

THURSDAY, 28<sup>TH</sup> JULY 2016**REPORT OF THE PORTFOLIO HOLDER FOR HOUSING SERVICES****MOBILE HOMES FEES AND CHARGING POLICY****EXEMPT INFORMATION**

N/A

**PURPOSE**

To agree to the adoption and implementation of the Mobile Homes Act 2013 and the Fees Policy for Mobile Homes parks.

**RECOMMENDATIONS**

- **That Cabinet agree to the adoption and implementation of the Mobile Homes Act 2013**
- **That Cabinet agree to the implementation of the Mobile Homes Fees Policy**

**EXECUTIVE SUMMARY**

Tamworth Borough Council currently has three mobile homes parks within its boundary which are licensed under the Caravan and Control Development Act 1960 and monitored by the Housing Conditions and Supply team.

From the 1<sup>st</sup> April 2014 legislation was updated by the Mobile Homes Act 2013 (MHA) to allow local authorities to enforce housing standards on mobile homes sites. This will also be the responsibility and statutory duty of the Housing Conditions and Supply team. Although conflicting priorities have delayed the full implementation of the changes the MHA introduced, at no point has the Council failed to meet its statutory duty with regard to Mobile Homes during this period.

In September 2013 TBC organised a consultation with park home residents to inform them of the MHA and the enhanced role of the local authority in enforcing standards. The MHA gives the Council greater powers to monitor mobile homes site licenses to ensure license conditions are met and to carry out effective enforcement action where appropriate. It also includes allowing Councils to charge a fee for all site licensing functions.

As well as strengthening the local authorities role, the Act also increases protection for mobile homes owners by prescribing a procedure for the making, variation and deletion of site rules and extending the role of the Leasehold Advisory Service to provide help and advice on matters the local authority does not have a role in such as site rules, pitch fees and the selling/gifting of park homes.

The Council has consulted park site owners and residents over its proposal to introduce the MHA over a four week period. Letters and copies of the policy were hand delivered to residents across all three sites. We have opened up dialogue with all three park owners but we have not received any feedback from residents concerning the Fees and charging policy other than a positive reaction that we are implementing this new legislation.

## OPTIONS CONSIDERED

Option	Benefit	Risk
Do nothing	Statutory duties are still being met with no additional resource requirement.	<p>Park Homes residents have had expectations raised with regard to the Councils response to the MHA and may feel let down.</p> <p>Opportunities to raise standards proactively by inspection are missed.</p> <p>Opportunities for an income stream from fees and charges are missed</p>
Fully implement the MHA by re-licensing and annual inspection	<p>Park homes owners feel fully supported by the Council.</p> <p>TBC will be following best practice.</p> <p>Standards will be raised on housing conditions of park homes through proactive inspection.</p> <p>Income will be generated by a fully comprehensive fees and charging policy</p>	<p>The implementation will be resource intensive.</p> <p>Expectations may be raised as to the role of the Council in other site issues other than those covered by the license.</p>

## RESOURCE IMPLICATIONS

Tamworth currently has 3 licensable Mobile Homes Parks. Implementing the Act will require an inspection of all three sites on an annual basis. The inspection, licensing and any required enforcement action will be undertaken by the Senior Private Sector housing officer and it is anticipated no further resources will be required.

Under the MHA Councils can charge a fee for different licensing functions, the serving of enforcement notices and publishing site rules relating to a Mobile Home site. The attached fees policy stipulates what we will charge and when. Councils are allowed to use their discretion in setting these fees but are not allowed to make a profit. Charges must be limited to recovery of the costs of exercising their licensing functions as it relates to Relevant Protected Sites. On this basis TBC will not make a profit from this activity but recovery of cost allows the work to be cost neutral and provide an income stream to support the work undertaken by the Housing Conditions and Supply Team that did not previously exist. Charging will commence in August 2016 and it is estimated the annual income generated from this activity will be £1,000.00.

## LEGAL/RISK IMPLICATIONS BACKGROUND

Introducing the MHA 2013 will not pose any legal or risk implications to TBC.

If sites are found to be inadequate on any occasion this will lead to enforcement action by TBC against a Mobile Park owner in line with enforcement policy and utilisation of existing

budget for these purposes.

### **SUSTAINABILITY IMPLICATIONS**

There are significant beneficial implications of implementing the Mobile Homes Act 2013 and the increased protection it offers occupiers

1. contributing to healthier outcomes for occupants
2. contributing to a sustainable and good quality mobile park homes.
3. encouraging improvements to mobile park homes and sites.

These and other associated outcomes would contribute towards the delivery of key priorities identified by the Tamworth Strategic Partnership and adopted by Tamworth Borough Council.

### **CONCLUSION**

Implementing the Mobile Homes Act 2013 will bring increased protection to owners of Mobile Park Homes and provide a new income stream for the Council from Park licensing Fees.

### **REPORT AUTHOR**

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### **LIST OF BACKGROUND PAPERS**

None

### **APPENDICES**

Mobile Homes Fees Policy 2015

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