

Application for Register of Fit and Proper Person (FPP)

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

Regulations have been introduced to provide greater protection to occupiers of residential caravans. They require site owners/licence holders to have fit and proper persons managing caravan sites. It is an offence for a site owner to:

- a) cause or permit land to be operated as a relevant protected site unless they or the person appointed to manage the site is a fit and proper person to manage the site
- b) provide false or misleading information or fail to provide information in an application; or
- c) fail to comply with a requirement set as a condition of the local authority's decision to include a person on the register

If convicted for any of these offences, the site owner will face a potentially unlimited fine.

Who should complete the Application?

This application **must** be completed by the person who holds, or has applied for, a licence for the site. This person will either be:

The individual site owner or **Applicant**
(please provide evidence of ownership)

or

The Appropriate Person
(please provide evidence of ownership)

The “**Appropriate Person**” means:

- (a) where the site owner is a company, a director or other officer of the company;
- (b) where the site owner is a partnership, one of the partners;
- (c) where the site owner is a body corporate the conduct of the management of which is vested in its members, a member;
- (d) where the site owner is a body not falling within paragraph (a), (b) or (c), a member of the management committee

Note

Where there are joint site owners, it is acceptable for only one of the owners to make the application on behalf of all as details of the other owner(s) must be provided in the application form.

When completing the application, please use a separate sheet if necessary.

Section A - Applicant/Appropriate Person Details

APPLICANT/APPROPRIATE PERSON			
Applicant means the person who makes an application under regulation 6 https://www.legislation.gov.uk/uksi/2020/1034/regulation/6/made			
Name:			
Business name (if applicable):			
Type of business (if applicable eg Ltd Company etc)			
Role in relation to management of site:			
Business contact details:			
Address:			
Tel:			
Email:			
Are you the occupier of the site within the meaning of Section 1 of the Caravan Sites and Control of Development Act 1960? https://www.legislation.gov.uk/ukpga/Eliz2/8-9/62			
YES		NO	

Site Name:			
Site Address (if different from above):			
Tel:			
Email:			
Is the site?	Residential		Mixed use
Total number of pitches broken down by type:			
Owner occupied		Holiday	
Residential		Vacant	
Touring caravan		Other*	
*Please provide details:			
Name and address of anyone else with owner's interest (eg beneficiary of a trust):			
Details of other sites for which the Applicant/Appropriate Person holds a licence; has an owner's interest; manages:			
Site Name	Licensing Authority Name		Licence Number

Have you:	YES	NO
(a) 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)?		
(b) 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?		
(c) contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business?		
(d) harassed any person in, or in connection with, the carrying on of any business?		
(e) been within the past 10 years, personally insolvent?		
(f) been within the past 10 years, disqualified from acting as a company director?		
(g) the right to work in the United Kingdom?	*	
(h) been rejected by a Local Authority for a Fit and Proper Person register?		
If you have ticked YES to any of the above questions, please provide details:		
*Please provide copy of ID (see Declaration for details)		
If you are a member of any redress scheme for dealing with complaints in connection with the management of the site, please provide details:		
Who manages the site on a day-to-day basis? (please ✓ any that apply)		
ME*		RELEVANT PERSON**

*If you alone manage the site on a day-to-day basis and are applying to be added to the FPP register, please move to Section C – Responsible Person. A Responsible Person is any other person involved or proposed to be involved in the management of the site (eg in your absence).

**Please continue to Section B – Relevant Person Details. A Relevant Person is a person appointed to manage the site on a day-to-day basis either with you or on your behalf (eg a Site Manager, Joint Owner or other business partner).

Section B – Relevant Person Details

RELEVANT PERSON DETAILS		
Relevant Person means the subject of a Fit and Proper Person assessment under regulation 7 https://www.legislation.gov.uk/uksi/2020/1034/regulation/7/made		
Name:		
Business contact details:		
Address:		
Tel:		
Email:		
Role in relation to management of site:		
Details of other sites for which the Relevant Person holds a licence; has an owner's interest; manages:		
Site Name	Site Name	Site Name

Has the Relevant Person:	YES	NO
(a) 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)?		
(b) 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?		
(c) contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business?		
(d) harassed any person in, or in connection with, the carrying on of any business?		
(e) been within the past 10 years, personally insolvent?		
(f) been within the past 10 years, disqualified from acting as a company director?		
(g) the right to work in the United Kingdom?	*	
(h) been rejected by a Local Authority for a Fit and Proper Person register?		

If you have ticked YES to any of the above questions, please provide details:

***Please provide copy of ID (see Declaration for details)**

Section C – Responsible Person Details

RESPONSIBLE PERSON DETAILS		
Name:		
Business contact details:		
Address:		
Tel:		
Email:		
Role in relation to management of site:		
Details of other sites for which the Responsible Person holds a licence; has an owner's interest; manages:		
Site Name	Licensing Authority Name	Licence Number

Has the Responsible Person:	YES	NO
(a) 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)?		
(b) 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?		
(c) contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business?		
(d) harassed any person in, or in connection with, the carrying on of any business?		
(e) been within the past 10 years, personally insolvent?		
(f) been within the past 10 years, disqualified from acting as a company director?		
(g) the right to work in the United Kingdom?	*	
(h) been rejected by a Local Authority for a Fit and Proper Person register?		
If you have ticked YES to any of the above questions, please provide details:		
*Please provide copy of ID (see Declaration for details)		

Any other Relevant or Responsible Persons*

RELEVANT/RESPONSIBLE PERSON DETAILS		
Name:		
Business contact details:		
Address:		
Tel:		
Email:		
Role in relation to management of site:		
Details of other sites for which the Relevant/Responsible Person holds a licence; has an owner's interest; manages:		
Site Name	Licensing Authority Name	Licence Number

Has the Relevant/Responsible Person:	YES	NO
(a) 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)?		
(b) 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?		
(c) contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business?		
(d) harassed any person in, or in connection with, the carrying on of any business?		
(e) been within the past 10 years, personally insolvent?		
(f) been within the past 10 years, disqualified from acting as a company director?		
(g) the right to work in the United Kingdom?	*	
(h) been rejected by a Local Authority for a Fit and Proper Person register?		
If you have ticked YES to any of the above questions, please provide details:		
*Please provide copy of ID (see Declaration for details)		

*Please use separate sheet for any other additional Relevant or Responsible Persons.

Criminal Record Check

Any person involved or proposed to be involved in the management of the site must complete a basic Disclosure and Barring Service (DBS) check for a copy of their criminal record. This is called ‘basic disclosure’ and is available for people working in England and Wales. There is a fee applicable. Please check the Government website for details.

<https://www.gov.uk/request-copy-criminal-record>

Examples of individuals involved in day-to-day management of site required to provide a Criminal Record Check:

- Applicant
- Appropriate Person
- Relevant Person
- Responsible Person
- Any other relevant person

The certificate must have been issued no more than 6 months before the date of the application. It is the site owner’s responsibility to ensure that any certificate they provide with an application meets this requirement.

Competence to manage the site

Please provide the following information on a separate sheet:

Details of the Applicant/Appropriate/Relevant/Responsible Person’s experience and competency in managing caravan sites.

Note: Each person involved in the management of the site must have sufficient experience in site management, and/or have received sufficient training. Please provide details of training attended and/or relevant qualifications achieved where applicable.

Please provide a copy of your Site Rules

Management structure

Please provide the following information on a separate sheet:

Details of the management structure for the site or proposed management structure for the site.

Note: Please provide as much information as possible. The Local Authority needs to be satisfied that suitable management arrangements are in place for the administration of pitch fees, management availability in the day-to-day management and maintenance of the site, contact details (including out of office or emergency contact details) and how complaints are dealt with for example.

Funding arrangements

Please provide the following information on a separate sheet:

Please provide information evidencing sufficient funds so as to ensure the effective management of the site and comply with the obligations under the site licence.

Please provide a copy of your latest filed accounts

Declaration of interest

Please provide details of any other business interests the Applicant/Appropriate /Relevant or Responsible Person(s) may have which may impact on this application:

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Any other information

Please provide details of any other information you feel is relevant to this application:

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Declaration

It is a criminal offence if you supply information to the Local Authority that you know is false or misleading, or you are reckless as to whether or not it is false or misleading. A person who supplies you with information that they know will be used in this application may commit a criminal offence if they know it is false or misleading or they are reckless as to whether or not it is false or misleading. This may result in legal action being taken against you or that other person and your licence being revoked. If you are convicted of such an offence, you may be liable to a fine of level 5 on the standard scale.

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/Appropriate Person who is not the Relevant/Responsible Person, I have made all reasonable enquiries into the matters mentioned in Paragraph 9 and Schedule 3 of the Regulations relating to the Relevant/Responsible Person and the information provided in the application is correct and complete to the best of my knowledge and belief.

Full Name (please print):

Signature:

Role:

Date:

The application must include a fully completed application form, supporting information and the following documentation:

- Evidence of ownership from Applicant/Appropriate Person(s)
- Copy of ID - 1 per person as proof of ID for all individuals involved in site management: Passport; Photo ID driver's licence or Birth certificate
- DBS (Criminal Record Check) certificates for all individuals involved in site management
- Site Rules
- Filed accounts for the site

What happens next?

As soon as is reasonably practicable after an application is made under Regulation 6, the Local Authority must make a decision on the application.

We will consider the completed application and will make one of the 3 possible decisions based on the individual(s) to be included on the FPP register:

1. Unconditionally included on FPP register
2. Included on FPP register subject to certain conditions
3. Individual(s) not to be included on FPP register

Registration on the FPP register is valid for 5 years.

Where a Local Authority decides to include the individual(s) on the register for less than 5 years or subject to conditions, or not to include the individual(s) on the register, it must issue a preliminary decision notice to the site owner.

A site owner who receives a preliminary decision notice will have 28 days to make representations to the Local Authority. The 28-day period begins with the day after the day on which the notice was served. The Local Authority must consider and take any representations it receives into account before making a final decision.

The final decision will set out the following:

- a) Date final decision notice is served
- b) The final decision
- c) Reasons for it
- d) When the decision takes effect
- e) Information about (i) the right of appeal to the First Tier Tribunal and (ii) the period within which an appeal may be made

PRIVACY NOTICE

Information about the personal information we collect and how we will handle it can be found at <https://www.sholland.gov.uk/article/12209/Caravan-Site-Licence-privacy-notice>