

The Mobile Homes - Fit and Proper Person Application Form

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (“the Regulations”) introduced a fit and proper person test for mobile home site owners, or the person appointed to manage the mobile home site.

The owner of a mobile home site is required to submit an application to the local authority in whose district the site is located, along with relevant documentation and the appropriate application fee of £225 + £130 per additional person.

The completed application must be submitted to Tewkesbury Borough Council for a new registration, together with the application for a new site licence or an application for transfer of an existing site licence to a new owner. Details are provided in the notes attached.

This requirement does not apply to sites that are occupied solely by family members and not run as a commercial arrangement.

If completing this form by hand, please use black ink and capital letters.

SECTION 1

Part 1 – Details of the site and applicant

1. Name of applicant:

.....

2. Do you confirm that the applicant is the occupier¹. Yes [] No []

3. Applicant’s business contact details

I. Address:

II. Telephone.....

III. Email.....

4. If the applicant named in Q1 is a company/organisation (see notes at end), provide the following information in relation to the individual completing the form and each relevant officer of the organisation

| Officer’s Name | Role (if any) in relation to the management of the site |
|----------------|---|
| | |
| | |
| | |

5. Name and address of the site the application relates to:

¹ An occupier within the meaning of section 1 of the Caravan Sites and Control of Development Act 1960.

.....

Part 2 – Applicant’s legal estate or equitable interest in the site

6. What is the applicant’s estate or equitable interest in the site?

- Site owner []
 Leaseholder []
 Other []

If other provide details.....

7. Does any other person/organisation have a legal estate or equitable interest in the site? Yes [] No []

8. If you answered yes to Q7, please provide their name(s), business contact detail(s)

| | Name | Business contact details | Legal estate/ equitable interest in the site |
|--|------|--------------------------|--|
| | | | |
| | | | |
| | | | |
| | | | |

Part 3 – Other relevant protected sites

9. Does the Applicant;

a. Hold a licence issued under Section 3, Caravan Sites and the Control of Development Act 1960 (CDSC) for any other relevant protected site? Yes [] No []

If you have answered yes, please provide the details below for each site. Use a separate sheet if necessary.

| | Name of site | Address | Site Licensing authority |
|--|--------------|---------|--------------------------|
| | | | |
| | | | |

b. Have an estate or interest in any other relevant protected site? Yes [] No []

If you have answered yes, please provide the details below for each site.
 Use a separate sheet if necessary.

| | Name of site | Address |
|--|--------------|---------|
| | | |
| | | |

c. Manage any other relevant protected site? Yes [] No []

If you have answered yes, please provide the details below for each site. Use a separate sheet if necessary.

| | Name of site | Address |
|--|--------------|---------|
| | | |
| | | |

Part 4 – Details of the person (Relevant Person) to be included in the register

10. Name of the Relevant person (the person/organisation subject to the test)

.....

11. What is the status of the Relevant person to be included on the register? Please tick as appropriate

- The occupier
- A person/organisation appointed/to be appointed (delete as appropriate) by the occupier to manage the site (site manager)
- A person appointed/to be appointed by the local authority, with the occupier's consent, to manage the site

SECTION 2

Part 5 – Information relating to the relevant and responsible persons

12. Please select the most appropriate option below and provide the required information in the relevant part of this section.

- The site owner is an individual, is the subject of the test and will manage the site themselves, **Complete Part A.**
- The site owner is an individual, is the subject of the test and has appointed or intends to appoint a person to manage the site. **Complete Parts A and B.**
- The site owner is an individual, is the subject of the test, and has appointed or intends to appoint a company/organisation to manage the site. **Complete Parts A, B, C and if applicable Part D.**
- The site owner is an individual and has appointed or is to appoint a person who will be subject to the test, to manage the site. **Complete Part B.**
- The site owner is an individual and has or is to appoint a company/organisation to manage the site and who will be subject to the test, **complete Parts B, C and D (where applicable).**
- The site owner is a company and will be subject to the test. **Complete Parts B, C and if applicable Part D.**

Where the company/organisation has or will appoint a person (X) to manage the site (site manager), Part B should be completed for that person. If that person (X) is not a relevant officer of the company, the information in Part C should be provided for all relevant officers of the company and the information in Part D provided for the relevant officer to whom X is/will be accountable for the day-to-day management of the site.

If the site manager is not an individual, the information in Part B must be provided for the individual (Y) that the site manager has appointed or intends to appoint to be responsible for the day-to-day management of the site. Where the individual (Y) is not a relevant officer, the information in Part C must be provided for all relevant officers of the company and the information in Part D provided for the relevant officer to whom Y is/will be accountable for the day-to-day management of the site.

Part A – Site owner's details

| | | Yes | No |
|---|---|-----|----|
| 1 | Have you been convicted of 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)? | | |

| | | | |
|----------|--|--|--|
| 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? | | |
| 3 | Have you contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business? | | |
| 4 | Have you been found guilty of harassment of any person in, or in connection with, the carrying on of any business? | | |
| 5 | Are, or have you been within the past 10 years, personally insolvent? | | |
| 6 | Are, or have you been within the past 10 years, disqualified from acting as a company director? | | |
| 7 | Do you have the right to work in the United Kingdom? | | |

If you have answered YES to any of the above questions, in part A, Questions 1 - 7, please provide further details below.

.....
.....
.....
.....

| | | Yes | No |
|------------|--|------------|-----------|
| 8 | Are you a member of any redress scheme for dealing with complaints in connection with the management of the site? | | |
| (a) | If yes please provide details. Name of redress scheme: Membership number/ member since | | |
| 9 | Has any other local authority rejected an application for you to be included in a register? | | |
| (a) | If yes please provide the following details of the local authority's reasons. Local authority name: Date of the application Reason(s) for rejection: | | |
| 10 | Please provide a copy of a current Disclosure and Barring Service (DBS) Certificate (see notes at end) which was obtained no longer than 6 months previous to the submission of this application. Please state Certificate number Date of issue..... | | |

Part B

Section 1 – Details of Site Manager or a Responsible Person

13. Name

14. Business contact details

- IV. Address.....
- V. Telephone.....
- VI. Email.....

15. Where the person has not yet been appointed, please provide details at which the person may be contacted in respect of the application.

- I. Address.....
- II. Telephone number
- III. Email address (if any)

16. Role in relation to the management of the site

.....

17. Does the Person;

d. Hold a licence issued under S3 of Caravan Sites and Control of Development Act 1960 (CSCDA 1960) for any other relevant protected site?

Yes [] No []

If you have answered yes, please provide details below for each site. Use a separate sheet if necessary.

| | Name of site | Address | Site Licensing authority |
|--|--------------|---------|--------------------------|
| | | | |
| | | | |

e. Have an estate or interest in any other relevant protected site?

Yes [] No []

If you have answered yes, please provide the details below for each site. Use a separate sheet if necessary.

| | Name of site | Address |
|--|--------------|---------|
| | | |
| | | |

f. Manage any other relevant protected site? Yes [] No []

If you have answered yes, please provide the details below for each site. Use a separate sheet if necessary.

| | Name of site | Address |
|--|--------------|---------|
| | | |
| | | |

Section 2 - Conduct

| | Has the person: | Yes | No |
|---|---|-----|----|
| 1 | Been convicted 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)? | | |
| 2 | 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? | | |

| | | | |
|----------|--|--|--|
| 3 | Contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business? | | |
| 4 | Been found guilty of harassment of any person in connection with the carrying out of any business? | | |
| 5 | Is the person, or have they been personally insolvent within the past 10 years, personally insolvent? | | |
| 6 | Is the person, or have they been within the past 10 years, disqualified from acting as a company director? | | |
| 7 | Does the person have the right to work in the United Kingdom? | | |
| 8 | Has any other local authority rejected an application for the person to be included in a register? | | |

8 (a) If the answer to Q.8 above is yes, please provide details below:

| Local Authority | Date of the application | Reason(s) for rejection |
|-----------------|-------------------------|-------------------------|
| | | |
| | | |
| | | |
| | | |

| | | Yes | No |
|----------|--|-----|----|
| 9 | Please provide a copy of a current Disclosure and Barring Service (DBS) Certificate (see notes at end) which was obtained no longer than 6 months previous to the submission of this application. Please state Certificate number Date of issue..... | | |

*** Please provide information for any additional relevant persons in Section 3 of this application form**

Part C - Information below for each relevant officer of the company

| | Name of each relevant officer of the company or organisation | Relevant person's role (if any) in relation to the management of the site. |
|--|--|--|
| | | |
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| | | |

Is the person appointed to manage the site, listed in Part B, one of the relevant officers listed above?

Yes [] No []

If no, please provide the following information in Part D for the relevant officer of the company or organisation to whom the site manager is/will be accountable for the day-to-day management of the site.

Part D

Section 1 - Relevant Officer's details

1. Name:
.....
2. Business contact details
 VII. Address:
 VIII. Telephone.....
 IX. Email.....
3. Where the person has not yet been appointed, please provide the following details at which the person may be contacted in respect of the application.
 IV. Address.....
 V. Telephone
 VI. Email address (if any)
4. Person's role in relation to the management of the site

5. Does the person;

g. Hold a licence issued under S3 of CSCDA 1960 for any other relevant protected site?
 Yes [] No []

If you have answered yes, please provide the details below for each site. Use a separate sheet if necessary.

| | Name of site | Address | Site Licensing authority |
|--|--------------|---------|--------------------------|
| | | | |
| | | | |

h. Have an estate or interest in any other relevant protected site? Yes [] No []
 If you have answered yes, please provide the details below for each site. Use a separate sheet if necessary.

| | Name of site | Address |
|--|--------------|---------|
| | | |
| | | |

i. Manage any other relevant protected site? Yes [] No []
 If you have answered yes, please provide the details below for each site. Use a separate sheet if necessary.

| | Name of site | Address |
|--|--------------|---------|
| | | |
| | | |

Section 2 – Relevant Officer's Conduct

| | Has the person | Yes | No |
|--|----------------|-----|----|
| | | | |

| | | | |
|---|--|--|--|
| 1 | 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)? | | |
| 2 | 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? | | |
| 3 | Contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business? | | |
| 4 | Harassed any person in, or in connection with, the carrying on of any business? | | |
| 5 | Is the person, or have they been personally insolvent within the past 10 years, personally insolvent? | | |
| 6 | Is the person, or have they been within the past 10 years, disqualified from acting as a company director? | | |
| 7 | Does the person have the right to work in the United Kingdom? | | |
| 8 | Has any other local authority rejected an application for the person to be included in a register? | | |
| | If yes, please provide the following details: | | |

| Local authority | Date of the application | Reason(s) for rejection |
|-----------------|-------------------------|-------------------------|
| | | |
| | | |
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| | | |

| | | Yes | No |
|---|--|-----|----|
| 9 | Please provide a copy of a current Disclosure and Barring Service (DBS) Certificate (see notes at end) which was obtained no longer than 6 months previous to the submission of this application. Please state Certificate number Date of issue..... | | |

SECTION 3

Part 10 - Management of the site

18. Please provide details and evidence of the relevant person’s training, experience and qualification in the ownership and/or management of park home sites.

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19. Please provide details and supporting evidence of the management structure and funding arrangements that will be in place to enable the relevant person to secure the proper management of the site. This includes the process for the logging, investigation and resolution of residents’ complaints and enquiries.

.....

Please provide information on a separate sheet where necessary.

Part 11 - Other relevant information

20. Are you aware of any other person(s) associated or formerly associated with the relevant person (whether on a personal, work or other basis) whose conduct is relevant to the question of whether the relevant person is a fit and proper person to manage the relevant protected site or proposed relevant protected site (as the case may be)?

No []

Yes [] – please provide details below

| | Name | Relationship with relevant person | Reason(s)/Comments |
|--|------|-----------------------------------|--------------------|
| | | | |
| | | | |
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| | | | |
| | | | |

21. Is there any other relevant information you wish to provide?

No [] Yes [] – Please provide details

.....

.....

.....

.....

*** Details of any Additional Responsible Person as requested in Section 2 above**

22. Name

23. Business contact details

X. Address.....

XI. Telephone.....

XII. Email.....

24. Where the person has not yet been appointed, please provide details at which the person may be contacted in respect of the application.

VII. Address.....

VIII. Telephone number

IX. Email address (if any)

25. Role in relation to the management of the site

.....

26. Does the Person;

- j. Hold a licence issued under S3 of Caravan Sites and Control of Development Act 1960 (CSCDA 1960) for any other relevant protected site?

Yes [] No []

If you have answered yes, please provide details below for each site. Use a separate sheet if necessary.

| | Name of site | Address | Site Licensing authority |
|--|--------------|---------|--------------------------|
| | | | |
| | | | |

- k. Have an interest in any other relevant protected site?

Yes [] No []

If you have answered yes, please provide the details below for each site. Use a separate sheet if necessary.

| | Name of site | Address |
|--|--------------|---------|
| | | |
| | | |

- l. Manage any other relevant protected site? Yes [] No []

If you have answered yes, please provide the details below for each site. Use a separate sheet if necessary.

| | Name of site | Address |
|--|--------------|---------|
| | | |
| | | |

Conduct of additional responsible person

| | Has the person, | Yes | No |
|---|---|-----|----|
| 1 | Been convicted 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)? | | |
| 2 | Contravened any provision of the law relating to housing, caravan sites, mobile homes, public health, planning or environmental health or landlord and tenant law? | | |
| 3 | Contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business? | | |
| 4 | Been found guilty of harassment of any person in connection with the carrying out of any business? | | |
| 5 | Is the person, or have they been personally insolvent within the past 10 years, personally insolvent? | | |
| 6 | Is the person, or have they been within the past 10 years, disqualified from acting as a company director? | | |
| 7 | Does the person have the right to work in the United Kingdom? | | |

| | | | |
|----------|--|--|--|
| 8 | Has any other local authority rejected an application for the person to be included in a register? | | |
|----------|--|--|--|

8 (a) If the answer to Q.8 above is yes, please provide details below:

| Local Authority | Date of the application | Reason(s) for rejection |
|-----------------|-------------------------|-------------------------|
| | | |
| | | |
| | | |
| | | |

| | | Yes | No |
|----------|--|-----|----|
| 9 | Please provide a copy of a current Disclosure and Barring Service (DBS) Certificate (see notes at end) which was obtained no longer than 6 months previous to the submission of this application. Please state Certificate number Date of issue..... | | |

Part 12 – CHECK LIST

Please tick or indicate not applicable

- I have enclosed the original copy of my DBS certificate (issued within 6 months of application)
- I have enclosed a copy of the receipt for correct payment of the application fee
- If freeholder - I have enclosed a Land Registry Search ^{See notes} (both title plan and title register are required.)
- If leaseholder - I have enclosed a copy of the lease agreement
- I have enclosed a copy of the management structure and funding arrangements for the site
- I understand that if I do not comply with the above requirements my application will be invalid and I could be in breach of the fit and proper person test requirements.

| |
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| |

Signature of applicant or appropriate person

Name

Signature

Date

Part 13 – FINAL DECLARATION & SIGNATURE (the appropriate person)

I declare that:

(a) I have read the notes attached to this application form, particularly in relation to data protection

(b) I have made all reasonable enquiries into the matters mentioned in Paragraph 9 and Schedule 3 of the Regulations, relating to the relevant person

(c) The information provided in the application is correct and complete to the best of my knowledge and belief.

Signature of applicant or appropriate person

Name

Signature

Date

Position

NOTES

Statutory Requirements

- An application must be made by the occupier of the site.
- If the occupier is a company or a corporate body, the application form must be completed by an officer of the company (“appropriate person”).

The “appropriate person” means;

(a) where the declarant is a company, an officer of the company;

(b) where the declarant is a partnership, one of the partners;

(c) where the declarant is a body corporate the conduct of the management of which is vested in its members, a member;

(d) where the declarant is a body not falling within paragraph (a), (b) or (c), a member of the management committee;

(e) where the declarant is an individual, that individual

- You are required to provide a certificate issued by the Disclosure and Barring Service (DBS) as part of this application. The DBS certificate must be to the **Basic Level of Disclosure**
- You may apply online for a DBS check at www.dbsapply.com.
- Your DBS certificate must be dated within six months of the date of the application. Please only send a good quality, scanned copy or a photocopy of the original DBS report, a photograph will not be accepted.
- The council is required to keep and maintain a register of fit and proper persons. This means that some of the information you provide in your application will be entered into the register. The information that will be included are your name, business address, contact details and name of the site. Please ensure that if you are providing this information on behalf of another person, that you have their permission.

Land Registry Search

You can download a Land Registry Search from <https://www.gov.uk/search-property-information-land-registry> Select both Title register and Title plan

Data Protection

- Tewkesbury Borough Council (“the Council”) manages personal data in accordance with the provisions of the Data Protection Act 1998. The information you provide on this form will be used by the Council for the purposes of the fit and proper person assessment.
- We may share your information and make any other necessary enquiries with other departments within the council and statutory organisations in relation to the application.
- Your personal information will be processed in line with Data Protection legislation and we will not disclose information about you to anyone outside the Council unless the law permits or requires us to. We will retain your data for as long as it is required for our administrative use, after which it will be securely disposed of.
- Where the application is being made on behalf of a person appointed or to be appointed to manage the site, you are strongly advised to ensure they are aware of the register and the information that will be entered into it. As the applicant, it is your responsibility to seek confirmation that the information they have provided is true and accurate.
- If you believe the data we process on you is incorrect you may request to see this information and, if necessary have it corrected or deleted. If you wish to raise a complaint you can contact our Data Protection Officer at (address below). If you believe we are not processing your data lawfully you can complain to the Information Commissioner’s Office (<https://ico.org.uk/>).
- You are strongly advised to retain a copy of the form for your records.

Submitting your Application

IMPORTANT - Please ensure you have completed all the necessary information.

YOUR APPLICATION WILL NOT BE PROCESSED UNTIL THE COUNCIL HAS RECEIVED ALL THE REQUIRED INFORMATION, SUPPORTING DOCUMENTS AND THE CORRECT FEE.

The application fee is £xxx

Payment of the fee should be made on-line by visiting

https://webpayments.tewkesbury.gov.uk/live/webpayments/ml_webpayselect.asp

Please only send a **good quality**, scanned copy or a photocopy of the original DBS report, **a photograph will not be accepted.**

Please send your completed and signed application form and all supporting documents by email to:

ehenquiries@tewkesbury.gov.uk

If you do not have access to emails, please send by post to:

Environmental Health,
Tewkesbury Borough Council,
Gloucester Road,
Tewkesbury,
GL20 5TT

If you have any enquiries, please email ehenquiries@tewkesbury.gov.uk
or telephone 01684 295010