

Appendix 4

Fit and proper person application form Residential mobile home parks



SECTION 1

Part 1 - Details of site and applicant

Name of Site:	Address:
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Name of Applicant	
Is the Applicant the occupier: Yes/No (please circle appropriate answer)	
Applicants Business Contact Details:	
Address:	
Telephone:	
Email:	

If the applicant named in Q1 is a company/organisation (**see statutory notes**), provide the following information in relation to the individual completing the form and each relevant officer of the organisation (**see statutory notes**);

Officers' name	Role (if any) in relation to the management of the site

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

What is the applicant’s estate or equitable interest in the site?(please indicate below)	
Site Owner	
Leaseholder	
Other (please provide details)	

Please provide documentary evidence (e.g Land Registry title document)

Does any other person/organisation have a legal estate or equitable interest in the site? Yes [] No [] If you answered yes please provide details below:		
Name	Business Contact Details	Legal estate/equitable interest in the site

Part 3 – Other relevant protected sites

Does the Applicant:

Hold a licence issued under S3 of CSCDA 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

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

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

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

Name of Relevant Person:
 (the person/organisation subject to the test)

What is the status of the Relevant person to be included in the register? Please tick as appropriate:

- The occupier []
- A person/organisation appointed/to be appointed (delete as appropriate) by the occupier to manage the site (site manager) []
- A person appointed/to be appointed by the local authority, with the occupier’s consent, to manage the site []

SECTION 2

Part 5 – Information relating to the relevant and responsible persons

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.

Where the company/organisation has or will appoint a person (X) to manage the site (site manager), Part B should be completed for that person. If that person (X) 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 X is/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 individual (Y) 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 (Y) 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’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)	If yes please provide details. Name of redress scheme: Membership number/ member since:		

		Yes	No
9	(a) Has any other local authority rejected an application for you to be included in a 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>		
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

Section 1 - Details of Site Manager or a Responsible Person

Name:	
Business Contact Details:	
Address:	
Telephone:	
Email:	

Where the person has not yet been appointed, please provide details at which the person may be contacted in respect of the application

Address:	
Telephone:	
Email:	

Role in relation to the management of the site:

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Does the person:

Hold a licence issued under S3 of CSCDA 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

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

Name of Site	Address

Manage any other relevant protected site? Yes [] No []
 If you answered yes, please provide the details below for each site. Use a separate sheet if necessary

Name of Site	Address

Section 2 – Conduct

	Has the person,	Yes	No
1	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	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	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	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 local authority rejected an application for you to be included in a register?		
(a)	If yes please provide the following details.		

Local Authority	Date of Application	Reason(s) for rejection

		Yes	No
9	Do you 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>		

Please provide information for any additional persons in section Part B of this application form (replicate same info in that section)

Part C – Information below for each relevant officer of the company

Name of each relevant officer of the company or organization	The person’s role (if any) in relation to the management of the company

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

Section 1 – Relevant Officer’s Details

Name	
Business Contact Details :	
Address:	
Telephone:	
Email:	

Where the person has not yet been appointed, please provide details at which the person may be contacted in respect of the application	
Address:	
Telephone:	
Email:	

Person’s role in relation to the management of the site:

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Does the person:

Hold a licence issued under S3 of CSCDA 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

Have an estate or interest in any other relevant protected site? Yes [] No [] If you answered yes, please provide the details below for each site. Use a separate sheet if necessary	
Name of Site	Address

Manage any other relevant protected site? Yes [] No [] If you answered yes, please provide the details below for each site. Use a separate sheet if necessary	
Name of Site	Address

Section 2 - Relevant Officer's Conduct

	Has the person,	Yes	No
1	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	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	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	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 local authority rejected an application for you to be included in a register?		
(a)	If yes please provide the following details.		

Local Authority	Date of Application	Reason(s) for rejection

		Yes	No
9	Do you 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:		

Please provide information for any additional persons in Section xxx of this application form (replicate same info in that section)

SECTION 3

Part 6- 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.

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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).

Please provide photo ID of the relevant person - copy of passport photo or driving licence.

Part 7 – 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)?

No []

Yes [] – please provide details below

Name	Relationship with relevant person	Reason(s) Comments

Is there any other relevant information you wish to provide?

No []

Yes [] – Please provide details

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Part 8 – CHECK LIST

- 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
- I have enclosed photo ID (copy of passport or driving licence)
- 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 9 – DECLARATION & SIGNATURE

(the 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 Part D section 2 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. Knowingly supplying information that is false or misleading for the purpose of applying for fit and proper person test may lead to revoking the site license or prosecution.

Signature of applicant or appropriate person

Name

Signature

Date

Position

STATUTORY NOTES:

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

Sevenoaks District Council is the data controller for any personal information collected in this form. Your information will be used to, maintain a register of fit and proper persons and processing is being conducted relying upon the public interest legal basis.

Sevenoaks District Council manages personal data in accordance with the provisions of the Data Protection Act 2018 and UK GDPR. The information you provide on this form will be used by Sevenoaks District 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, including the Criminal Records Bureau, Police and other Local Authorities.

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 up to five years for the duration of the registration period, 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. For more information about your data protection rights please see the council's data protection pages which can be found at www.sevenoaks.gov.uk or contact the Data Protection Officer at:

The Data Protection Officer, Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks, TN13 1HG

Completed applications including the correct fee must be sent to:

Private Sector Housing
Sevenoaks District Council
Council Office
Argyle Road
Sevenoaks
Kent
TN13 1HG

You are strongly advised to retain a copy of this form for your records.