yr	1170	2470	1970		
			2yrs	2340	3640	2680		
			3yrs	3510	4810	3390		
Hiring Out Horses – Renewal Application (1-3yrs)								
Licence	£	Proposed Licence Fee 2024/25					Current fee £	
		Part A Initial Application Fee	Part B Inspection application fee based on no. of horses		Part C Annual Inspection fees based on length of licence granted			Total Fee (A+B+C) £
			£	£	£	£		
Hiring out Horses – Renewal Application (1-3yrs)	190	No of horses 1-5	190	1yr	270	650	605	
				2yrs	540	920	645	
				3yrs	810	1190	985	
	190	6-10	350	1yr	430	970	870	
				2yrs	860	1400	1175	
				3yrs	1290	1830	1480	
	190	11-15	450	1yr	530	1170	1025	
				2yrs	1060	1700	1390	
				3yrs	1590	2230	1775	
	190	16-20	550	1yr	630	1370	1170	
				2yrs	1260	2000	1590	
				3yrs	1890	2630	2010	
	190	21-25	650	1yr	730	1570	1325	
				2yrs	1460	2300	1805	
				3yrs	2190	3030	2285	
	190	26-30	760	1yr	840	1790	1470	
				2yrs	1680	2630	2005	
				3yrs	2520	3470	2540	
	190	31-35	860	1yr	940	1990	1620	
				2yrs	1880	2930	2215	
				3yrs	2820	3870	2810	
	190	36-40	960	1yr	1040	2190	1765	
				2yrs	2080	3230	2415	
				3yrs	3120	4270	3065	
190	40+	1090	1yr	1170	2450	1995		
			2yrs	2340	3620	2665		
			3yrs	3510	4790	3375		
Hiring out Horses - Re-inspection Fee		A relevant Part B Fee						

GENERAL LICENCES

Licence Type	Current Licence Fee £	Proposed Licence Fee 2024/25 £
Pleasure Boats – New Application	480	510
Pleasure Boats – Renewal Application	415	440
Sex Establishment – (Shop and Cinema) New Application	1340	1430
Sex Establishment – (Shop and Cinema) Renewal Application	770	847
Sex Establishment - (Shop and Cinema) Transfer	385	650
Sex Establishment – (Entertainment Venue) New Application	1580	1630
Sex Establishment (Entertainment Venue) Renewal Application	990	1210
Sex Establishment (Entertainment Venue) Transfer	510	750
Scrap Metal Site Licence – New Application (3yrs) under review	485	520
Scrap Metal Site Licence – Renewal Application (3yrs) under review	485	500
Scrap Metal Site Licence – Variation Application under review	150	160
Scrap Metal Collector's Licence – New Application (3yrs) under review	320	340
Scrap Metal Collector's Licence – Renewal Application (3yrs) under review	280	290
Scrap Metal Collector's Licence – Variation Application under review	150	160
Street Trading Consent – New Application (12mths)	300	310
Street Trading Consent – Renewal Application (12mths)	200	290
Street Trading Day Consent	85	132
Pavement Licences - New Applications	100	100
Pavement Licences - Renewals	100	100
Street Trading Day Consent	Up 5 traders	170
	6-15 traders	210
	16- 30 traders	250
	30+ traders	295
Change of Details on a Licence	70	70
Transfer of a Licence	70	70

Appendix B – Proposed Licence Fees 2024/2025 – Mobile Homes

New Application Licence Fee

Band	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
No. of Units	1-5	6-10	11-20	21-30	31-40	41-50	51-74	75+
Current Fee	£580	£655	£755	£890	£995	£1,105	£1,205	£1,410
Proposed Licence Fee 2024/25	£1,010	£1,080	£1,190	£1,340	£1,440	£1,560	£1,670	£1,880

Transfer and Standard Amendment Fee

Current Fee	£295
Proposed Licence Fee 2024/25	£700

Annual Inspection Fees

Band	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
No. of Units	1-5	6-10	11-20	21-30	31-40	41-50	51-74	75+
Current Fee	£355	£480	£575	£675	£795	£915	£1,050	£1,225
Proposed Licence Fee 2024/25	£770	£900	£1,000	£1,100	£1,230	£1,360	£1,500	£1,690

Fit & Proper Person Application Fee

Current Fee	£350
Proposed Licence Fee 2024/25	£390

Fit & Proper Person Annual fee (Registration with conditions)

Current Fee	£160
Proposed Licence Fee 2024/25	£170

Fees for Depositing Site Rules

Current Fee	£65
Proposed Licence Fee 2024/25	£70

Charges for Enforcement Notices

	Manager Discussion and agreement to serve	Licensing Officer Preparation and service of notice
Current Fee	£45 per hour	£45 per hour
Proposed Licence Fee 2024/25	£84 per hour	£75.50 per hour

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Public Protection

Mobile Home Fees and Charges Policy

2024-2025

Contents

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- 2 Setting of Fees and Charges
- 3 Establishing number of units (Caravans) per site
- 4 Charging Approach
- 5 Licensing Fees
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 - 5.2 Annual Inspection
 - 5.3 New Application Licence Fee
 - 5.4 Transfer and Standards Amendment Fee
 - 5.5 Fee Combination
 - 5.6 Fees and Charges Payment Time Frames
- 6 Fees for Depositing Site Rules
- 7 Exemptions
- 8 Charges for Enforcement Notices
- 9 Fees for the Fit and Proper Person
- 10 Review

1. Introduction

The Mobile Homes Act 2013 introduced amendments to the Caravan Sites and Control of Development Act 1960 and the Mobile Homes Act 1983. The new legislation affects how Councils licence residential caravan sites only. These sites are termed as “relevant protected sites”¹ under the Mobile Homes Act 2013.

By virtue of the Caravan Site and Control of Development Act 1960, relevant caravan sites and park home sites are required to hold a license granted by the local authority.

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.

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.

The new legislation brought in the ability for local authorities to charge fees for a range of activities associated with regulating such sites. The ranges of site licensing functions which attract a charge include;

- Determining and issuing new site licences;
- An annual fee for licensing existing sites;
- Amendments to site licences;
- Transferring existing licences to new site managers;
- Depositing of site rules with the Council; and
- Costs associated with issuing Enforcement Notices on site owners².

The site owner or licensee is responsible for the payment of all associated fees, as set out above, however they are only allowed to pass on the cost of the annual licensing fee to site residents.

Under the *Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (SI 2020/1034)* (“the Regulations”) the site owner must apply to their local authority for the relevant person (themselves or their appointed manager) to be added to the register of fit and proper persons managing sites in their area.

The Regulations permit the local authority to determine the fee for an application or registration for someone to be added to the register.

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, they cannot charge for the enforcement of notices or subsequent enforcement/legal action as such recovery can only be granted by the law courts.

2. Setting of Fees and Charges

In setting the fees and charges the Council has taken into account both national guidance, Department for Levelling Up, Housing and Communities “A Guide for Local authorities on setting site licensing fees”. The aim of this is to ensure that the setting of the various fees is proportionate and transparent. In line with this the legislation only allows Councils to set fees and charges to recover costs incurred.

3. Establishing the units (caravans) per Site

All sites have varying numbers and types of units (qualifying caravans); the most equitable method for setting fees is to make it relative to the number of units on site. Therefore, it is important to establish the definition of a unit and how the Council determines the number of units per site.

For the purposes of this policy a unit (caravan) is classed as a single dwelling, which is capable of being moved from one place to another. This can be in the form of a traditional caravan, which is towed on the back of a vehicle or a chalet type dwelling in up to 2 parts joined on site. The precise definition of a caravan can be found in Section 29(1) of the Caravan Sites and Control of Development act 1960 as amended.

It is important for the setting of fees and charges to be able to determine the precise number of units on each site. All sites must have planning permission or a Certificate of Lawful Use, which sets out the maximum number of permissible units and this will be the determining factor for calculating the number of units for each site. However, there may be occasions due to historic use where this information is not available and these instances this will be based on the number of units set out in the existing site licence.

4. Charging Approach

The Council considered a number of options in relation to charging approaches. The Council decided on a charging approach based on a price set per the number of units on each site. These charging rates have been split into different bands as being a clear, transparent, equitable and cost efficient system of caravan site charging.

The bands have been set out as follows:

Band A	1 - 5 caravan
Band B	6 - 10 caravans
Band C	11 - 20 caravans
Band D	21 – 30 caravans
Band E	31 – 40 caravans
Band F	41 – 50 caravans
Band G	51 – 74 caravans
Band H	75 or more

The allocation of site banding is based on either the number of units set out in planning permission or as set out in the site licence, where there is no specific planning condition. A total of 8 bands have been set with the top band applying to sites with 75 units or more.

5. Licensing Fees

5.1 Considerations

The following fees per band have been set based on the assessed time taken for various activities, officer grades and on costs. Activities include:

- Administration of licence fees;
- Pre-inspection preparation;
- Site inspection (including travelling time and mileage allowances at current rates);
- Post inspection administration e.g. notification of compliance or detailing non-compliance;
- Re-inspection due to non-compliance;
- General administration - maintaining files, electronic records and cost accounting;
- Training and research;
- Maintenance and development of ICT systems;
- Support and shared services on costs e.g. HR and Legal
- Officer grade – Officers involved with caravan site licensing functions are Compliance Officers and Licensing Manager.

Caravan site fees and charges will be reviewed annually, taking into account the regulatory activity undertaken in the previous 12 months.

5.2 New Application fee

Band	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
No. of Units	1-5	6-10	11-20	21-30	31-40	41-50	51-74	75+
Fee	£1,010	£1,080	£1,190	£1,340	£1,440	£1,560	£1,670	£1,880

5.3 Annual Inspection fee

Band	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
No. of Units	1-5	6-10	11-20	21-30	31-40	41-50	51-74	75+
Fee	£770	£900	£1,000	£1,100	£1,230	£1,360	£1,500	£1,690

5.4 Transfer and Standard Amendment Fee

A fee of **£700** will be charged to process a transfer of licence or a standard amendment

5.5 Fee Combination

New sites are required to apply for a site licence on a non-refundable fee basis as this will cover the administration and verification of application documents, whether granted or refused. Where the licence is granted the annual fee is also payable within the same year.

6. Fees for Depositing Site Rules

Site rules are different to site licence conditions in that they are neither created nor enforced by the Council. They are a set of rules created by the site owner with which residents have to comply, which may reflect the site licence conditions, but will also cover matters unrelated to

licensing. Local Authorities will need to satisfy themselves that new rules deposited with them have been made in accordance with the statutory procedure. They will also be required to establish, keep up to date and publish a register of sites which have deposited their site rules. In doing so a Local Authority may levy a fee for the depositing of site rules, or the variation or deletion of site rules.

A fee of **£70** will be made for the checking and depositing of site rules by site owners.

This fee would also be levied in the event that the posted site rules are amended and require updating.

7. Exemptions

Local Authorities can elect to exempt sites for reasons of risk and/or cost, scale etc.

- Any site that does not require a licence.
- Any site used exclusively for recreational type use.
- Any site exempted by legislation such as the Caravan Sites and Control of development Act 1960; Schedule 1.
- A recreational site where planning permission/Certificate of Lawful Use has been issued and the number of residential units on the site is 5% or less of the overall capacity.
- In accordance with the legislation Gypsy and Traveller sites owned by the Local Authority that do not require a site licence.

8. Charges for Enforcement Notices

Section 9A of the Mobile Homes Act 2013 allows Local Authorities to serve statutory notices on site owners for non-compliance with licence conditions and such a Notice incurs a charge to the site owner. These notices will set out how the site owner needs to comply with the relevant licence condition and the timescales involved. In accordance with the legislation the site owner is not allowed to pass this charge on to the residents of the site.

Under section 9C of the Mobile Homes Act 2013, the Council is entitled to recover costs associated with the service of a notice. This includes the costs incurred with inspections, preparing the notice and obtaining expert advice (including legal costs) and any interest the authority intends to charge. The demand for recovery is served with the notice and must clearly breakdown the costs. The right to recover costs is subject to appeal by the site owner in certain circumstances. These will therefore be calculated on a case by case basis.

This charge is only for the service of enforcement notices and costs associated with taking any action for non-compliance with such a notice would be recoverable through the courts. This will be costed at a rate per hour as shown below.

Manager	Discussion and agreement to serve	£84
Licensing Officer	Preparation and service of notice	£75.50

In addition, if compliance with such a notice is through works in default the costs for this would be as a charge against the site owner. This will include the cost for the actual cost of works in default and the officer time to administer this process.

This will be costed at a rate per hour as shown above.

9. Fee for the Fit and Proper Person

In setting the fees the Council has taken into account the [“Mobile Homes: Guide for local authorities on setting fees for the fit and proper person test”](#)

9.1. Initial application fee

A fee of **£390** will be charged to process an initial application for a Fit and Proper Person.

The Council has taken into account the following matters on which costs are incurred, or likely to be incurred when determining its fee policy for consideration of applications for entry on a fit and proper person register:

- (a) Initial enquiries;
- (b) letter writing/ telephone calls etc. to make appointments and requesting any documents or other information from the site owner or from any third party in connection with the fit and proper process;
- (c) sending out forms;
- (d) updating files/ computer systems and websites;
- (e) processing the application fee;
- (f) land registry searches;
- (g) time for reviewing necessary documents and certificates;
- (h) preparing preliminary and final decision notices;
- (i) review by manager or lawyers; review any representations made by applicants or responses from third parties;
- (j) updating the public register;
- (k) carrying out any risk assessment process considered necessary and
- (l) reviews of decisions or in defending appeals.
- (m) time taken to make inquiries in connection with the application
- (n) any advice or work in advance of an application

9.2. Annual Fee

A fee of **£170** will be charged whereby a condition(s) is/are imposed in relation to the fit and proper person entry on the register.

The Council has taken into account the following matters on which costs are incurred, or likely to be incurred when determining its fee policy for consideration of the annual fee:

- (a) letter writing/ telephone calls etc. to make appointments and requesting any documents or other information from the site owner or from any third party in connection with the fit and proper process;
- (b) handling enquiries and complaints;
- (c) updating files/ computer systems and websites;
- (d) processing the annual fee;
- (e) time for reviewing necessary documents and certificates;
- (f) review by manager or lawyers; review any representations made by applicants or responses from third parties;
- (g) carrying out any risk assessment process considered necessary;
- (h) time spent on consulting the site owner and third parties;
- (i) time spent on meetings/discussions and in giving informal advice and assistance to site owners
- (j) monitoring and enforcement of fit and proper person requirements.
- (k) Site visits to assess whether or not a condition has been met

10. Review

This fees and charges policy will be published on the Telford & Wrekin Council website. The fees detailed in this policy have been determined based on experience of dealing with site licensing historically and with consideration of the changes the Mobile Homes Act 2013 has introduced.

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