



FEES TOOLKIT – LEGISLATION OVERVIEW

Subject heading	MOBILE HOMES LICENSING
Legislation	<p>MOBILE HOMES (WALES) ACT 2013</p> <p><u>Application for Site Licence Fee</u></p> <p>Section 6 (5) A local authority may require an application for a site licence to be accompanied by a fee fixed by the local authority (on which see section 36).</p> <p>Section 36</p> <p>(1) This section applies where a local authority proposes to charge a fee under Section 6 (application for a site licence) or 13 (variation of a site licence)</p> <p>(2) Before charging the fee, the local authority must prepare and publish a fees policy</p> <p>(3) When fixing a fee for the purposes of Section 6 or 13 the local authority –</p> <ul style="list-style-type: none"> A. Must act in accordance with its fees policy B. May fix different fees for different cases or descriptions of case, and C. May determine that no fee is required to be paid in certain cases or descriptions of case. <p>(4) When fixing a fee for any of those purposes, the local authority may not take into account any costs incurred by it in exercising –</p> <ul style="list-style-type: none"> A. Its functions under any of the sections 15 to 25 (breach of conditions), or B. Any function under any provision of this Act in relation to a site which is not a regulated site . <p>(5) The local authority may revise its fees policy and, where it does so, must publish the policy as revised.</p>

	<p><u>Fee to vary a condition of Site Licence</u></p> <p>Section 13</p> <p>(4) A local authority may require an application for a variation of the conditions of the site licence to be accompanied by a fee fixed by the local authority (on which see section 36).</p> <p><u>Fee for the lodging of Site Rules</u></p> <p>Section 52</p> <p>11 The Welsh Ministers may by regulations—</p> <ul style="list-style-type: none"> (a) require a local authority to establish and keep up to date a register of site rules in respect of protected sites in its area, (b) require a local authority to publish the up-to-date register, (c) provide that any deposit required to be made by virtue of subsection (4), (5) or (6) must be accompanied by a fee of such amount as the local authority may determine. <p>Regulation 12(4) of the Mobile Homes Site Rules (Wales) Regulations 2014 state:</p> <p>(4) A deposit required to be made by virtue of this regulation must be accompanied by a fee of such amount as the local authority may determine.</p> <p>EU SERVICES DIRECTIVE – MOBILE HOMES (WALES) ACT 2013 – IN SCOPE</p>
<p>Checklist of possible charges to be included (at discretion of each Authority)</p> <p>These will be entered into the 'Central Recharges (excluding direct costs)' field in the cost summary worksheet.</p>	<p><u>Central Recharges</u></p> <ul style="list-style-type: none"> • Accommodation • Internal Recharges (contact centre, finance, I.T, Legal, Democratic, etc) • Welsh Translation costs
<p>Checklist of possible charges to be included (at discretion of each Authority)</p> <p>These will be entered into the 'Direct Costs' field in the cost</p>	<p><u>Direct Costs</u></p> <ul style="list-style-type: none"> • IT Provisions • Supplies (excluding 'materials' as they are included in the process maps) • Services

<p>summary worksheet.</p>	<ul style="list-style-type: none"> • Subscriptions/Membership • Stationary/Printing • Training cost • Mileage / Subsistence
<p>Overview of what activities the legislation allows for cost recovery e.g. admin, processing, monitoring compliance, enforcement etc.</p> <p>These will be entered into the 'Other Charges' worksheet.</p>	<p><u>Other Charges – within normal working hours</u></p> <p>General administration</p> <ul style="list-style-type: none"> • General Photocopying e.g. application packs • Ordering goods or services in relation to subject area • Web development • Budget work • Audit/reconciliation • Management functions relevant to the licence <p>Service Requests/Enquiries</p> <ul style="list-style-type: none"> • Pre application enquiries • Business expansions • Clarifications of licences <p>Compliance and enforcement (licensed only)</p> <ul style="list-style-type: none"> • Inspections • Surveillance • Travel time <p>Projects/policies/strategies</p> <ul style="list-style-type: none"> • Casework • Meetings including travel time • Reports <p>Meetings/Team Meetings/Regional Meetings</p> <ul style="list-style-type: none"> • Administration time • Meeting time • Venue cost • Travelling <p>Training Time (excluding cost of training as this is a 'direct' cost)</p>

<p>Checklist of what charges/activities the legislation allows for cost recovery. These charges will be split between relevant applications only. (see guidance)</p> <p>These will be entered into Table 2 – Specific charges table in the ‘other charges’ worksheet.</p>	<p><u>Specific Charges</u></p> <ul style="list-style-type: none"> • ‘out of hours’ travel, surveillance, compliance and enforcement (licensed only) • Advertising fees / Publishing fees (if applicable) • Replacement licences
<p>Checklist of possible charges to be excluded</p> <p>These will be entered into the ‘non chargeable’ worksheet.</p>	<p><u>Non Chargeable</u></p> <ul style="list-style-type: none"> • Freedom of Information requests • Data Protection Act requests <p>Enforcement (unlicensed only)</p> <ul style="list-style-type: none"> • Enforcement Action • Travel and surveillance time • Actions relating to the Enforcement eg updating, letters, up to the point of start of prosecution file
<p>Process map</p>	<p>Application Process (more detail in process map)</p>