

# FAREHAM

## BOROUGH COUNCIL

### APPLICATION FOR INCLUSION ON THE FIT AND PROPER PERSON REGISTER

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

<b>Notes on completion:</b>
<ul style="list-style-type: none"> <li>For sole traders/individuals complete section <b>A</b>. For partnerships, companies, etc. complete section <b>B</b>. All applicants must complete sections <b>C</b> to <b>P</b>.</li> <li>Please refer to the addition notes on how to complete this form at the end.</li> <li>When providing additional information to support your application, please reference the relevant section of the application (e.g. D)</li> <li>If you are unsure on how to complete any section of the form, please email <a href="mailto:ehs@fareham.gov.uk">ehs@fareham.gov.uk</a> with the enquiry and a contact telephone number and we will contact you as soon as possible.</li> </ul>

<b>A DETAILS OF INDIVIDUAL APPLICANT (if a partnership or company etc complete B below)</b>	
First Name(s):	
Surname:	Title:
Correspondence Address:	
Postcode:	
Telephone (work):	Telephone (mobile):
E-mail address:	

<b>B COMPANY OR OTHER APPLICANT DETAILS</b>	
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 (e.g. partner, company director, member of body corporate, management committee member). Use a separate sheet if necessary	Role in management of the site (if any)

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<b>C</b>	<b>DETAILS OF THE CARAVAN SITE TO WHICH THE APPLICATION REFERS</b>
Site Name:	
Site Address:	
Site Postcode:	

<b>D</b>	<b>DETAILS OF THE APPLICANT’S LEGAL ESTATE OR EQUITABLE INTEREST IN THE SITE</b>
Please provide evidence of legal estate or equitable interest (e.g. land registry title document).	

<b>E</b>	<b>NAME AND BUSINESS CONTACT DETAILS OF ANY OTHER PERSON(S) WITH A LEGAL ESTATE OR EQUITABLE INTEREST IN THE SITE</b>
<p>Note: in addition to site owner or leaseholder, an equitable interest could also mean a beneficiary of a trust – with the benefit of the land, whether or not they are recorded as the legal owner.</p>	

<b>F</b>	<b>DETAILS OF ANY OTHER RESIDENTIAL (RELEVANT PROTECTED) SITE LICENCES HELD AND/OR MANAGED BY THE APPLICANT (Please use an additional page if necessary)</b>		
	<b>Site Name</b>	<b>Licensing Authority Name</b>	<b>Licence Number</b>

<b>G</b>	<b>DETAILS OF ANY OTHER SITES WHERE YOU HAVE A LEGAL ESTATE OR EQUITABLE INTEREST OR OTHERWISE MANAGED BY YOU (Please use an additional page if necessary)</b>		
	<b>Site Name</b>	<b>Licensing Authority Name</b>	<b>Licence Number</b>

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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 and Development Act, 1960 (as amended)?</p> <p>In broad terms, occupier of the site means a person with a right of possession of the land. <b>See note H, at the foot of this application form for legal definition.</b></p>	YES/NO

I	TO WHOM DOES THIS APPLICATION FOR INCLUSION ON THE REGISTER RELATE?				
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">The Applicant (continue to section K), or</td> <td style="width: 50%;"></td> </tr> <tr> <td style="padding: 5px;">An appointed manager (complete section J &amp; K).</td> <td></td> </tr> </table>	The Applicant (continue to section K), or		An appointed manager (complete section J & K).	
The Applicant (continue to section K), or					
An appointed manager (complete section J & K).					

J	APPOINTED MANAGER DETAILS			
	Name (person 1):			
	Name (person 2):			
	Business Address:			
	Postcode:			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Telephone (office):</td> <td style="width: 20%;">Telephone (mobile):</td> <td style="width: 30%;"></td> </tr> </table>	Telephone (office):	Telephone (mobile):	
Telephone (office):	Telephone (mobile):			
	E-mail address:			
	Role in managing site:			

K	EVIDENCE OF ABILITY TO SECURE THE PROPER MANAGEMENT OF THE SITE (The following information must be included with this application.)
1	<p>Please provide on a separate sheet details of the applicant(s) or proposed manager's experience and competency in managing caravan sites</p> <p>Note: The individual must have sufficient experience in site management, and/or have received sufficient training.</p>

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2	<p>Please provide on a separate sheet details of the management structure and funding arrangements for the site or proposed management structure and funding arrangements for the site</p> <p>Note: Please provide as much information as possible. The local authority needs to be satisfied that the relevant person has suitable management arrangements in place for the administration of pitch fees, general management and maintenance of the site as well as the authority and ability to independently take timely decisions and actions in carrying out their responsibilities. The applicant should ensure that they provide information evidencing that they have access to sufficient funds so as to allow the responsible person to manage the site and comply with the obligations under the site licence.</p>
3	<p>Please provide any other supporting information relating to the management arrangements</p> <p>Note: this may include a site management plan etc.</p>

L	<b>ADDITIONAL INFORMATION IN RELATION TO THE APPLICANT (AS AN INDIVIDUAL) OR SITE MANAGER.</b>	
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	Are you a member of any redress scheme for dealing with complaints in connection with the management of the site? <b>(If yes, please provide details on a separate page.)</b>	YES/NO
9	Have you had an application to be included in a fit and proper person register rejected by another Local Authority? <b>(If yes, details of the reasons for rejection must be provided.)</b>	YES/NO
10	Do you have applications to be included in a fit and proper person register awaiting a result from another Local Authority? <b>(If yes please provide details on a separate page.)</b>	YES/NO
11	Do you have a legal estate or equitable interest, or manage any other relevant protected sites? <b>(If yes please provide details on a separate page.)</b>	YES/NO
M	<b>DETAILS OF THE RESPONSIBLE PERSON (THE PERSON APPOINTED TO BE RESPONSIBLE FOR THE DAY TO DAY MANAGEMENT OF THE SITE)</b>	

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Name:		
Correspondence Address:		
Postcode:		
Telephone (office):	Telephone (mobile):	
E-mail address:		
Role in managing site:		

N	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	Are you a member of any redress scheme for dealing with complaints in connection with the management of the site? <b>(If yes, please provide details on a separate page.)</b>	YES/NO
9	Have you had an application to be included in a fit and proper person register rejected by another Local Authority? <b>(If yes, details of the reasons for rejection must be provided.)</b>	YES/NO
10	Do you have applications to be included in a fit and proper person register awaiting a result from another Local Authority? <b>(If yes, please provide details on a separate page.)</b>	YES/NO
11	Do you have a legal estate or equitable interest, or manage any other relevant protected sites? <b>(If yes please provide details on a separate page.)</b>	YES/NO

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<b>O</b>	<b>CRIMINAL RECORD CERTIFICATE</b>
<p><b>You must provide a criminal record certificate</b> (basic DBS) issued under section 113A(1) of the Police Act 1997, dated 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 <b>relevant person</b>; and</p> <p>(b) each <b>individual</b> in relation to whom the applicant is required to provide information on:</p> <ul style="list-style-type: none"> <li>• The person appointed for the day to day management of the site;</li> <li>• If, in the case of a company, this person is not a relevant officer of the applicant, also provide details of the manager he/she reports to.</li> </ul> <p><b>(IMPORTANT – see note O at the foot of this application for more details on who will need to provide a criminal record certificate and completed section N, as defined in paragraphs 10(2), 10(5), 11 or 12 of Schedule 2 of the Regulations.</b></p>	

<b>P</b>	<b>DECLARATIONS (This section must be completed by the applicant.)</b>
<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>	
<b>Full Name (please print):</b>	
<b>Signature:</b>	
<b>Capacity:</b>	
<b>Date:</b>	

As soon as reasonably practicable after an application is made under Regulation 6, the local authority must make a decision on the application. An application must include a fully completed application form, supporting information and payment of the relevant fee.

<p><b>Data Processing Fair Processing Statement</b></p> <p>We have a duty to protect the public funds we administer and may use your information for the prevention and detection of fraud. The information may also be used for auditing, monitoring, statistical and other research. Some of the information we hold may be shared with other Council or Government departments, agencies and similar organisations (including law enforcement agencies) to enable them to perform their duties or for comparison purposes. The information we hold about you is normally retained for seven years after the end of the licence period. For further information about the National Fraud Initiative see <a href="http://www.fareham.gov.uk/dpnfi">www.fareham.gov.uk/dpnfi</a></p>
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### NOTE H

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.

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.

### NOTE O

1. **If the site owner is an individual and will manage the site themselves then they are the subject of the assessment.** They have to provide;
  - A criminal records certificate; and
  - the information in section L.
2. **If the site owner has appointed or is to appoint an individual to manage the site (site manager) and who will be subject to the assessment** the site owner must provide for the site manager;
  - The information in paras L
  - A criminal records certificate.
3. **If the site owner has appointed or is to appoint a company to manage the site (site manager), and the site manager will be subject to the assessment, the site owner** must provide;
  - for each relevant officer of the site manager;
    - (a) their name and
    - (b) details of their role (if any) in relation to the management of the site.
  - for the individual that the company has appointed or intends to appoint to be responsible for the day-to-day management of the site;
    - the information in para N and
    - a criminal records certificate.
4. If the individual above is not a relevant officer of the company, then the site owner must also provide the information in para N and a criminal records certificate for the relevant officer to whom the individual will be accountable for the day-to-day management of the site.
5. **If the site owner is an individual and will be site manager, but has also appointed or intends to appoint someone else to be responsible for the day to day management of the site they** must provide;
  - the information in paragraph N for themselves; and
  - the additional information in paragraph N for the person they have appointed or intend to appoint to be responsible for the day-to-day management of the site.

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- A criminal records certificate for themselves and the person appointed or to be appointed to be responsible for the day to day management of the site.
6. **Where the site owner is not an individual and will be subject to the assessment**, they must provide;
- for each relevant officer of the site owner;
    - (a) their name and
    - (b) details of their role (if any) in relation to the management of the site.
  - the information in para N and a criminal records certificate for the person that the site owner has appointed or intends to appoint to be responsible for the day-to-day management of the site;
  - where the person appointed to manage the site is not a relevant officer of the site owner, the information in para N and a criminal records certificate must be provided for the relevant officer to whom the person managing the site is/will be accountable for the day-to-day management of the site.
  - where the person responsible for the day-to-day management of the site (“B”) is not an individual, the information in para N and a criminal records certificate must be provided for the individual (“C”) that B has appointed or intends to appoint to be responsible for the day-to-day management of the site;
  - where C is not a relevant officer of the organisation (“B”), the information in para N and a criminal records certificate must be provided for the relevant officer to whom C is/ will be accountable for the day-to-day management of the site.