

**Dartford Borough Council
The Mobile Homes (Requirement for Managers of Site to be Fit and Proper Person)
(England) Regulations 2020**

**APPLICATION FOR INCLUSION ON THE FIT AND PROPER PERSON
REGISTER**

GUIDANCE:

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020, requires local authorities to be satisfied that the owner of a mobile home site is a fit and proper person to manage the site or that a person appointed by the owner to manage the site is a fit and proper person to do so.

Which sites does this apply to?

The test will apply to all relevant protected sites i.e. a privately owned park/mobile home site where a planning permission or site licence allows the land to be occupied wholly, or in part, for year-round residential use. These sites require a site licence under the Caravan Sites and Control of Development Act 1960.

The 2020 Regulations do not apply to non-commercial family-occupied sites referred to as 'exempt sites'

What does this mean for site owners?

From 1 October 2021, unless the site is exempt, the site owner **must**:

- be a fit and proper person to lawfully operate a park home site, **or**
- have a fit and proper site manager in place

What must the site owner do?

The site owner, or their appointed site manager, is required to apply to us to be included on a register of fit and proper persons. A site owner may only apply if they hold or have applied for a site licence in respect of the site. The requirements to apply to be included on the register also applies where the owner or the site manager is a non-natural person (such as a company).

Site owners/licence holders will have three months from 1 July 2021 up to and including 30 September 2021 to submit completed applications to the Council.

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How do we decide whether the applicant is fit and proper?

In assessing an application for inclusion on our register of fit and proper persons, we will consider the following: past compliance with the site licence;

- the long term maintenance of the site;
- whether the relevant person has sufficient level of competence to manage the site;
- the management structure and funding arrangements for the site or proposed management structure and funding arrangement.

and whether the owner/site licence holder or the person appointed to manage the site:

- has the right to work within the UK
- has committed any offence involving fraud or other dishonesty, violence, arson or drugs or listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements)
- has 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
- has contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business
- has harassed any person in, or in connection with, the carrying on of any business
- has had an application rejected by any other local authority
- is, or has been within the past 10 years, personally insolvent
- is, or has been within the last 10 years, disqualified from acting as a company director

We may consider the conduct of *any person* associated or formerly associated with the owner/site licence holder or the person appointed to manage the site (whether on a personal, work or other basis), if it appears that associated person's conduct is relevant.

We may also consider any evidence on any other relevant matters.

For further detailed information see:

[The Council's Fit and Proper Persons Determination Policy](#)

[Government guidance Mobile homes: a guide for local authorities on the fit and proper person test](#)

[The regulations The Mobile Homes \(Requirement for Manager of Site to be Fit and Proper Person\) \(England\) Regulations 2020](#)

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An application must include a fully completed application form and supporting information. As soon as reasonably practicable after an application is made, the Council must make a decision on the application.

It must also include proof of payment of the application fee of £255.

APPLICATION FOR INCLUSION ON THE FIT AND PROPER PERSON REGISTER

For sole traders/individuals complete section A. For partnerships, companies, etc. complete section B. ALL APPLICANTS must complete sections C to O.

A DETAILS OF INDIVIDUAL APPLICANTS	
First Name(s):	
Surname:	Title:
Correspondence Address:	
Postcode:	
Telephone (work):	Telephone (mobile):
E-mail address:	

B COMPANY OR OTHER APPLICANT DETAILS	
Name of person completing the form:	
Position in company:	
Type of business (e.g. Limited Company, Partnership, etc.):	
Company Name:	
Correspondence Address:	
Postcode:	
Telephone (office)	Telephone (mobile):
E-mail address:	
Name of each relevant officer	Role in management of the site
Please use an additional page if necessary	

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C	DETAILS OF THE CARAVAN SITE TO WHICH THE APPLICATION REFERS
Site Name:	
Site Address:	
Site Postcode:	

D	DETAILS OF THE APPLICANT'S ESTATE OR EQUITABLE INTEREST IN THE SITE
Please provide proof of estate or equitable interest:	

E	NAME AND BUSINESS CONTACT DETAILS OF ANY OTHER PERSON(S) WITH A LEGAL ESTATE OR EQUITABLE INTEREST IN THE SITE

F	DETAILS OF ANY OTHER SITE LICENCES HELD AND/OR MANAGED BY THE APPLICANT (Please use an additional page if necessary)		
	Site Name	Licensing Authority Name	Licence Number

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G	DETAILS OF ANY OTHER SITES WHERE YOU HAVE AN INTEREST (Please use an additional page if necessary)	
Site Name	Licensing Authority Name	Licence Number

H	CONFIRMATION THE APPLICANT IS THE OCCUPIER OF THE SITE	
<p>Is the applicant the occupier of the site, as defined in Section 1 of the Caravan Sites and Control and Development Act, 1960 (as amended)?</p> <p>‘Occupier’ means, in relation to any land, the person who, by virtue of an estate or interest therein held by him, is entitled to possession thereof or would be so entitled but for the rights of any other person under any licence granted in respect of the land.</p> <p>Provided that where land amounting to not more than four hundred square yards in area is let under a tenancy entered into with a view to the use of the land as a caravan site, the expression ‘occupier’ means in relation to that land the person who would be entitled to possession of the land but for the rights of any person under that tenancy.</p>	<p>YES/NO</p>	

I	TO WHOM DOES THIS APPLICATION FOR INCLUSION ON THE REGISTER RELATE?	
The Applicant (continue to section K)		
An appointed manager (complete section J)		

J	APPOINTED MANAGER DETAILS	
First Name(s):		
Surname:		Title:
Correspondence Address:		
Postcode:		
Telephone (office)	Telephone (mobile):	
E-mail address:		
Role in managing site:		

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K	EVIDENCE OF ABILITY TO SECURE THE PROPER MANAGEMENT OF THE SITE (The following information <u>must</u> be included with this application.)
1	Details of the applicant(s) or proposed manager’s experience and competency in managing caravan sites
2	Details of the management structure and funding arrangements for the site or proposed management structure and funding arrangements for the site

L	ADDITIONAL INFORMATION IN REALTION TO THE APPLICANT (AS AN INDIVIDUAL) OR SITE MANAGER.	
1	Have you committed any offence involving fraud or other dishonesty, violence, arson or drugs or listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements)?	YES/NO
2	Have you 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?	YES/NO
3	Have you contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business?	YES/NO
4	Have you harassed any person in, or in connection with, the carrying on of any business?	YES/NO
5	Are you, or have you been within the past 10 years, personally insolvent?	YES/NO
6	Are you, or have you been within the past 10 years, disqualified from acting as a company director?	YES/NO
7	Have you the right to work in the United Kingdom?	YES/NO
8	Are you a member of any redress scheme for dealing with complaints in connection with the management of the site? (If yes, please provide details on a separate page.)	YES/NO
9	Have you had an application to be included in a fit and proper person register rejected by another Local Authority? (If yes, details of the reasons for rejection must be provided.)	YES/NO
10	Do you have applications to be included in a fit and proper person register awaiting a result from another Local Authority? (If yes please provide details on a separate page.)	YES/NO

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M	ADDITIONAL INFORMATION IN RELATION TO THE RESPONSIBLE PERSON (THE PERSON TO WHOM THE SITE MANAGER REPORTS)	
1	Have you committed any offence involving fraud or other dishonesty, violence, arson or drugs or listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements)?	YES/NO
2	Have you 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?	YES/NO
3	Have you contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business?	YES/NO
4	Have you harassed any person in, or in connection with, the carrying on of any business?	YES/NO
5	Are you, or have you been within the past 10 years, personally insolvent?	YES/NO
6	Are you, or have you been within the past 10 years, disqualified from acting as a company director?	YES/NO
7	Have you the right to work in the United Kingdom?	YES/NO
8	Are you a member of any redress scheme for dealing with complaints in connection with the management of the site? (If yes, please provide details on a separate page.)	YES/NO
9	Have you had an application to be included in a fit and proper person register rejected by another Local Authority? (If yes, details of the reasons for rejection must be provided.)	YES/NO
10	Do you have applications to be included in a fit and proper person register awaiting a result from another Local Authority? (If yes, please provide details on a separate page.)	YES/NO

N	CRIMINAL RECORD CERTIFICATE
<p>Please include this with your application. This must be as a minimum a basic criminal record certificate issued no more than six months before the date of the application in respect of:</p> <p>(a) where the relevant person is an individual, the relevant person; and</p> <p>(b) each individual in relation to whom the applicant is required to provide information under paragraph 10(2) or (5), 11 or 12.</p> <p>See details of how to obtain a <u>criminal records certificate</u>.</p>	

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O	DECLARATIONS (This section must be completed by the applicant.)
I declare that the information given above is true to the best of my knowledge and that I have not wilfully omitted any necessary material.	
If this application is made by the applicant who is not the relevant person, I have made all reasonable enquiries into the matters mentioned in paragraph 9 and Schedule 3 of the regulations relating to the relevant person and the information provided in the application is correct and complete to the best of the applicant's knowledge and belief.	
Full Name (please print):	
Signature:	
Capacity:	
Date:	

Please post your application and accompanying documents to:

Private Sector Housing, Dartford Borough Council, Civic Centre, Home Gardens, Dartford, Kent. DA1 1DR

Or scan and email to housingprivatesector@dartford.gov.uk

The fee of £255 per application can be paid via:

Debit/Credit card payment, please contact Customer Services (01322 343760) and state the Caravan Site Licence/Fit & Proper Persons Application and the site address.

In Person; using the payment kiosk in the Dartford Civic Centre reception area during normal opening hours. You can pay by cash. The kiosk does not accept cheques or credit/debit cards.

By Post : Please send your cheque to: Dartford Borough Council,

Civic Centre, Home Gardens, Dartford, Kent DA1 1DR

Cheques should be made payable to Dartford Borough Council with the site address and Caravan Site Licence/Fit & Proper Persons Application written clearly on the back. If you would like a receipt please enclose a stamped addressed envelope.

The Council's **Data Protection Policy** sets out how we will protect special category and criminal convictions personal data; and

The [Park/Mobile Home Sites Fit Proper Person Privacy Notice](#) and the [Park \(Mobile\) Homes Fit & Proper Person 'In Time' Privacy Notice](#) explains how the Council collects personal information to administer these services.

If you or anybody you know requires this or any other council information in another language, please contact us and we will do our best to provide this for you. Braille, Audio tape and large print versions of this document are available upon request.



Tel: 01322 343434



Calls are welcome via Relay UK