

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



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APPLICATION FOR INCLUSION ON THE FIT AND PROPER PERSON REGISTER

Applications for inclusion on the Fit and Proper Person register must be made to Tonbridge & Malling Borough Council ("The Council") by the site owner (regulation 6(1)). Where the site owner is not an individual, the application must be made on their behalf by a relevant officer. A 'relevant officer' means where the site owner is a:

- Company: a director or other officer of the company
- Partnership: a partner
- Body corporate: a member where the conduct of the management of the body is vested in its members
- Body not falling within any of the above categories: a member of the management committee

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

For site owners that are sole traders/individuals please complete section B. For companies, partnerships etc. complete section C. All applicants must complete sections D onwards.

B	DETAILS OF APPLICANT WHERE AN INDIVIDUAL		
	First Name(s):		
	<table style="width: 100%; border: none;"><tr><td style="width: 70%; border: none;">Surname:</td><td style="width: 30%; border: none;">Title:</td></tr></table>	Surname:	Title:
Surname:	Title:		
	Correspondence Address:		
	Postcode:		
	<table style="width: 100%; border: none;"><tr><td style="width: 45%; border: none;">Telephone (work):</td><td style="width: 55%; border: none;">Telephone (mobile):</td></tr></table>	Telephone (work):	Telephone (mobile):
Telephone (work):	Telephone (mobile):		
	E-mail address:		

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C	DETAILS OF APPLICANT WHERE COMPANIES ETC.	
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 (if any) in relation to the management of the site
Please use an additional page if necessary		

D	DETAILS OF THE APPLICANT'S ESTATE OR EQUITABLE INTEREST IN THE SITE
For example: freeholder, leaseholder or other	
Please provide documentary evidence (for example Land Registry title document)	

E	NAME AND BUSINESS CONTACT DETAILS OF ANY OTHER PERSON(S) WITH A LEGAL ESTATE OR EQUITABLE INTEREST IN THE SITE	
Name	Business Contact Details	Legal estate/equitable interest in the site

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F	DETAILS OF ANY OTHER CARAVAN SITE LICENCES HELD AND/OR MANAGED BY THE APPLICANT FOR ANY OTHER RELEVANT PROTECTED SITES (Please use an additional page if necessary)	
Name of site	Address	Site Licensing Authority

G	DETAILS OF ANY OTHER SITES WHERE YOU HAVE A LEGAL ESTATE OR EQUITABLE INTEREST (Please use an additional page if necessary)	
Site Name	Address	Site Licensing Authority

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 of 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>		YES/NO

I	TO WHOM (RELEVANT PERSON) DOES THIS APPLICATION FOR INCLUSION ON THE REGISTER RELATE?	
The site owner (continue to section L)		
A person/organisation appointed by the site owner to manage the site (site manager)		

For site managers that are individuals please complete section J and continue to section L. For companies, complete section K onwards.

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

K	APPOINTED MANAGER DETAILS	
Company Name:		
Correspondence Address:		
Postcode:		
Telephone (office)		Telephone (mobile):
E-mail address:		
Name of each relevant officer		Role (if any) in relation to the management of the site
Please use an additional page if necessary		

L	DETAILS OF ANY OTHER CARAVAN SITE LICENCES HELD AND/OR MANAGED BY THE SITE MANAGER FOR ANY OTHER RELEVANT PROTECTED SITES (Please use an additional page if necessary)	
Name of site	Address	Site Licensing Authority

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M	DETAILS OF ANY OTHER SITES WHERE THE SITE MANAGER HAS A LEGAL ESTATE OR EQUITABLE INTEREST (Please use an additional page if necessary)	
Site Name	Address	Site Licensing Authority

N	EVIDENCE OF ABILITY TO SECURE THE PROPER MANAGEMENT OF THE SITE (The following information must be included with this application.)
1	<p>Please provide details and evidence of relevant person's training, experience and qualification in the ownership and/or management of relevant protected sites:</p>
2	<p>Please provide details and evidence of the management structure and funding arrangements for the site or proposed management structure and funding arrangements for the site that will be in place to secure the proper management of the site. Please include details of how residents' complaints and concerns are addressed:</p>

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O	Please select one of the options from 1 to 5 below and option 6 if applicable where the specified additional information is required, then complete the declaration at V.	
1	If the site owner is an individual and will manage the site themselves then they are the relevant person and must provide the additional information in part Q and a criminal records certificate as per P.	
2	If the site owner has appointed or is to appoint an individual to manage the site (site manager) who will be the relevant person, the site owner must provide for the site manager the additional information in part Q and a criminal records certificate as per P.	
3	If the site owner has appointed or is to appoint a company to manage the site (site manager) who will be the relevant person, the site owner must provide the additional information in parts R, S, T, U and a criminal records certificate as per P for the individual responsible for the day-to-day management of the site. If the responsible person is not a relevant officer of the company then parts R, S, T, U and a criminal records certificate as per P must also be completed for the relevant officer the responsible person will be accountable to for the day-to-day management of the site.	
4	If the site owner is an individual and will be site manager but has or to appoint someone else to be responsible for the day-to-day management of the site they must provide the additional information in part Q and a criminal records certificate as per P for themselves. The additional information in parts R, S, T, U and a criminal records certificate as per P must also be provided for the person to be responsible for the day-to-day management of the site.	
5	Where the site owner is not an individual but will be the relevant person but someone else is to be responsible for the day-to-day management of the site the additional information in parts R, S, T, U and a criminal records certificate as per P for that individual must be provided. If that responsible person is not a relevant officer of the site owner or the site manager the additional information in parts R, S, T, U and a criminal records certificate as per P must also be provided for the relevant officer to whom the responsible person is accountable to for the day-to-day management of the site.	
6	Please complete the additional information in parts R, S, T and U relating to any person involved or proposed to be involved in the management of the site where the requirements to provide information have not already been covered in items 1 to 5 above.	

P	PROVIDE A CRIMINAL RECORD CERTIFICATE
<p>This must be a criminal record certificate issued under section 113A(1) of the Police Act 1997 (as amended) 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 of the Regulations.</p>	

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Q	ADDITIONAL INFORMATION IN RELATION TO THE RELEVANT PERSON		
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 you, or have you been within the past 10 years, personally insolvent?		
6	Are you, or have you been within the past 10 years, disqualified from acting as a company director?		
7	Have you the right to work in the United Kingdom?		
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.)		
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 in 9a below)		
9a	Local Authority name	Date of Application	Reason(s) for rejection

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R	ADDITIONAL INFORMATION IN RELATION TO THE RESPONSIBLE PERSON IF AN INDIVIDUAL:	
First Name(s):		
Surname:		Title:
Correspondence Address:		
Postcode:		
Telephone (office)		Telephone (mobile):
E-mail address:		
Person's role in relation to the management of the site:		

R1	ADDITIONAL INFORMATION IN RELATION TO THE RESPONSIBLE PERSON IF NOT AN INDIVIDUAL:	
Company Name:		
Correspondence Address:		
Postcode:		
Telephone (office)		Telephone (mobile):
E-mail address:		
Name of each relevant officer		Role (if any) in relation to the management of the site
Please use an additional page if necessary		

S	DETAILS OF ANY OTHER CARAVAN SITE LICENCES HELD AND/OR MANAGED BY THE RESPONSIBLE PERSON FOR ANY OTHER RELEVANT PROTECTED SITES (Please use an additional page if necessary)		
Name of site		Address	Site Licensing Authority

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T	DETAILS OF ANY OTHER SITES WHERE THE RESPONSIBLE PERSON HAS A LEGAL ESTATE OR EQUITABLE INTEREST (Please use an additional page if necessary)		
Site Name	Address	Site Licensing Authority	

U	ADDITIONAL INFORMATION IN RELATION TO THE RESPONSIBLE PERSON			
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	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 in 8a below)			YES/NO
8a	Local Authority name	Date of Application	Reason(s) for rejection	

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V	DECLARATIONS (This section must be completed by the applicant.)
<p>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.</p> <p>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.</p>	
Full Name (please print):	
Signature:	
Position:	
Date:	

Application Checklist	
I have enclosed copies of the required criminal record certificates issued no more than six months before the date of this application.	
I have made/enclosed any applicable application fee	
I have enclosed documentary evidence relating to the applicant's estate or equitable interest in the site	
I have enclosed details and evidence of the relevant person's experience and competency in managing relevant protected sites	
I have enclosed details 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	

Please return this application form and the additional documents requested to privatesectorhousing@tmbc.gov.uk or by post to Private Sector Housing, Tonbridge & Malling Borough Council, Gibson Building, Gibson Drive, Kings Hill, West Malling, Kent ME19 4LZ.

<p>PRIVACY NOTICE</p> <p>Information about the personal information we will collect on this application form and how we will use it, can be found at the following: TMBC privacy notices by service – Tonbridge and Malling Borough Council .</p>
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