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Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Addenbrooke House Ironmasters Way Telford TF3 4NT

LICENSING COMMITTEE

Date	Tuesday, 15 March 2022	Time	6.00 pm
Venue	Addenbrooke House, Ironmasters Way, Telford, TF3 4NT		

Enquiries Regarding this Agenda

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Committee Membership:

Councillors A R H England, M B Hosken, L A Murray, S J Reynolds, H Rhodes (Chair), M J Smith, B J Thompson, C R Turley (Vice-Chair) and D Wright

Substitutes:

Councillors M Boylan, E J Carter, G H Cook, T J Nelson, G L Offland, I Preece, J M Seymour and D R W White

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes of the Previous Meeting** 3 - 4
To confirm the minutes of the previous meeting.
4. **Update of Licence Fees 2022/23** 5 - 32

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LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Tuesday, 12 October 2021 at 6.00 pm in Telford Room, 3rd Floor Addenbrooke House, Ironmasters Way, Telford TF3 4NT

Present: Councillors A R H England, L A Murray, S J Reynolds and H Rhodes (Chair)

In Attendance: A Hunt (Public Protection Group Manager), S Fisher (Principal Licencing Officer) and L Gordon (Democracy Officer (Scrutiny))

Apologies: Councillor M B Hosken, B J Thompson and C R Turley

LIC8 Declarations of Interest

None

LIC9 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting of the Licensing Committee held on 29 June 2020 be confirmed and signed by the Chair.

LIC10 Review of Statement of Gambling Licensing Policy

The Public Protection Group Manager presented a review of the Statement of Gambling Licensing Policy. The Committee heard that the current policy for the Gambling Act 2005 was due for its three yearly review and that they were in the process of preparing the draft policy before publishing in January 2022. During the consultation process they had spoken with a number of consultees, who it was noted were outlined in the appendixes.

Members heard that the general principles of the policy concerned three main objectives; to prevent crime and disorder, to be fair and open and to protect children and the vulnerable. The Public Protection Group Manager outlined that the policy applied to 18 licensed premises, which was one more than when last reviewed, three bingo premises and three adult gaming premises. It was noted that they were also responsible for permits for gambling machines but they had not been included.

The Committee was reassured that the policy had been prepared in accordance with the Gambling Commissions guidance. Only one amendment had been made to the existing policy about Gaming Machines. The rest of the policy remains unchanged. It was also highlighted that there had been no change to the make of Telford & Wrekin or no change in premises that warranted further amendments.

During the debate members raised concerns around whether there was any specific detail within the policy referring to their obligation to signpost warnings. The Principal Licensing Officer assured members all premises had a duty to follow the Code for Social Care Responsibility and inspections were carried out to ensure this was adhered to against a detailed checklist. The Public Protection Group Manager added that locally they worked within guidance but nationally companies needed to have social responsibility or were subject to hefty fines that kept the pressure on them. Members noted that it was about providing safeguards for those who are vulnerable and thanked them for their work on the draft policy.

RESOLVED: That the Licensing Committee recommend that the Statement of Gambling Licensing Policy for the Gambling Act 2005 is presented to Full Council for approval.

The meeting ended at 6.23 pm

Chairman:

Date: Tuesday, 15 March 2022

TELFORD & WREKIN COUNCIL

LICENSING COMMITTEE – 15th March 2022

UPDATE OF LICENCE FEES 2022/23

REPORT OF ANITA HUNT PUBLIC PROTECTION GROUP MANAGER

LEAD CABINET MEMBER – CLLR RICHARD OVERTON

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

- 1.1 This report provides Licencing Committee with an update on the proposed licencing fees for 2022/23 as set out in Appendix A, B and C of this report.
- 1.2 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 2019. In June 2021, a fee was set by Licencing Committee for the application of a fit and proper person under the Mobile Homes Act as set out in the June 2021 Licencing Committee Report. The proposed charges are set out in Appendix B and C.
- 1.3 Licence fees and charges are reviewed annually however, due to the Covid-19 pandemic; the Council postponed any changes to fees and charges to support business recovery. A full fees and charges review has been carried out to reflect new legislation, government guidance, changes to processes and compliance requirements and to reflect any increase in associated costs.

2. RECOMMENDATIONS

- 2.1 It is recommended that Licencing Committee review and approve the Fees set out in Appendix A, B and C.
- 2.2 It is recommended that the revised fees and policy take effect from 1st April 2022.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	<i>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</i>
	Will the proposals impact on specific groups of people?	
	No	
TARGET COMPLETION/DELIVERY DATE	April 2022 for delivery in financial year 2022/23.	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	A full review of license fees has been undertaken for 2022/23 with the Licensing Service. Licence fees have been calculated on a cost recovery basis taking into account the statutory costs that the service are allowed to recover. 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. MLB 07.03.22
LEGAL ISSUES	Yes	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.

		<p>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.</p> <p>Licensing is not a revenue raising function and licensing fees should cover the costs associated with the licensing process but not generate a profit.</p> <p>AG 02.03.22</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	<p>The following key risks and opportunities associated with this action have been identified and assessed and arrangements will be put in place to manage them.</p> <p><i>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.</i></p>
IMPACT ON SPECIFIC WARDS	Yes	<i>This report has implications for all/named wards in the Borough.</i>

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 A local 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.
- 4.2 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.
- 4.3 Not all costs are able to be recovered by the Council in delivering the Licensing Service. Certain statutorily defined costs can be recovered, for example the licencing service cannot recover the costs of enforcement except in relation to Hackney Carriage/Private Hire Vehicle Licensing, Cinema Licensing or Gambling Licensing.
- 4.4 In setting the proposed fees for Taxi, Street Trading and Gambling there has been a statutory 28 day consultation undertaken. This consultation commenced on 3rd February 2022 until 1st March 2022 with no responses received. Licencing Committee should note that the remaining areas of proposed adjustments to fees and charges do not require formal consultation.

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

NONE

6. PREVIOUS MINUTES

Licensing Committee 19th March 2019

Licensing Committee 29th June 2021

7. BACKGROUND PAPERS

LGA guidance on locally set licence fees

https://www.local.gov.uk/sites/default/files/documents/5%2013%20%20OpenForBusiness_02_web.pdf

Mobile Homes: a guide for local authorities on the fit and proper person test and Mobile Homes: a guide for local authorities on setting

fees for the fit and proper person test issued by the Ministry of Housing, Communities and Local Government.

<https://www.gov.uk/government/publications/mobile-homes-fit-and-proper-person-test-guidance-for-local-authorities>

Report prepared by:

Anita Hunt, Public Protection Group Manager 01952 381818

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Appendix A

Private Hire/Hackney Carriage			
Licence Type	Current Licence Fee £	Proposed Licence Fees for Financial Year 2022/23 £	
Private Hire Vehicle/Hackney Carriage 12mth licence – New Application	150	130	
Private Hire Vehicle/Hackney Carriage 12mth licence – Renewal Application	120	118	
Vehicle Transfer	90	90	
D ual Driver (HC&PH) 3yr licence – New Application	135	135	
D ual Driver (HC&PH) 3yr licence – Renewal Application	125	125	
Private Hire Operator licence (5yr)- New Application	650	1-5 vehicles	570
		6-20 vehicles	755
		21- 50 vehicles	890
		50+ vehicles	1050
Private Hire Operator licence (5yr) – Renewal Application	605	1-5 vehicles	365
		6-20 vehicles	550
		21- 50 vehicles	690
		50+ vehicles	850
Private Hire Operator licence (5yr) – Transfer Application	90	90	

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 2022/23	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 2022/23	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 2022/23	2,610	6,960	3,260	4,350	3,480	1,570	1,570
Bingo Premises Licence	Current	355	620	125	125	330	330	330
	Proposed 2022/23	340	620	185	245	340	340	340
Adult Gaming Centre Licence	Current	355	485	105	105	245	245	237
	Proposed 2022/23	340	620	185	245	340	340	340
Betting Premises (Track) Licence	Current	355	530	125	125	290	290	280
	Proposed 2022/23	340	620	185	245	340	340	340
Family Entertainment Centre Licence	Current	355	485	105	105	245	245	237
	Proposed 2022/23	340	620	185	245	340	340	340
Betting Premises (other) Licence	Current	355	530	125	125	290	290	280
	Proposed 2022/23	340	620	185	245	340	340	340

Gambling Act 2005 – Other Fees			
Application type	Current Licence Fee	Proposed Licence Fee for Financial Year 2022/23	Maximum Licence Fee (Statutory)
	£	£	£
Notification of Change - All Premises	46	50	50
Copy Of Licence - All Premises	21	25	25

Animal Licences		
Licence Type	Current Licence Fee £	Proposed Licence Fee for Financial Year 2022/23 £
Animal Boarding (single activity) – New Application (1-3yrs)	455	475
Animal Boarding (single activity) – Renewal Application (1-3yrs)	330	455
Animal Boarding (single activity) – Re-Inspection	330	150
Dog Breeding – New Application (1-3yrs)	455	650 includes Vets fees
Dog Breeding – Renewal Application (1-3yrs)	435	460
Dog Breeding – Re-inspection	435	150 Plus vets fee if applicable @ 305
Keeping or Training Animals for Exhibition – New Application (3yrs)	455	475 Plus vets fee if applicable @ 305
Keeping or Training Animals for Exhibition – Renewal Application (3yrs)	435	460 Plus vets fee if applicable @ 305
Keeping or Training Animals for Exhibition - Re-inspection	435	150 Plus vets fee if applicable @ 305

Licence Type	Current Licence Fee £	Proposed Licence Fee for Financial Year 2022/23 £
Selling Animals as Pets – New Application (1-3yrs)	455	650 including vet's fee
Selling Animals as Pets – Renewal Application (1-3yrs)	435	625 including vet's fee
Selling Animals as Pets – Re-inspection	435	500 including vet's fee
Animal Licence Additional Activity new, renewal and re-inspection	N/A	120 per activity plus vets additional time @ £72.53 hr where applicable
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Dangerous Wild Animals – New Application (2yrs)	405 including vet's fee	£220 + vets fees payable at time of inspection
Dangerous Wild Animals – Renewal Application (2yrs)	385 including vet's fee	£195 + vets fees payable at time of inspection
Zoo – New Application including 4 inspections by Council officer and vet during the 4yrs of the licence	1725 plus Zoo Inspector's Fee	£1490 + Zoo Inspector's Fees and vets fees for 2 periodic inspections payable at time of inspection
Zoo – Renewal Application including 6 inspections by Council officer and vet during the 6yrs of the licence	2015 plus Zoo Inspector's Fee	£1750 + Zoo Inspector's Fees and vets fees for 4 periodic inspections payable at time of inspection

Hiring Out Horses								
Licence	Current Licence Fee £	Proposed Licence Fees for Financial Year 2022/23						
		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 £		Grant fee (B+C) £	Total Fee (A+ B+C) £
Hiring out Horses – New Application (1-3yrs)	600 including vet's fee		245	No of horses	125	1yr		
		1-5		2/3yrs		130	255	500
		245	6- 10	230	1yr	100	330	575
					2/3yrs	200		430
		245	11-15	300	1yr	124	424	669
					2/3yrs	247		547
		245	16-20	370	1yr	147	517	762
					2/3yrs	294		664
		245	21-25	440	1yr	170	610	855
					2/3yrs	340		780
		245	26-30	505	1yr	192	697	942

					2/3yrs	384	889	1134
		Part A Initial Application Fee	Part B Inspection application fee based on no. of horses £		Part C Annual fees based on length of licence granted £		Grant fee (B+C) £	Total Fee (A+ B+C) £
		245	31-35	575	1yr	215	790	1035
					2/3yrs	430	1005	1250
		245	36-40	645	1yr	238	883	1128
					2/3yrs	477	1122	1367
		245	40+	745	1yr	272	1017	1262
					2/3yrs	543	1288	1533

Licence	Current Licence Fee £	Proposed Licence Fees for Financial Year 2022/23						
		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 £		Grant fee (B+C) £	Total Fee (A+ B+C) £
Hiring out Horses – Renewal Application (1-3yrs)	600 including vet's fee	230	No of horses 1-5	125	1yr	65	190	420
					2/3yrs	130		255
		230	6- 10	230	1yr	100	330	560
					2/3yrs	200		430
		230	11-15	300	1yr	124	424	654
					2/3yrs	247		547
		230	16-20	370	1yr	147	517	747
					2/3yrs	294		664
		230	21-25	440	1yr	170	610	840
					2/3yrs	340		780
		230	26-30	505	1yr	192	697	927
					2/3yrs	384		889

Hiring out Horses – Renewal Application (1-3yrs)								
		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 £		Grant fee (B+C) £	Total Fee (A+ B+C) £
		230	31-35	575	1yr	215	790	1020
					2/3yrs	430	1005	1235
		230	36-40	645	1yr	238	883	1113
					2/3yrs	477	1122	1352
		230	40+	745	1yr	272	1017	1247
					2/3yrs	543	1288	1518
Hiring out Horses - Re-inspection Fee	580	A relevant Part B Fee + £70						



GENERAL LICENCES		
Licence Type	Current Licence Fee £	Proposed Licence Fee for Financial Year 2022/23 £
Pleasure Boats – New Application	380	460
Pleasure Boats – Renewal Application	365	395
Sex Establishment – (Shop and Cinema) New Application	1215	1215
Sex Establishment – (Shop and Cinema) Renewal Application	700	700
Sex Establishment - (Shop and Cinema) Transfer	820	350
Sex Establishment – (Entertainment Venue) New Application	N/A	1435
Sex Establishment (Entertainment Venue) Renewal Application	N/A	900
Sex Establishment (Entertainment Venue) Transfer	N/A	450

Licence Type	Current Licence Fee £	Proposed Licence Fee for Financial Year 2022/23 £
Scrap Metal Site Licence – New Application (3yrs)	365	460
Scrap Metal Site Licence – Renewal Application (3yrs)	280	440
Scrap Metal Site Licence – Variation Application	280	140
Scrap Metal Collector's Licence – New Application (3yrs)	240	305
Scrap Metal Collector's Licence – Renewal Application (3yrs)	165	265
Scrap Metal Collector's Licence – Variation Application	165	140
Street Trading Consent – New Application (12mths)	330	285
Street Trading Consent – Renewal Application (12mths)	205	190
Street Trading Day Consent	65 plus £19 per day (up to 7 days)	80

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Licence Type	Current Licence Fee £	Proposed Licence Fee for Financial Year 2022/23 £	
Street Trading Day Consent	160 (Umbrella for 5 Traders)	Up 5 traders	165
		6-15 traders	200
		16- 30 traders	240
		30+ traders	280
Change of Details on a Licence	65	65	
Transfer of a Licence	65	65	

Appendix B – Proposed Licence Fees – Mobile Homes

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	£260	£365	£450	£530	£635	£740	£860	£1020
Proposed Fee Financial Year 2022/2023	£330	£450	£545	£640	£755	£870	£1000	£1170

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	£460	£520	£610	£730	£820	£910	£1000	£1185
Proposed Fee Financial Year 2022/2023	£550	£520	£720	£850	£945	£1055	£1150	£1345

Transfer and Standard Amendment Fee

Current Fee	£240
Proposed Fee Financial Year 2022/2023	£275

Fit & Proper Person Application Fee

Current Fee	£310
Proposed Fee Financial Year 2022/2023	£330

Fit & Proper Person Annual fee (Registration with conditions)

Current Fee	N/A
Proposed Fee Financial Year 2022/2023	£155

Fees for Depositing Site Rules

Current Fee	£65
Proposed Fee Financial Year 2022/2023	£65

Charges for Enforcement Notices

	Manager Discussion and agreement to serve	Licensing Officer Preparation and service of notice
Current Fee	£60 per hour	£45 per hour
Proposed Fee Financial Year 2022/2023	£60 per hour	£45 per hour

Public Protection

Mobile Home Fees and Charges Policy

2022-2023

Contents

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- 2 Setting of Fees and Charges
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- 4 Charging Approach
- 5 Licensing Fees
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 - 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 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.

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 G	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 span Grades PO3 for Environmental Health Officer and PO10 for Public Protection Manager.

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

5.2 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	£330	£450	£545	£640	£755	£870	£1000	£1170

5.3 New Application Licence Fee

It is estimated that processing a new license would not be considerably different to the work proposed for the annual licence thus we propose to duplicate the annual licence fee as the new licence fee in the first year of fee setting

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	£550	£520	£720	£850	£945	£1055	£1150	£1345

5.4 Transfer and Standard Amendment Fee

A fee of **£275** 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 **£65** 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	£60
Licensing Officer	Preparation and service of notice	£45

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 **£330** 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 **£155** 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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