

Stafford Borough Council

MOBILE HOMES (REQUIREMENT FOR MANAGER OF SITE TO BE FIT AND PROPER PERSON) (ENGLAND) REGULATIONS 2020

Fees Policy 2022

Overview
This fees policy covers fees from the following activities:
<ul style="list-style-type: none">• Activities involved in receipt, processing, investigation and determination of applications for inclusion onto the “Fit and Proper Persons Register”
<ul style="list-style-type: none">• Recoverable fees for the appointment of a site manager
<ul style="list-style-type: none">• Annual fees to monitor, investigate and determine compliance with conditions of registration

APPLICATIONS FOR INCLUSION ONTO THE FIT AND PROPER PERSONS REGISTER	
Fee is for each application for inclusion onto the Fit and Proper Persons Register. The application is not deemed to have been received until the fee has been paid. Payment of the fee can be made via the contact centre on 01785 619000. The fee will be reviewed annually in line with other fees and charges.	
Application fee:	£ 403.95

INSPECTION OF SITES TO ASSIST IN DETERMINATION OF FIT AND PROPER PERSON
Where a site has been subject to inspection within the last 24 months as part of site licensing requirements then a further inspection will not normally be carried out as part of the fit and proper person determination.
However, the Council reserves the right to carry out a site inspection where either:
a) The site is no longer to be operated by the person named on the licence at the time of last inspection;
b) Significant compliance issues were raised on the last site inspection;
c) Any other reasonable purpose (for example, in response to receipt of complaints from site occupiers).
Inspection will be charged at the officer rate as recorded in the relevant published Fees and Charges Policy up to a maximum of four hours officer time.
https://www.staffordbc.gov.uk/fees-and-charges

APPOINTMENT OF SITE MANAGER

Where a relevant person fails an assessment and the site owner is unable to identify and appoint a suitable alternative manager who must also undergo the fit and proper assessment, the local authority may appoint a person to manage the site, with the consent of the site owner.

Where this course of action is agreed with the relevant person the full cost of determining and appointing a person to manage the site shall be charged to the relevant person. This includes officer time taken to:

- a) Identify, including by tender where necessary, a proposed person to manage the site.
- b) Completion of Fit and Proper Person checks in line with other applications for inclusion onto the register.
- c) Costs, including fixed and officer costs of undertaking DBS checks to support inclusion onto the register
- d) Completion of relevant administration including database updates, and registration

The charge for this will be a minimum of 15 hours at the officer rate as recorded in the relevant published Fees and Charges Policy.

<https://www.staffordbc.gov.uk/fees-and-charges>

ANNUAL FEE

An annual fee will be charged to recover the costs to the relevant person where conditions are attached to the registration. The value of a fee will be determined by the following principles and the type of condition imposed:

- a) Site visits required to determine compliance with a condition will be charged at the officer rate to a maximum of four hours officer time. The requirement, and frequency of site visits will be defined in the relevant condition of registration.
- b) Documentary checks required by any condition will be charged at the officer rate to a maximum of two hours officer time.
- c) Fixed costs incurred, such as postage or land registry checks shall be recharged at the same value as incurred plus any officer time taken to administer the function up to a maximum of two hours officer time.

The officer rate is defined as that recorded in the relevant published Fees and Charges Policy.

<https://www.staffordbc.gov.uk/fees-and-charges>

The following elements in the non-statutory fees guidance have been considered in forming this policy.

<https://www.gov.uk/government/publications/mobile-homes-fit-and-proper-person-test-guidance-for-local-authorities/mobile-homes-a-guide-for-local-authorities-on-setting-fees-for-the-fit-and-proper-person-test>

In addition, a local authority will need to make such inquiries as are necessary in connection with the application, such as those relating to the applicant's management and financial standing.

All time taken in establishing the information required to make an informed decision will be allowed to be included in the application fee, whether or not the entry on the register is granted.

Where an applicant contacts the local authority before making an application to ascertain the likelihood of the success of that application, the authority is expected to give such informal advice, including on likely conditions that may be attached to an entry, so the applicant can make an informed judgement on how to proceed with the application.

The local authority cannot charge separately for its advice or work in advance of receipt of the application. However, it can build into its fee structure for such applications the costs (or likely costs) it incurs as a result of such pre- application advice, including where no formal application is subsequently submitted.