



COTSWOLD

District Council

Mobile Homes Policy



Effective from November 2025

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Duration of the Policy

This policy will remain in force until reviewed.

1. Introduction

The Council has granted caravan site licences under the Caravan Sites and Control of Development Act 1960 (as amended) for sites that have planning permission for a caravan site. The Caravan Sites and Control of Development Act 1960 was amended by the Caravan Sites Act 1968 and has now been amended by the Mobile Homes Act 2013. The Mobile Homes Act 2013 was introduced to provide greater protection to occupiers of residential park homes and caravans as the existing legislation had not been updated for more than 50 years. This Act introduced some important changes to the buying, selling or gifting of a park home and the pitch fee review process.

Residential Park Homes should be inspected annually; this timescale will be reviewed if it becomes apparent that it is appropriate to do so i.e. conditions are so good that a less frequent interval up to once every three years. The Council can charge a fee for different licensing functions, serve enforcement notices and publish any site rules relating to a site. The fee generated by the Mobile Homes Act 2013 is not designed to include investigation of harassment or matters not related to the site licence – these should be dealt with through other appropriate channels.

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (“the Regulations”), require the manager of a “relevant protected site” to be a “fit and proper person”. The fit and proper person assessment applies to mobile home site owners, or the person appointed to manage the site, unless they are eligible for an exemption under Section 3 of the Regulations because they are a non-commercial family-occupied site.

A relevant protected site is a mobile homes site which requires a licence, and which is not solely for holiday purposes or is not restricted from being used all year round.

The fit and proper person requirement will ensure that site owners, or their managers, have integrity and follow best practice. Additionally, it provides the safeguard that such individuals will not pose a risk to the welfare or safety of persons occupying mobile homes on the site.

A public register of relevant sites is maintained and published by the Council.

For clarity, in this document, the “applicant” for an entry on the public register is the person who makes an application under regulation 6 and the “relevant person” is the individual who is the subject of the fit and proper person assessment.

This policy details the types of charges for each function, and the fees are shown in Table 1 in Annex 2, together with the current fees for 2025. The fees will be reviewed and updated annually ahead of each new fiscal year and from time to time as and when the cost of delivering licensing function is considered to have materially changed.

2. Fees charged for site licences

The changes introduced by the Mobile Homes Act 2013 (MHA 2013) for site licensing came into force on 1 April 2014. These include powers for local authorities to charge fees for their licensing functions in respect of "relevant protected sites". A relevant protected site is defined in the Act as any land to be used as a caravan site with planning consent, other than one where a licence is:

- Granted for holiday use only
- In any other way subject to conditions which restrict the usage of the site for the stationing of caravans for human habitation at certain times of the year (such as planning conditions).

Sites which do not fall within the definition of 'relevant protected sites' are still subject to the licensing requirements contained within the Caravan Sites and Control of Development Act 1960, but the provisions relating to payment of fees do not apply.

Under the MHA 2013 a fee can be charged for:

- Applications to grant a new licence.
- Applications to transfer or amend an existing licence.
- Annual licence fees for administering and monitoring existing site licences.

The Council has calculated fees in accordance with the provisions of MHA 2013 which allows a local authority to include all reasonable costs. This includes administrative costs, officer visits to the site, travel costs, consultations, meetings, undertakings and informal advice.

3. Application for a new site licence

All sites require a site licence to operate, subject to exemptions in the Caravan Sites and Control of Development Act 1960; failure to apply for licence is an offence under Section 1(2) of the same Act. The Council may only issue a licence for a site with a valid and correct planning permission for the use.

As details of the required planning permission are required as part of a complete application, no application for a site licence will be accepted without this. Sites which have the correct planning permission in place will be processed within 2 months of the licence application.

4. Transfer/amendment of existing site licence (including changes to conditions)

Where a licence holder wishes to transfer the licence, an application must be made to the Council, for which a fee is payable. The fee must accompany the application to transfer the licence.

Where a site owner requests an amendment to site licence conditions the Council will charge a fee for this function. Applications can be made at any time by licence holders to vary or

cancel conditions, but the fee is payable at the application stage. Whether a site visit will be required as part of any variation will be a decision of the Council, and an additional fee will apply when this is the case.

See Annex 2 for applicable fees.

If the Council deem it necessary to alter conditions, there will be no fee payable.

5. Annual Fees for Site Licences

All relevant protected sites must pay an annual fee to the Council (subject to any exemptions stated in this Policy). The fee is due on 1 April each year, see below for transitional arrangements where annual fees have previously been due in January each calendar year.

Charges are based on estimates from experience associated with the administration responding to enquiries and conducting inspections of sites varying in type and size. The Council is not permitted to make a surplus from this function.

The annual fee covers the costs associated with site inspections to ensure compliance with the site licence conditions and a follow up visit to ensure compliance with any informal schedule of works. If there is a breach in site licence conditions, further charges may be payable to cover the cost of any enforcement action which may be taken. Further details can be found in section 6 - Enforcement Action.

The fee is calculated using a standard initial fee which covers aspects of an inspection which are expected to be roughly similar in all cases such as travel time for example, the second part of the fee is established on an individual basis a price per licensed pitch to reflect the variation in cost due to the size of the site.

All sites will be inspected to ensure compliance with site licence conditions, but also as an opportunity to share information and updates.

Government guidance offers a variety of suggested options for local authorities in calculating the annual fee and this approach has been adopted as it is considered to offer a balance of transparency and fairness without creating an unnecessarily complicated fee setting process.

Annual fee payments

The fees will be considered annually by the Council and will be published along with all other fees and charges that the Council makes.

Sites exempted from Annual Licensing fees

The following are exempted from annual fees:-

- Sites that are not relevant protected sites
- Sites for the Site owner and their family (does not include sites that are run for financial gain)

- Site which are exclusively Gypsy Roma and Traveller Sites, which are not operated on a commercial basis and occupied by non-Gypsy Roma and Traveller residents.

Charging Arrangements

For this policy the period covered by the annual fee will be 1 April to 31 March each financial year. The fee will be charged to the site owner/licence holder and payment advice will be sent at the start of the financial year with payment due within 30 days.

Where a new site licence is issued part way through the year, the annual fee will be pro-rata for that year. The calculation will be done using months and will consider all months and part-months that the licence will cover for the initial year.

Where an amended licence is issued part way through the year (which included either additional units or a reduction in units), the change in annual fee will be calculated on a pro-rata basis for the remainder of the year. The calculation will be done using months and will take into account all months and part-months that the licence will cover for the initial year.

In the event an annual fee is not paid the Council may apply to the First Tier Tribunal (Property Chamber) for an order requiring the licence holder to pay the amount due. Following non-payment of the annual fee, the costs of any litigation and collection of the fee, may be recharged to the site owner. Charges for collection of the annual fee cannot be passed onto the residents' pitch fee.

Applications will not be determined if the fee is not received or a lower fee than required is paid.

Fees for new site applications or variation to site licences will not be refunded if the application is refused. However, if an applicant pays more than the required fee, the additional payment will be refunded in all circumstances.

6. Enforcement action

Where there has been a breach in a site licence condition which comes to the attention of the Council we may serve a compliance notice. The Caravan Sites and Control of Development Act 1960 details the elements which a Council may include when imposing a charge for enforcement action. These include the time involved in deciding to serve and prepare the notice. A detailed breakdown of the relevant expenses would be provided with the compliance notice. Charges would be based on an hourly rate in addition to any other costs incurred, for example legal costs.

7. Fees for depositing site rules

Site rules are different to the site licence conditions and are put in place by the owner of a site to ensure acceptable standards are maintained which will be of benefit to occupiers or will promote and maintain community cohesion on the site. The Mobile Homes Act 2013

changed the way site rules must be agreed between both parties. The Council must keep an up-to-date register of site rules on relevant protected sites and publish the register on-line.

Before publishing site rules the Council will ensure the rules deposited have been made in accordance with the statutory procedure – a fee can be charged for this function.

Any site rules deposited with the Council for the first time or applications to vary or delete existing site rules must be accompanied by the appropriate fee. The fee is the same for either a first deposit or for a subsequent variation or deletion. This is because the process will be very similar for all three types of deposits.

8. The Fit and Proper Persons Register

The Council maintains a register of persons who we are satisfied are fit and proper persons to manage a site. This register can be inspected by the public during normal office hours at our main offices or via our website at any time.

The register will provide a record of the outcomes of the fit and proper person tests the Council has carried out for sites. The register will include the following:

- (a) the name and business contact details of the person
- (b) the name and address of the relevant protected site to which the application relates
- (c) the status of the person (site owner or manager of the site)
- (d) the dates of the first and last day of the period for which the person's inclusion in the register has effect (up to a statutory maximum of five years)
- (e) whether any condition is attached to the person's inclusion in the register and
- (f) where any condition is attached to the person's inclusion in the register—
 - (i) the number of any such conditions
 - (ii) the dates of the first and last day of the period for which any such condition applies (if applicable) and
 - (iii) the date any condition is varied or satisfied (if applicable).

Where there is a rejected application, the name of the rejected applicant will not be included on the register, however the following information will be included in the register:

- (a) the name and address of the site to which the application relates
- (b) that an application in respect of the site has been rejected, and
- (c) the date on which the application was rejected.

Details of the rejected application will remain on the register until a successful fit and proper person application is made in respect of the owner or manager of the site.

Evidence-based approach to fit and proper persons checks

As the Local Authority we can charge two types of fees to cover costs. An application fee to cover the cost of assessing applications and an annual fee if an application is granted subject to any condition that would require monitoring.

When conducting the fit and proper person assessment, the Council will consider the points detailed below to be relevant to the application. In considering these points, the Council will be mindful that each case must be considered on its individual merits and, where the circumstances demand, the decision makers may depart from the guidelines in this policy.

Is the individual able to conduct effective management of the site?

This includes, but is not limited to, securing compliance with the site licence and the long-term maintenance of the site. In determining this, the Council will have regard to the following points.

- (a) Whether the person is competent to manage the site - This includes reviewing the competency of the appointed individual and where necessary interviewing them. The Council must have reasonable cause to believe the individual has either sufficient experience in site management or has received sufficient training and be fully aware of the relevant law as well as health and safety requirements.
- (b) The management structure for the site - The Council will consider whether suitable management structures are in place. The Council must have reasonable cause to believe they are adequate to ensure effective management of the site. Things to be considered include, whether the applicant has a robust management plan that also addresses the following issues:
 - the pitch fee payment
 - proximity of the manager to the site
 - manager's contact details for residents (including out of office and emergency contact details)
 - the complaints procedure
 - maintenance
 - staffing and
 - refuse removal.
- (c) Location of the manager - The site must be managed by an applicant based in the UK. A management structure would be unlikely to be suitable if the applicant is an individual, or a company (including its directors), which does not reside or have a permanent UK address. This is because there may be complex issues because of this, such as needing the court's permission to serve a claim in a foreign country. The applicant's interest in the land will also have an important impact, as would their financial standing, management structures and competence, all of which could contribute to the overall assessment of their suitability to manage the site effectively.
- (d) The funding arrangements in place for managing the site - The applicant must have sufficient funds (or access to sufficient funds) to manage the site and comply with licence obligations. Evidence of these funds should be readily available. If funding is through a third party (including an associated company), clear details must be provided to the Council so that its ability to deem whether the application is financially viable is not compromised.

(e) Personal information relating to the applicant concerned - To help inform the suitability of the applicant, the Council is entitled to use personal records and information that may be available to it in determining applications. Checks will be carried out using publicly accessible Government registers, including, though not limited to,

- the 'bankruptcy and insolvency register' and the 'disqualified directors register'
- formal documents such as a British passport or UK birth/adoption certificate and
- the report from a 'basic' Disclosure and Barring Service (DBS) check.

Where another local authority has rejected an application for the relevant person to be included in a register, the Council can consider that authority's reasons for the decision.

Conduct of the applicant

The council will investigate any conduct which could amount to harassment of the site residents by the site owner or manager.

The Council will also consider convictions by the courts as evidence of harassing behaviour. Where the Council has records of previous harassment complaints made against a site owner or their manager, even if no action was taken on these complaints at the time, the council will take these into consideration in the fit and proper person determination. These complaints may identify further potential risks and can also provide an indication of potential underlying problems with the management of the site or the site owner's lack of experience/skills in dealing with customers.

Where relevant, the Council may address any underlying issues by attaching conditions to the individual's entry on the register. In addition, the Council will also consider further information from sources such as the Police (including abduction notices), Children and Adult Safeguarding Boards (or other bodies with a similar function), other licensing authorities and statutory agencies where appropriate.

Conduct of any person associated with the relevant person

1 <https://www.gov.uk/search-bankruptcy-insolvency-register>

2 <https://www.gov.uk/search-the-register-of-disqualified-company-directors>

A relevant associate is defined as any individual who may have played a part, directly or indirectly, in a decision or action, which has had an impact on residents' rights, or the quiet enjoyment of their homes. The Council will consider the conduct of any relevant associate (whether on a personal, work or other basis) when undertaking the fit and proper person assessment.

Other relevant matters

The Council will also consider the following specific matters relevant to the fit and proper person application:

- (a) current or previous issues, or events, that have occurred in the past ten years that have occurred in relation to the site, or any other mobile homes owned or managed by the site owner or site manager in this or any other local authority area
- (b) the site owner's conduct regarding other business, outside of the mobile homes sector, that is relevant to the determination of whether someone is a fit and proper person, as this could also have implications on the financial and management arrangements of the site in question
- (c) any matters which the Council believes to be of relevance to the application which primarily focus on the relevant person's conduct, competence and their suitability to manage the site, including but not limited to convictions and foreign convictions, cautions, Police warnings, arrests, fixed penalty notices and impending prosecutions. In relation to convictions, the Council will consider whether the conviction is spent or unspent, but only in so far as it is relevant to an application for inclusion on the register.

Determination of applications

Any information gathered will be used to help determine that the applicant:

- (a) has not committed any offence involving fraud or other dishonesty, violence, firearms or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements)
- (b) has not contravened any provision of the law relating to housing, caravan sites, mobile homes, public health, planning or environmental health or of landlord and tenant law
- (c) has not contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business
- (d) has not harassed any person in, or in connection with, the carrying on of any business
- (e) is not or has not been within the past 10 years, personally insolvent
- (f) is not or has not been within the past 10 years, disqualified from acting as a company director
- (g) does not give the Council cause to reasonably question, for any other reason, that the person is fit and proper
- (h) has the right to work in the United Kingdom and
- (i) is a member of any redress scheme enabling complaints to be dealt with in connection with the management of the site (when this is in place).

Where an applicant has failed at least one of the criteria above, they will generally not be deemed to be a 'fit and proper person' for the purposes of this policy although this policy provision does not fetter the decision maker's ability to determine the application on its own merits.

Rejected applications- Applications from persons who do not pass the fit and proper assessment by virtue of not meeting the criteria set out above will be rejected and the person will not be able to manage the site. Rejected applications will be centrally recorded and will include the details of the person involved and the reasons for the rejection. Rejected applications will be shared with other local authorities, subject to requirements of data protection legislation being met. The Council will have regard to rejected applications made by any other local authority.

Applications

The application for inclusion in the Fit and Proper Persons Register must include the required information, which will be identified on the Council's website, and associated fee. Failure to provide either will result in the application being refused.

The applicant must clearly specify whether their application is made in respect of either the applicant, or site owner, or the person that the applicant or site owner has appointed to manage the site.

Criminal record certificate(s)

A Disclosure and Barring Service (DBS) certificate or Criminal Records Certificates (issued under section 113A (1) of the Police Act 1997) will be required for:

- (a) the relevant person, where they are an individual; and
- (b) for each individual to whom the applicant is required to provide information for under paragraph 10(2) or (5), 11 or 12 of the Regulations.

The Disclosure and Barring Service check should be a "basic" check as opposed to an "enhanced" check and can be undertaken via the GOV.UK website.

The certificate must have been issued no more than six months before the date of the application. It is incumbent upon the site owner to ensure that any certificates provided meet this requirement.

Decision makers

Service Leader Environmental Protection - The Service Leader manages a number of service areas and the Council's Senior Officer affords the Service Leader delegated authority to undertake certain functions with regards to this Policy, including refusing an application to be included on the register.

The Principal Environmental Health Officer manages the Environmental Health staff on a day-to-day basis, and the senior officers have been deemed competent to determine applications governed by this policy. Through delegated authority from the Service Leader they will determine applications which either meet the conditions set out in this determination policy or can meet the conditions set out in the policy if additional conditions are added to the register entry; this delegation includes setting those conditions.

Decisions and notifications

On receipt of a valid application the Council will:

- (a) grant the application unconditionally
- (b) grant the application subject to conditions; or
- (c) reject the application.

Granting the application unconditionally

Where the Council is satisfied that the applicant meets the fit and proper person test unconditionally, the applicant will be included on the register for up to a statutory maximum of five years. The Council will also issue a final decision notice to the applicant to inform them of its decision.

Granting the application subject to certain condition(s)

- (a) Where the Council considers an applicant would meet the fit and proper person test if certain conditions are met, the Council will grant an application subject to those condition(s). In this case, the council will send a preliminary decision notice to the applicant.
- (b) The fit and proper person test is aimed at ensuring that the person managing the site is competent and the conditions will relate directly to the person's ability to secure the proper management of the site.
- (c) Where additional conditions are required, the Council can also grant an application for less than five years.
- (d) An applicant can appeal against the decision to attach (or vary) any condition to an entry on the register.

Decisions not to include the applicant on the register

- (a) Should the Council determine that the applicant does not meet the requirements, and attaching conditions would not be appropriate, the Council will refuse to grant the application and send a preliminary decision notice to the applicant.
- (b) Where an applicant is refused entry onto the register, the site owner or manager will be required to seek alternative management arrangements to comply with the fit and proper person requirement. If they fail to do so they will be committing an offence.
- (c) Where a site owner or their manager is unable to identify and appoint a suitable alternative manager, who must pass the fit and proper person assessment, the Council can instead appoint a person to manage the site, but only with the consent of the site owner.

Right to make a representation

- (a) An applicant who receives a preliminary decision notice will have 28 days in which to make representations to the Council. The 28-day period begins with the day after the day on which the notice was served.
- (b) The Council will consider and take any representations it receives into account before making a final decision.

Final decision notice

The Council will, as soon as reasonably practicable, after the end of the period allowed for making representations, make a final decision and serve the decision notice on the applicant.

Duration of time on the fit and proper persons register

- (a) Where the Council is satisfied that the applicant meets the fit and proper person test unconditionally, the applicant will be included on the register for the statutory maximum of five years.
- (b) Where additional conditions are required to facilitate an applicant's inclusion on the fit and proper persons register, the Council may grant an application for less than five years.
- (c) Where an application is for less than five years, the length of time will be determined by the conditions to which entry onto the register was granted. For example, a person who has the right to work in the UK for two years, would only be entered onto the register for a period of two years.

Appeals

The applicant can decide to appeal the decision by making an application to the First-tier Tribunal (Property Chamber) ("the tribunal") within specific timeframes set by the tribunal. The applicant is permitted to appeal against any decisions served by the Council. These include:

- (a) including the relevant person on the register for an effective period of less than five years
- (b) including the relevant person on the register subject to conditions and
- (c) rejecting the application.

An appellant will not be able to claim compensation for losses incurred pending the outcome of an appeal.

Withdrawal or amendment of notice

There may be circumstances where the Council may decide not to continue or to withdraw a previously agreed action such as after serving:

- (a) a preliminary decision notice but before service of the final decision notice
- (b) a final decision notice but before the decision to which it relates takes effect or

- (c) a notice of proposed action but before the proposed action is taken.

Where the Council decides to withdraw or amend a notice, the Council will serve notice to the person on whom the original notice was served stating:

- (a) that it is withdrawing/amending the original notice (a copy of the original notice will be attached for reference)
- (b) the reasons for withdrawing the notice
- (c) the date it takes effect and
- (d) the implications of the decisions in relation to the person's entry on the register.

Removal from the register

If, after a person is included in the register and new evidence relevant to the person's inclusion becomes available, the Council may decide to:

- (a) remove the person from the register
- (b) impose a condition on the inclusion of the person in the register (whether there are conditions already imposed)
- (c) vary a condition or
- (d) remove a condition.

When considering removal from the register any such decision should be related to the person being a fit and proper person rather than, for example, site licensing issues which are governed separately.

Where action is considered necessary the Council will serve a notice of any proposed action on the occupier clearly stating the reasons.

A notice of proposed action is not required to remove a condition attached to an entry as this is viewed widely as being a positive step, which is unlikely to be opposed. Instead, the Council will make the site owner or their manager aware of the decision in writing and also ensure the register is updated.

Where a notice of proposed action is given, the occupier will have 28 days, starting from the day after the notice is served, in which to make representations.

The Council will, as soon as reasonably practicable after the end of the 28- day period, decide whether to carry out the proposed action.

Where the Council decides to take the action, they will serve a further notice on the occupier, indicating the action that has been taken, within the period of five working days beginning with the day after the day on which the action was taken.

Offences

There are three offences within the regulations. They are:

1. operating a site in contravention of the fit and proper person regulations

2. withholding information or including false or misleading information in the registration application
3. failing to comply with a specified condition.

A site owner found guilty of any of the above offences will be liable on summary conviction to a level 5 (unlimited) fine.

9 Publishing and revising the fee policy

This policy and the fees charged is published on

<https://www.cotswold.gov.uk/business-and-licensing/apply-or-renew-business-licences-and-permits/caravan-and-campsites/> .

10 Review period

The policy will be reviewed every three years.

Elements included in fee setting

The Council following the national guidance has sets out the following activities that are included in calculating its fees, these include:

- 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 licensing process;
- Handling enquiries and complaints;
- Updating document storage and computer systems (including maintenance and upgrade of such systems and the future development e-forms etc)
- Updating the website as appropriate;
- Processing the licensing fees through BACS, Cheque, e-payment systems
- Time for reviewing necessary documents and certificates;
- Preparing reports and the holding of committees to determine a licence or the review of policies and conditions of licensing;
- Review by manager or lawyers
- Review any consultation responses from third parties;
- Carrying out any risk assessment process considered necessary
- Full site inspection and reports; and
- Any follow up inspection to monitor compliance as necessary

Fees Table

Fees for 2025 to 2026

New site application	Cost
5 or less units	£365
6 to 24 units	£495
25 to 99 units	£585
100 to 199 units	£685
200 units and over	£775
Annual Fee for existing site licence	Cost
5 or less units	£305
6 to 24 units	£410
25 to 99 units	£505
100 to 199 units	£590
200 units and over	£685

Other Fees		Cost
Transfer I amendment of existing site licence		£94
Change Site Conditions		£132
Site Rules Deposit		£43.50
Compliance notice charge		£300
Administrative and other expenses to serve notice under the Mobile Homes Act 2013		£355
Fit and Proper Person Assessment		To be approved in 2026/27
Annual fee if an application is granted subject to any condition that would require monitoring.		budget and each year thereafter.
Enforcement	Hourly rate of officers involved, plus any other costs such as legal fees and charges for notice.	

Contact details

For information on this policy, and how to apply visit -

<https://www.cotswold.gov.uk/business-and-licensing/apply-or-renew-licences-and-permits/caravan-and-campsites/>

For informal advice or queries, please email: ers@publicagroup.uk

Mobile Homes Fees Policy Date Adopted:November 2025