TORBAY COUNCIL

*RECORD OF DECISION TAKEN BY OFFICER IN CONSULTATION WITH EXECUTIVE MEMBER*

ASSISTANT DIRECTOR’S DECISON No. 01/2021

**The following decision has been made by Tara Harris, Assistant Director (Community & Customer Services) (*officer)* in consultation with the Cabinet Member for Corporate & Community Services, Cllr Christine Carter *(Councillor).***

**Decision: To agree to adopt FIT AND PROPER PERSON DETERMINATION POLICY (MOBILE HOME SITES) June 2021**

**FIT AND PROPER PERSON FEE POLICY (MOBILE HOMES) 2021/2022**

**The decision was made for the following reasons**:-

A number of Park Home sites in Torbay have caused Torbay Council considerable work over many years, and an element of this is the unwillingness of some site owners to implement reasonable and required works. These have ultimately been for the benefit of residents, whether individually or collectively. This will help ensure that park home sites are better managed for their residents and reduced the demand on Local Authority resources, due to greater level of compliance with appropriate legislation and on-site licence requirements.

The fees Fit and Proper Fees Policy is based upon a nationally adopted approach to setting fees that has subsequently been reviewed for Torbay Council. This sets a ‘reasonable’ fee for the work expected.

**In reaching this decision, the following issues and alternative options were considered:-**

Whether to not adopt such a Policy, however several Park Home sites have caused considerable issues over the years, placing significant resource pressures on Community Safety, and as this is based upon the following statutory Instrument Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (SI 2020/1034), it is considered appropriate to agree to adopt the Policy.

With regard to fees, no other option was considered, as it is only right that the applicant pays the reasonable one off fee.

**The following officers of the Council, individuals and organisations were consulted:-**

Tara Harris, Steve Cox and Cllr Christine Carter.

**The following background papers were used in considering the issue**

Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (SI 2020/1034)

IN THE MATTER OF FIT AND PROPER PERSON FOR LOCAL AUTHORITIES IN THE CARAVAN SITE LICENSING FORUM – Guidance for Local Authorities [Counsel advice]

IN THE MATTER OF PROVIDING GUIDANCE FOR DETERMINING ANNUAL CARAVAN SITE LICENSING FEES FOR LOCAL AUTHORITIES – Guidance for Local Authorities [Counsel advice]

**Was any declaration of interest made in connection with this issue?**

No.

**Signed:** ………………………………………………….. (Officer)

**Dated:** ….…………………...........................................

**Signed:**……………………………………….................. (Executive Lead)

**Dated:**………………………..........................................