

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

Application for Fit and Proper Person Test

Please complete this application in block capitals and using black ink.

Section 1

Part 1 – Details of the site and applicant

1.1) Name of applicant:	
1.2) Do you confirm that the applicant is the occupier (as per Section 1 of the Caravan Sites and Control of Development Act 1960):	Yes [<input type="checkbox"/>] No [<input type="checkbox"/>]
1.3) Applicant’s business contact details:	Address: Telephone: Email:
1.4) If the applicant named in Question 1.1 is a company / organisation, provide the following information in relation to the individual completing the form and each relevant officer of the company/organisation:	Officer’s name: Role (if any) in relation to the management of the site: Officer’s name: Role (if any) in relation to the management of the site:
1.5) Name and address of the site the application relates to:	

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

<p>2.1) What is the applicant’s estate or equitable interest in the site?</p>	<p>Site owner [] Leaseholder [] Other []</p> <p>If other provide details:</p> <p>Please provide documentary evidence (e.g. Land Registry title document).</p>
<p>2.2) Does any other person / organisation have a legal estate or equitable interest in the site?</p>	<p>Yes [] No []</p>
<p>2.3) If you answered yes to Question 2.2, please provide their name(s), business contact detail(s) and proof of their interest in the table below:</p>	

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

Part 3 – Other relevant protected sites

3.1a) Does the applicant hold a licence issued under Section 3 of the Caravan Sites and Control of Development Act 1960 for any other relevant protected site?	Yes []	No []
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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

3.1b) Does the applicant have an estate or interest in any other relevant protected site?	Yes []	No []
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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

3.1c) Does the applicant manage any other relevant protected site?	Yes []	No []
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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

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

4.1) Name of Relevant person (the person/organisation subject to the test)	
4.2) What is the status of the Relevant person to be included on the register? Please tick as appropriate	<p>The occupier [<input type="checkbox"/>]</p> <p>A person / organisation appointed / to be appointed (delete as appropriate) by the occupier to manage the site [<input type="checkbox"/>]</p> <p>A person appointed / to be appointed by the local authority, with the occupier's consent, to manage the site [<input type="checkbox"/>]</p>

SECTION 2

Part 5 – Information Relating to the Relevant and Responsible Persons

<p>5.1) Please select one of the options which apply to you and provide the required information in the relevant part of this section.</p>	<ul style="list-style-type: none"><input type="checkbox"/> The site owner is an individual, is the subject of the test and will manage the site themselves, Complete Part A.<input type="checkbox"/> 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&B.<input type="checkbox"/> 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.<input type="checkbox"/> 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.<input type="checkbox"/> 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).<input type="checkbox"/> The site owner is a company and will be subject to the test. Complete Parts B, C and if applicable Part D.
<p>Where the company/organisation has or will appoint a person to manage the site (site manager), Part B should be completed for that person. If that person 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 B is/will be accountable for the day-to-day management of the site.</p> <p>If the site manager is not an individual, the information in Part B must be provided for the individual 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 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 B is/will be accountable for the day-to-day management of the site.</p> <p>When providing additional information to support your application, please reference the relevant section/part of the application e.g. Part C – relevant officers</p>	

Part A – Site Owner’s Details

		Yes	No
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)?		
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 harassed 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, please provide further details below.

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		Yes	No
8	Are you a member of any redress scheme for dealing with complaints in connection with the management of the site?		
(a)	<p>If yes please provide details.</p> <p>Name of redress scheme: </p> <p>Membership number/ member since: </p>		

9	Has any other local authority rejected an application for you to be included in a fit and proper person register?		
(a)	<p>If yes, please provide the following details the local authority's reasons.</p> <p>Local authority:.....</p> <p>Date of the application:.....</p> <p>Reason(s) for rejection:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>		
10	<p>Do you have a Criminal record certificate issued under s113A(1) of the Police Act 1977 and is no more than six months before the date of the application?</p> <p>If yes, please provide;</p> <p>Certificate number:</p> <p>Date of issue:</p>		

Part B - Site Manager

Section B1 – Details of Site Manager or a Responsible Person

1) Name:	
2) Business contact details	<p>Address:</p> <p>Telephone:</p> <p>Email:</p>
3) Where the person has not yet been appointed, please provide details at which the person may be contacted in respect of the application.	<p>Address:</p> <p>Telephone:</p> <p>Email:</p>

4) Please explain their role in relation to the management of the site:	
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5a) Does the person hold a licence issued under S3 of CSCDA 1960 for any other relevant protected site?	Yes []	No []
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If you have answered yes, please provide details below for each site in the table below. Use a separate sheet if necessary.

Name of site	Address	Site Licensing authority

5b) Does the person have an estate or interest in any other relevant protected site?	Yes []	No []
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If you have answered yes, please provide details below for each site in the table below. Use a separate sheet if necessary.

Name of site	Address	Site Licensing authority

5c) Does the person manage any other relevant protected site?	Yes []	No []
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If you have answered yes, please provide details below for each site in the table below. Use a separate sheet if necessary.

Name of site	Address	Site Licensing authority

Section B2 - Conduct of Site Manager or a Responsible Person

	Has the person:	Yes	No
1	Committed any offence involving fraud or other dishonesty, violence, arson, 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, 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	Become personally insolvent within the past 10 years?		
6	Been disqualified from acting as a company within the past 10 years?		
7	Got the right to work in the United Kingdom?		
8	Had an application to be included in a fit and proper person register rejected by any other local authority?		
(a)	If yes, please provide details overleaf.		

Local authority	Date of application	Reason(s) for rejection

		Yes	No
9	Does the person have a Criminal record certificate issued under s113A(1) of the Police Act 1977, which is no more than six months before the date of the application?		
	<p>If Yes, please provide the following details.</p> <p>DBS Certificate number:</p> <p>Date of issue:</p>		

Part C - Information for each Relevant Officer of the Company

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

Is the person appointed to manage the site (Part B) one of the relevant officers listed above?	Yes []	No []
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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 D1 - Relevant Officer to whom the Site Manager is/will be accountable for the day-to-day management of the site.

1) Name:	
2) Business contact details	Address: Telephone: Email:
3) Where the person has not yet been appointed, please provide contact details at which the person may be contacted in respect of the application	Address: Telephone: Email:
4) Person's role in relation to the management of the site	

5a) Does the person hold a licence issued under S3 of CSCDA 1960 for any other relevant protected site?	Yes [] No []
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If you have answered yes, please provide the details in the table below for each site. Use a separate sheet if necessary.

Name of site	Address	Site Licensing authority

5b) Does the person have an estate or interest in any other relevant protected site?	Yes []	No []
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If you have answered yes, please provide the details in the table below for each site. Use a separate sheet if necessary.

Name of site	Address	Site Licensing authority

5c) Does the person manage any other relevant protected site?	Yes []	No []
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If you have answered yes, please provide the details in the table below for each site. Use a separate sheet if necessary.

Name of site	Address	Site Licensing authority

Section D2 – Relevant Officer’s Conduct

	Has the person:	Yes	No
1	Committed any offence involving fraud or other dishonesty, violence, arson, 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, 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	Become personally insolvent within the past 10 years?		
6	Been disqualified from acting as a company within the past 10 years?		
7	Got the right to work in the United Kingdom?		
8	Had an application to be included in a fit and proper person register rejected by any other local authority?		
(a)	If yes please provide the following details:		

Local authority	Date of application	Reason(s) for rejection

		Yes	No
9	Does the person have a Criminal record certificate issued under s113A(1) of the Police Act 1977 which is no more than six months before the date of the application?		
	If Yes, please provide the following details. DBS Certificate number: Date of issue:		

SECTION 3

Part 10 - Management of the Site

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

Please provide details and 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 (includes how residents' complaints and concerns will be addressed).

Part 11 - Other Relevant Information

<p>1) 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)?</p>	<p>Yes [] No []</p> <p>If you have answered yes, please provide details below</p>
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Name	Relationship with relevant person	Reason(s)/Comments

<p>2) Is there any other relevant information you wish to provide?</p>	<p>Yes [] No []</p> <p>If you have answered yes, please provide details below:</p>
<p>Other relevant information you wish to provide:</p>	

Part 12 – CHECK LIST

Please tick

I have enclosed the original copy/copies of DBS certificate/s (issued within 6 months of application)

I have paid the application fee.

If Freeholder - I have enclosed a Land Registry Search

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

Part 13 – DECLARATION & SIGNATURE

(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 relating to the relevant person; and

(c) that 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

.....

**Please send completed forms to:
Private Sector Housing
Charnwood Borough Council
Southfields Road
Loughborough
Leicestershire
LE11 2TX**

Key information for site owner:

Statutory Requirements

- An application must be made by the occupier.
- 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
- DBS certificates must be dated within six months of the date of the application.
 - The council must 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 and contact details, name of the site.

Data Protection

- Charnwood Borough 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 Charnwood Borough Council for the purposes of the fit and proper 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 the address listed below. If you believe we are not processing your data lawfully you can complain to the Information Commissioner's Office (<https://ico.org.uk/>). Further details are available on our website - <https://www.charnwood.gov.uk>, or from the Data Protection Officer who can be contacted via email at foi@charnwood.gov.uk).
- Completed applications including the correct fee must be sent to Private Sector Housing department, Charnwood Borough Council, Southfield Road, Loughborough, Leicestershire, LE11 2TX.
- You are strongly advised to retain a copy of the form for your records.

Privacy Notice

Charnwood Borough Council collects information about you in order to process your application for inclusion in the register of fit and proper persons.

What information is being collected?

We will be asking you for:

- details of the applicant
- information relating to the site manager
- information relating to any other person(s) involved in the management of the site
- criminal record certificate
- information about specific matters (e.g. ability to secure proper management of the site – as per Schedule 3)

Why we collect this information:

It is necessary for us to process personal data and criminal offence data in order to determine your application for inclusion in the register of fit and proper persons which is made under Regulation 6 of the Mobile Homes (Requirement for Manager of Site to be a Fit and Proper Person) (England) Regulations 2020.

The legal basis under Article 6 of the UK GDPR for processing this information is 'public risk' as it is a function of the Council to process Fit and Proper Person applications made under the 2020 Mobile Homes Regulations.

The relevant condition under Schedule 1 of the Data Protection Act 2018 is the statutory purposes condition (paragraph 6 of Schedule 1 of the Data Protection Act 2018) because it is necessary for the Council to process the

criminal offence data in relation to the Fit and Proper Person applications made under the 2020 Mobile Homes Regulations.

Public register:

We are required by Regulation 5 of the Mobile Homes (Requirement for Manager of Site to be a Fit and Proper Person) (England) Regulations 2020 to establish and keep up-to-date a register of persons who we are satisfied are fit and proper persons. We must make the register open to inspection by members of the public and publish the register online.

For how long will we keep your information?

Regulation 5 (4) of the 2020 Regulations provides that 'A person's inclusion in the register has effect for such period as the local authority may decide but that period must not exceed five years'. Therefore your information will be stored for a period not exceeding five years.

Your Rights:

You do have some legal rights in respect of the personal information we collect from you. Please see our Data Protection webpage:

https://www.charnwood.gov.uk/pages/data_protection_act for further details.

You can also contact the Council's Data Protection Officer on

foi@charnwood.gov.uk.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns>.