

**Medway Council**  
**Mobile Homes Act 2013**  
**Medway Fee Policy**

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## **1. Executive summary**

1.1 The Mobile Homes Act 2013 introduces new powers allowing local authorities to charge fees for their licensing functions in respect of mobile home parks and to charge for enforcement under the Act.

1.2 It is at the authority's discretion, whether they charge for all or any aspect of licensing. If fee charges are approved these will be reviewed and adjusted each year to reflect actual costs to the council. The authority is not expected to make a loss or profit in carrying out its licensing function.

1.3 The Mobile Homes (Site Rules) (England) Regulations 2014 allow the authority to charge for the inspection and for depositing site rules on its published Park Rules Register.

1.4 The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 allows the authority to charge for the maintaining of a Fit and Proper Person Register and to evaluate a nominated Relevant Persons suitably for their inclusion on the said register.

## **2. Background**

2.1 A resourced mobile home licensing function helps communities to be safe and feel safe. It also helps to ensure a clean and well-maintained environment for residents

2.2 The Caravan Sites and Control of Development Act 1960, as amended by the Mobile Homes Act 2013, authorises the authority to issue licences in respect of 'relevant protected sites' typically known as residential parks or mobile home parks unless they fall into the category of exempted sites (as covered by the First Schedule of the Act).

2.3 Medway Council (the authority) has a duty to licence park homes within its district. This policy sets out charges for the licencing of relevant protected sites in accordance with the powers granted under the act.

2.4 This Act further introduces important changes to the buying, selling or gifting of a park home and the pitch fee review process.

## **3 The Act grants powers to charge a fee for:**

- Applications to grant or transfer a licence or to alter the conditions on a licence;
- Administering and monitoring annual licences;
- To administer and publish an annual Park Rule Register;
- To administer and publish an annual Fit and Proper Person Register.

3.1 Medway Council will charge for:

- A new licence;\*

- An annual licence
- The transfer of a licence;\*
- The alteration/variation of a licence;\*
- The depositing of site rules;\*
- Fit and Proper Person test charges.\*
- Taking enforcement action (which will be charged additionally and separately from licence fees on a case-by-case basis);\*  
(\*see appendix A)

#### 4. Fee Structure

4.1 Medway Council will charge based on site banding of A – E:

4.2 Banding matrices

Site Band	Number of units	Inspection time
A	< 50	2 hours
B	50 - 99	4 hours
C	100 - 199	8 hours
D	200 - 399	16 hours
E	>400	32 hours

4.3 Medway's fee's structure is based on a price per unit achieved by dividing the total cost to the council of carrying out its licensing function, divided by the total number of units within its district.

4.4 A review of the licence fee structure will be conducted annually and will be revised where necessary. Any adjustments will consider variations in officers' hourly rate and administration time to those originally used in calculating the fees set out in this policy document. (Appendix 6.)

4.5 In setting its fees policy, Medway has had regard to the ***Guide for Local Authorities on Setting Site Licensing Fees*** issued by the Department for Communities and Local Government. (Appendix 4. and appendix 5.)

#### 5 Penalty Licence

5.1 Medway will levy a Penalty Licence on sites which are prone to greater levels of authority and officer time due to poor management or proven non-compliance.

5.2 Penalty Licence matrices

Site Band	Number of units	Penalty charge
A (CBC = C)	< 50	+ 1 hours
B	50 - 99	+ 2 hours
C	100 - 199	+ 4 hours
D	200 - 399	+ 8 hours
E	>400	+16 hours

**6. Factors in deciding the level of fees for applications for grant or transfer of a licence can include (in addition to officer time associated with site inspections):**

- Initial enquiries;
- Letter writing/telephone calls etc to make appointments and request documents or other information from the site owner or from any third party in connection with the licensing;
- Issuing forms;
- Updating hard files/ computer systems;
- Processing the licencing fee;
- Land registry searches at a cost, see Appendix A
- Time for reviewing necessary documents and certificates;
- Downloading photographs;
- Preparing reports on contraventions;
- Preparing draft and final licences;
- Review by manager or lawyers; review any consultation responses from third parties;
- Updating public register;
- Carrying out any risk assessment process considered necessary;
- Reviews of decisions or in defending appeals;
- Handling enquiries and complaints.

**7. Factors in deciding the level of fees for application to alter the conditions in a licence can include:**

- Issuing and processing the application (including dealing with initial inquiry);
- Site inspections;
- Third party consultation;
- Consultation with the site owner;
- Preparing draft licences (with altered conditions);
- Review by manager; review any consultation responses from third parties;
- Notification of decision (including where appropriate the updated final licence)

## **8. Officer Time**

8.1 Wherever possible Medway will assign all tasks to appropriate level of officer based on the hourly rates.

8.2 Officer Rate matrices are shown in Appendix A. These are to be reviewed as part of the Council's annual fees and charges review process.

8.3 Fees have been set according to the officer time associated with and costs incurred with regard to the factors listed in items 10 and 11.

## **9. Inspection Regime**

9.1 In the interest of costings, inspections will be limited to the following:

9.2 An inspection of the site, at the planning stage or on immediate planning approval, to discuss requirements with site owner – no fee payable.

9.3A second visit, following the issue of a new licence, to check conditions and occupation of site – fee payable.

9.4 In the case of an annual licence – fee payable

9.5A pre-programmed full site inspection – fee payable.

9.6 A follow-up inspection to check compliance following programmed inspection – fee payable.

9.7 In the case of an application to amend a licence – no fee payable.

9.8 In the case of depositing Site Rules – no inspection required.

9.9 Travel time to and from the site, including fuel costs will be considered and based on the total millage of all site visits divided by the number of sites to establish the average fee. This fee is shown in Appendix A and is subject to review in line with the Council's annual review of fees and charges.

## **10. Park Rule Register**

10.1 Under the Act the owner or manager of a relevant protected site must issue prescribed site rules for their site. From the 4 February 2014 existing site rules on Park Home Sites must be replaced with new ones and these rules shall be deposited with the Council by 3rd February 2015.

10.2 The site rules will be subject to consultation between the site owner and mobile homeowners and contain procedures with regards to the management and conduct expected on the site. All new site rules must be deposited with the authority.

10.3 All authorities, must publish a register of sites that have issued site rules. These rules will be made available for inspection via Medway Council website.

10.4 Medway propose to adopt an annual fee to lodge agreed Park Rules set at £75.

## 11. Fit and Proper Person Register

11.1 Medway propose to adopt a three-tier application process for its Fit and Proper Person Register.

11.2 This will include a new, annual and variation application categories.

11.3 Fit and Proper Person matrices table below shows the current rates for 2026/27, is subject to review in line with the Council's annual review of fees and charges.

<b>Application type</b>	<b>Fee</b>	<b>Process Time</b>
New application	£266.00	9 hours
Annual application	£218.00	7.5 hours
Variation application	£252.00	8.5 hours

The breakdown of how these fees and process times are calculated is shown in Appendix A.

## 12 Surpluses and Deficits

12.1 Surpluses and Deficits Section 5A (2) of the 1960 Act provides that Medway, in setting its annual fees, must advise the site owner of the extent to which they have had regard to deficits and surpluses from the previous year.

12.2 Medway are precluded from making a profit/loss as licensing shall be a self-financing function, which local taxpayers are not required to subsidise.

12.3 Medway propose to use Site Premium allowances to effectively capture this on an annual basis.

## 13. Band Premium matrices

The below table shows the current rates for 2026/27, is subject to review in line with the Council's annual review of fees and charges.

<b>Site Name</b>	<b>Units</b>	<b>Band</b>	<b>Band Premium</b>
Avery Way	81	B	£100
Hoo Marina	315	D	£200
Island Park	30	A	£50
Kingsmead	150	C	£150
Port Werburgh	36	A	£50
6 Relevant Protected	612		

## 14. Enforcement

14.1 The Mobile Homes Act 2013 amends the 1960 Act to include provision for charging for enforcement, which will include the cost to the authority of taking formal action leading up to and including any enforcement. This is one reason why the cost of enforcement action against site owners cannot be considered when setting licence

fees. It would also be considered unfair to include such costs as not all site owners are likely to require enforcement action.

14.2 Under section 9C of the 1960 Act, the local authority is entitled to recover its “expenses” in deciding to and in the service of a compliance notice.

14.3 Costs for such action can include site inspections, preparing the notice, obtaining expert advice (including legal costs) and any interest the authority intends to charge.

14.4 A demand for recovery must be served at the same time as the compliance notice and must clearly offer a breakdown of all costs. These costs will be recovered on a case-by-case basis and cannot be passed onto the residents by the site owner via the pitch fee.

14.5 Compliance notices may be served to rectify breaches of site licence conditions and where there has been failure to comply and an associated conviction.

19.6 Medway retain the power to carry out works in default.

14.7 Medway further retain the power to carry out emergency action to rectify a breach of condition where there is imminent risk of serious harm associated with the breach.

14.8 All costs of such action may be recovered by the Council, provided correct legal procedures have been followed.

14.9 All enforcement action will be taken in compliance with Medway’s published enforcement policy.

## **15. Appendices**

Appendix A - Medway fees

Appendix B – Diversity Impact Assessment

## **16. Background information**

[Mobile Homes Act 2013](#)

[Caravan Sites and Control of Development Act 1960](#)

[Mobile Homes Act 2013: a guide for local authorities on setting licence fees](#)

[The Mobile Homes \(Site Rules\)\(England\) Regulations 2014](#)

[The Mobile Homes \(Requirement for Manager of Site to be Fit and Proper Person\)\(England\) Regulations 2020](#)