

Hambleton District Council

Application for including on the register of Fit and Proper Persons

Notes to accompany application

These notes are not meant as an interpretation of the law, but to guide applications on the completion, and detail how we will store and process the data that you provide as part of the application.

Requirements

- An application for including onto the register of Fit and Proper Persons must be made by the “occupier” of the land. (In this document, references to a “site owner” are used in place of the term “occupier” for ease of reference)
- If the site owner is a company or a corporate body, the application form must be completed by a relevant 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.
- The application includes a requirement for a Basic Disclosure and Barring Service (DBS) certificate which must be dated within six months of the date of the application. You can find out more information online about this <https://www.gov.uk/request-copy-criminal-record>.
 - 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 is required to be included is contained The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 Schedule 1.
 - If the named individual (the subject) of the Fit and Proper Person test is no longer relevant to the named site as detailed within the application i.e., person leaves the employment / business sold, the site owner must notify the Council with 28 days from this point. A further application shall be submitted for the new Fit and Proper Person.

Fee payment

An application must be accompanied by the application fee. The fee is currently set for 2021/2022 is £150.00. Where a site requires more than one Fit and Proper Person to be registered, additional applications will be charged at a 30% reduction - £106.00.

Data Protection

- Hambleton District Council (The Council) manages personal data in accordance with the provisions of the Data Protection Act 2018. The information you provide on this form will be used by The 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 the Environmental Health Manager; Vikki Flowers EHTS@hambleton.gov.uk Tel 01609 767138. If you believe we are not processing your data lawfully you can complain to the Information Commissioner's Office (<https://ico.org.uk/>).
- Completed applications including the correct fee must be sent to EHTS@hambleton.gov.uk or by post to:

**Environmental Health,
Hambleton District Council,
Civic Centre,
Rotary Way,
Northallerton,
North Yorkshire,
DL6 2UU.**

Phone payments can be taken by phoning EHTS on Tel 01609 767138

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

Application for including on the register of Fit and Proper Persons

SECTION 1 - Details of Applicants

1. Details of individual applicants i.e., sole traders / individuals

Name of applicants:	
Business Name:	
Corresponding address:	
Postcode	
Telephone contacts:	
E-mail	

2. Do you confirm that the applicant is the site owner¹. **Yes** **No**

3. Details of company / corporate bodies or other applicant details.

Name of applicant / appropriate person. (This must be a named person – see front sheet)	
Position in company	
Company name	
Corresponding address:	
Postcode	
Telephone contacts	
Email	

¹ (In this document, references to a “site owner” are used in place of the term “occupier” for ease of reference. An occupier is defined within section 1 of the Caravan Sites and Control of Development Act 1960.

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

Site name	
Site Address (inc. post code)	
Does the site hold a site licence issued under S3 of Caravan sites and Control of Development Act 1960 for a relevant protected site? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Has the applicant applied for a site licence under S3 of Caravan sites and Control of Development Act 1960 for a relevant protected site? Yes <input type="checkbox"/> No <input type="checkbox"/>	

Applicant's legal estate or equitable interest in the site

5. What is the applicant's estate or equitable interest in the site?

Site owner Leaseholder Other (provide further details)

Please provide proof of estate or equitable interest (a copy of the land registry entry should be enclosed):
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6. Does any other person/organisation have a legal estate/equitable interest in the site? **Yes** **No**

If you answered yes, please provide their name(s), business contact detail(s) and proof of their interest

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

NOTE: Please provide documentary evidence of the legal interest / equitable interest

Other relevant protected sites

7. Does the Applicant:

(a) Hold a site licence issued under S3 of Caravan sites and Control of Development Act 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

(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

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

8. Name of Relevant person (the person subject to the fit & proper person test)

Name	Job Role

SECTION 2 - Information relating to the relevant and responsible persons to be included in the register.

9. Please select one of the options below which apply to you 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.**

Note – applications where the occupier is a company or organisation

Where the company/organisation has or will appoint a site manager to manage the site, 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 the site manager 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 person that the site manager has appointed or intends to appoint to be responsible for the day-to-day management of the site.

Where that person 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 conduct

		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)	If yes please provide details.		
	Name of redress scheme		
	Membership number/ member since		

9	Has any other authority rejected an application for you to be included in a register?	Yes	No
(a)	If yes please provide the following details the local authority's reasons.		

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

10	Please provide a Criminal record certificate issued by Disclosure Barring Service (DBS) under s113A (1) of the Police Act 1997. This should be no more than six months before the date of the application.	
	the Certificate number	
	Date of issue	

Note: a copy of the DBS certificate **must** be included with this application.

Part B - Details of Site manager or a Responsible Person

1.

Name			
Address			
Business address (if appropriate)			
Telephone number		Email	

Role in relation to the management of the site

2. Does the Person.

- (a) Hold a licence S3 of Caravan sites and Control of Development Act 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

(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

Conduct Site manager or a Responsible Person

		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?		

8	Has any other authority rejected an application for you to be included in a register?	Yes	No
(a)	If yes please provide the following details the local authority's reasons.		
	Local authority:		
	Date of the application		
	Reason(s) for rejection:		

9	Please provide a Criminal record certificate issued by Disclosure Barring Service (DBS) under s113A (1) of the Police Act 1997. This should be no more than six months before the date of the application.		
	The Certificate number		
	Date of issue		

Note: a copy of the DBS certificate **must** be included with this application.

Part C - Information below 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

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 - Relevant officer's details

Name			
Business Address			
Telephone number		Email	

Role in relation to the management of the site

2. Does the Person.

- (a) Hold a licence S3 of Caravan sites and Control of Development Act 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

- (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	Site Licensing authority

(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	Site Licensing authority

Relevant Officer's conduct

		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?		

8	Has any other authority rejected an application for you to be included in a register?	Yes	No

(a)	If yes please provide the following details the local authority's reasons.		
	Local authority:		
	Date of the application		
	Reason(s) for rejection:		

9	Please provide a Criminal record certificate issued by Disclosure Barring Service (DBS) under s113A (1) of the Police Act 1997. This should be no more than six months before the date of the application.
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	The Certificate number	
	Date of issue	

Note: a copy of the DBS certificate **must** be included with this application.

SECTION 3 – Management of the site

The following is used to assess the practical management arrangements for the site. Where the application is from the site owner the information should relate to their management arrangements.

Where the application proposes another person will be site manager, the information must include such detail as necessary to demonstrate that the relevant person can manage the site effectively, including such financial arrangements as necessary

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
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[Empty rectangular box for content]

Please provide details of how residents' complaints and concerns will be addressed

[Empty rectangular box for content]

SECTION 4 - Other relevant information

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)?

Yes No

If yes, please provide details below

Name	Relationship with relevant person	Reason(s)/Comments

2. Is there any other relevant information you wish to provide

CHECK LIST - Please tick ✓

Checklist	Please tick ✓
I have enclosed the original copy of my DBS certificate (issued within 6 months of application)	
I have made/enclosed the correct payment of 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	

DECLARATION AND SIGNATURE (the applicant / appropriate person)

- (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 this application 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	