

## MOBILE HOMES FEES POLICY CONSULTATION STRATEGY

### 1. Summary

The Council has a duty to ensure that existing site licence holders who will be affected by the implementation of fee charging permitted under the Mobile Homes Act 2013 are consulted, whilst it is in draft format.

These stakeholders will be encouraged to provide any comments to Environment & Regulatory Services, who will consider all comments received to ensure the policy represents the issues important to all groups, so far as is legally possible.

The consultation period allows the stakeholders to receive information on the proposed fees policy and discuss how it will affect them.

The consultation procedure is controlled by both time & financial restraints and also the need to comply with the Council's structure of meetings.

### 2. Introduction

The policy will be used as information for applicants and existing licence holders as to what fees will be applicable when applying for a new licence, transferring an existing licence, the annual fee that be imposed on 1 April each year. It will also indicate to existing licence holders the fees that will be imposed should the Council take any enforcement action in the form of compliance notices under the new legislation.

Before the draft policy is approved by the Council, it must go through a process of consultation with existing licence holders that will be affected by the policy.

This consultation strategy will demonstrate how the Council will achieve effective consultation with these people/ companies, with the resources available.

### 3. Aims

The Council aims to:

- ensure effective and efficient consultation with those identified who will be affected by the Council's implementation of licensing fees.
- use the responses received from the consultation process to develop the draft policy into an effective document, where possible, which represents the needs of those identified affected by the change in licensing regime.

#### **4. Objectives**

In order to achieve these aims, the Licensing Team will:

- achieve and complete the consultation process within the given timescale to ensure that the policy is a working document before applications will be potentially received after 1 April 2015.
- ensure that the consultation process is effective whilst working within restrictions of cost and time.
- ensure the comments received by all the key stakeholders of the Council and the policy are collated, fully considered and are used to ensure that the policy represents their views, whilst still ensuring that the policy complies with the requirements of the Act and any relevant guidance.

#### **5. Planning**

When planning the consultation process, advice was sought from the Council's Policy, Research and Engagement Division, who provided advice on the best means of consultation and also the groups of people accessible to the Council to allow consultation with a good representation of the Council's stakeholders.

All comments from the consultation must be collated and the policy revised, and if necessary, to be presented to the General Licensing Committee week within 3 months of the end of the consultation period, unless otherwise decided by the Chair of the General Licensing Committee and the Service Director of Environment & Regulatory Services.

#### **6. Identification of stakeholders**

The following people/ groups have been identified as stakeholders:

- Existing licence holders
- Residents of current licensed sites

#### **7. Design and Format.**

A letter will be sent to all the existing licence holders informing them of the consultation, outlining how they can access the consultation documentation.

The documentation will consist of the draft policy and a simple questionnaire. Comments should be made on the questionnaire, preferably by email, to limit the impact on Council resources.

All correspondence will contain the contact details of the Licensing Team, including telephone number, e-mail address, postal address and website address to allow contact to be made.

## **8. Collection and review of response from Consultation process**

Once the consultation process begins the policy will not be altered until all comments have been received and collated. The comments will be collated as soon as possible after the consultation period ends. After that time all comments will be considered, and common areas identified. All comments will be considered with relevance to the legislation.

The General Licensing Committee will then consider and approved, unless Committee decide to delegate this function to the Chair of the Committee and the Service Director of Environment & Regulatory Services.

## **9. Continuing the consultation process.**

The policy should be reviewed on a regular basis; this will be usually be every year, unless there is a change of legislation or issue of further guidance from Central Government.

## **10. Matters for consideration**

### **10.1 Time**

A plan of the timescales is outlined below.

### **10.2 Legal implications**

The Mobile Homes Act 2013 places a legal duty on the Council to be the licensing authority under the legislation, and stipulates it has the discretion whether to charge fees for certain licensing functions. The Council must agree a fees policy, and any policy written should be subject to a consultation exercise before being formally agreed.

## **11. Conclusion**

The strategy is aimed to ensure that the consultation is effective, without being excessive in relation to both cost and time. It must also allow the Council's duties of consultation and implementation of the policy, in accordance with the councils meeting structure.

## 12. Timetable

12.1 The policy should be in-place before the start of the next financial year.

12.2 The proposed timescale for consultation is:

- |                              |   |   |
|------------------------------|---|---|
| 1 August –<br>30 August 2014 | - | Consultation period   |
| w/c 15 September<br>2014     | - | Comments collated and revised policy<br>agreed                    |
| 4 December 2014              | - | Final Draft Policy to General Licensing<br>Committee for approval |
| w/c 5 January 2015           | - | Policy published  |