



**FIRST - TIER TRIBUNAL  
PROPERTY CHAMBER  
(RESIDENTIAL PROPERTY)**

**Case Reference** : BIR/31UC/PHP/2015/0003

**Property** : The Haven Mobile Home Site, Shelley Street, Loughborough,  
LE11 5LA

**Applicant** : Charnwood Borough Council

**Representative** : Rebecca Short, Private Sector Housing Manager

**Respondent** : Mr H.J. Riley

**Representative** : Not represented

**Type of Application** : An application for payment of an annual site fee

**Tribunal Members** : I.D. Humphries B.Sc.(Est.Man.) FRICS (Chairman)  
P.J. Hawksworth (Lawyer)

**Date and Venue of Hearing** : None. Determination on written submission.

**Date of Decision** : **24<sup>th</sup> March 2015**

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**DECISION**

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## **Introduction**

- 1 The Applicant granted a Site Licence to the Respondent on 20th October 2011 permitting the property to be licenced for a maximum of 5 caravans.
- 2 On 3rd June 2014 the Applicant wrote to the Respondent advising that the Applicant had approved a fee policy for licensing sites, where the fee was based on the total cost to Charnwood Borough Council of administering the scheme, divided by the total number of units on all sites. The unit price was then multiplied by the actual number of caravans on each site to calculate the annual fee for each site. The resulting licence fee was £13.01 per unit per annum and the Applicant sent the Respondent an invoice dated 2nd June 2014 in the sum of £65.05.
- 3 The invoice offered several alternative means of payment including payment by cheque, pay point, credit card, debit card or BACS.
- 4 Reminders were sent on 1st July 2014, 15th July 2014, 30th July 2014 but the amount due remained outstanding.
- 5 The Applicant therefore applied to the First-tier Tribunal (Property Chamber) on 13th January 2015 for an Order under section 5A of the Caravan Sites and Control of Development Act 1960 ('the Act') requiring the Respondent to pay.

## **The Law**

- 6 Under section 5A(3) of the Act, a local authority can apply to the Tribunal for an Order requiring the licence holder to pay the local authority the amount due by a date prescribed by the Order.

## **Facts Found**

- 7 The Tribunal has examined a copy of the Site Licence for the property dated 20th October 2011, provided by the Applicant.
- 8 The letter from the Applicant to the Respondent dated 3rd June 2014 sets out the basis of calculation as required by section 5A(2) of the Act.

## **Decision**

- 9 The Tribunal orders the Respondent to pay the Applicant the amount outstanding of £65.05 by 20th April 2015.

## **Application to the Upper Tribunal**

- 10 If either party is dissatisfied with this decision an application may be made to the Upper Tribunal, Property Chamber (Residential Property). Any such application must be received within 14 days after this decision has been sent to the parties.

I.D. Humphries B.Sc.(Est.Man.) FRICS  
Chairman  
Date 24<sup>th</sup> March 2015