



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

Case Reference : (1) MAN/23UG/PHP/2019/0001
(2) MAN/23UG/PHS/2019/0001

Property : TALLINGTON LAKES LEISURE PARK,
TALLINGTON PE9 4RJ

Applicant : SOUTH KESTEVEN DISTRICT COUNCIL

Respondent : TALLINGTON LAKES LIMITED

Type of Application : Payment of site licence fee, s 5A(3), Caravan Sites
and Control of Development Act 1960

Tribunal Judge : A M Davies, LLB
N Walsh, FRICS

Date of Decision : 17 December 2021

DECISION

The Respondent is ordered to pay site licence fees for Tallington Lakes Leisure Park amounting to £4,173.50 as invoiced by the Applicant on 19 June 2017 and 19 December 2018.

REASONS

BACKGROUND

1. On 18 May 2016 the Applicant issued a site licence (“the 2016 site licence”) to the Respondent pursuant to sections 3 and 5 of the Caravan Sites and Control of Development Act 1960 (“the Act”).

2. The 2016 site licence was a licence to operate a Relevant Permitted Site, which is a classification of park home site created by the Mobile Homes Act 2013. Regulations made under the legislation encouraged local authorities to charge fees for licensing mobile homes on Relevant Permitted Sites and monitoring their operation.
3. As this was not a new site, the Applicant chose to charge the Respondent neither a fee for issue of the licence nor the annual fee for 2016 (part). In accordance with its adopted fees practice, it raised invoices as follows:

19 June 2017 for the year 2017/2018	£1646.30 (@ £10.10 per plot)
19 December 2018 for the year 2018/2019	£2527.20 (@ £10.40 per plot)
4. The Respondent does not dispute these figures, but has paid neither invoice.

THE APPLICATION

5. On 8 July 2019 the Applicant applied for an order requiring the Respondent to pay the invoiced sums.
6. By way of defence, the Respondent queried whether Tallington Lakes Limited was the holder of the site licence and the correct Respondent to the application. Following a hearing by video link on 25 March 2021 these preliminary issues were determined in the Applicant's favour.
7. Further directions were issued on 18 October 2021 permitting each party to supply the Tribunal, and to copy to the other party, any additional statement of case and relevant additional documentation which it wished the Tribunal to consider when reaching its final decision
8. These directions were issued as a draft and were to become effective on 1 November 2021 unless either party filed and served, by 29 October 2021, a request for alternative directions supported by a signed and dated witness statement setting out the reasons for the request and incorporating a statement of truth.
9. Neither party made such a request, and the directions therefore took effect on 1 November. As provided for in the directions, the matter has been determined without a hearing on the basis of the parties' written and previous oral representations.

CONCLUSION

10. Invoices for the site licence fees have been correctly raised by the Applicant, and correctly addressed to the Respondent. The fees are payable as invoiced.