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

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|  | **Notes on completion:** |
| * For sole traders/individuals’ complete section **1**. For partnerships, companies, etc. complete section **2**. All applicants must complete sections **3** to **16**.
* Please refer to the addition notes on how to complete this form at the end.
* When providing additional information to support your application, please reference the relevant section of the application (e.g. section 5 and Put your LC number on the document )
* If you are unsure on how to complete any section of the form, please email Env.Health@noth-herts.gov.uk with the enquiry and a contact telephone number and we will contact you as soon as possible. Or call 01462474000
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| **1** | **DETAILS OF INDIVIDUAL APPLICANT (if a partnership or company etc complete B below)** |
| First Name(s): |
| Surname: | Title: |
| Correspondence Address:Postcode: |
| Telephone (work): | Telephone (mobile): |
| E-mail address:  |

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| **2** | **COMPANY OR OTHER APPLICANT DETAILS** |
| 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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| **3** | **DETAILS OF THE CARAVAN SITE TO WHICH THE APPLICATION REFERS:** |
| Site Name: **Site LC No:** |
| Site Address:Site Postcode: |

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| **4** | **DETAILS OF THE APPLICANT’S LEGAL ESTATE OR EQUITABLE INTEREST IN THE SITE**  |
| Please provide evidence of legal estate or equitable interest (e.g. land registry title document). |

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| **5** | **NAME AND BUSINESS CONTACT DETAILS OF ANY OTHER PERSON(S) WITH A LEGAL ESTATE OR EQUITABLE INTEREST IN THE SITE** |
| 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. |

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| **6** | **DETAILS OF ANY OTHER RESIDENTIAL (RELEVANT PROTECTED) SITE LICENCES HELD AND/OR MANAGED BY THE APPLICANT (Please use an additional page if necessary)** |
| **Site Name** | **Licensing Authority Name** | **Licence Number** |
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| **7** | **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)** |
| **Site Name** | **Licensing Authority Name** | **Licence Number** |
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| **8** | **CONFIRMATION THE APPLICANT IS THE OCCUPIER OF THE SITE** |
| 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)?In broad terms, occupier of the site means a person with a right of possession of the land. **See note A, at the foot of this application form for legal definition.** | YES/NO |

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| **9** | **TO WHOM DOES THIS APPLICATION FOR INCLUSION ON THE REGISTER RELATE?** |
| The Applicant (continue to section 11), or |  |
| An appointed manager (complete section 10 &11) |  |

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| **10** | **APPOINTED MANAGER DETAILS (The person/ company the site manager reports to)** |
| Name (person 1):  |
| Name (person 2): |
| Business Address: Postcode: |
| Telephone (office): | Telephone (mobile): |  |
| E-mail address:  |  |
| Role in managing site: |  |

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| **11** | **EVIDENCE OF ABILITY TO SECURE THE PROPER MANAGEMENT OF THE SITE (The following information must be included with this application.)** |
| 1 | Please provide on a separate sheet details of the applicant(s) or proposed manager’s experience and competency in managing caravan sitesNote: The individual must have sufficient experience in site management, and/or have received sufficient training. |
| 2 | 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 with suitable evidenceNote: 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. |
| 3 | Please provide any other supporting information relating to the management arrangementsNote: this may include a site management plan and fire safety plan. |

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| **12** | **ADDITIONAL INFORMATION IN RELATION TO THE APPLICANT (AS AN INDIVIDUAL) OR APPOINTED MANAGER.** |
| 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? **(If yes, please provide details on a separate page.)** | YES/NO |
| 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 local authority and reasons for rejection must be provided.)** | YES/NO |
| 10 | Do you have applications to be included in a fit and proper person register awaiting a result from another Local Authority? **(If yes please provide details of the local authority and additional details on a separate page.)** | YES/NO |
| 11 | Do you have a legal estate or equitable interest, or manage any other relevant protected sites? **(If yes please provide details on a separate page.)** | YES/NO |

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| **13** | **DETAILS OF THE RESPONSIBLE PERSON (THE PERSON APPOINTED TO BE RESPONSIBLE FOR THE DAY TO DAY MANAGEMENT OF THE SITE)** |
| Name:  |
| Correspondence Address: Postcode: |
| Telephone (office): | Telephone (mobile): |  |
| E-mail address:  |  |
| Role in managing site: |  |

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| **14** | **ADDITIONAL INFORMATION IN RELATION TO THE RESPONSIBLE PERSON FOR THE DAY TO DAY MANAGEMENT THE SITE MANAGER** |
| 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? **(If yes, please provide details on a separate page.)** | YES/NO |
| 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 local authority and reasons for rejection must be provided.)** | YES/NO |
| 10 | Do you have applications to be included in a fit and proper person register awaiting a result from another Local Authority? **(If yes, please provide the details of the local authority and additional details on a separate page.)** | YES/NO |
| 11 | Do you have a legal estate or equitable interest, or manage any other relevant protected sites? **(If yes please provide details on a separate page.)** | YES/NO |

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| **15** | **CRIMINAL RECORD CERTIFICATE** |
| **You must provide a criminal record certificate** (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:(a) where the relevant person is an individual, the **relevant person**; and(b) each **individual** in relation to whom the applicant is required to provide information on: * The person appointed for the day to day management of the site;
* 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.

**(IMPORTANT – see note B at the foot of this application for more details on who will need to provide a criminal record certificate and completed section 14, as defined in paragraphs 10(2), 10(5), 11 or 12 of Schedule 2 of the Regulations.** |

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| **16** | **DECLARATIONS (This section must be completed by the applicant.)** |
| 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 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.I have read the privacy statement on page 9 and 10 of this application. |
| **Full Name (please print):** |
| **Signature:**  |
| **Capacity/ Status:**  |
| **Date:**  |

**Decision**: The Council must make a decision on the application as soon as reasonably practicable after an application is made under Regulation 6. An application must include a fully completed application form, supporting information and payment of the relevant fee by the time the application is ready for decision.

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| **FEES AND CHARGES** |
| Application Fee | The fee for each application is a Minimum of **£214.00** Note: - The minimum fee stated could increase depending on the works required on each application. This means we may charge an additional amount calculated on an hourly rate of £47.00, in 30-minute units, if we undertake further works / investigations to complete your application so that we have all the required information to make our decision.  |

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| **PAYMENT METHODS** |
| Invoice: We will demand for any additional payment that maybe due at the point the application is considered complete and ready for the Council to make its decision. Payment can be made through the following methods. |
| By bank transfer:Account details: North Hertfordshire District CouncilSort code 30 94 30Account No. 02264262To ensure that your payment is logged to your application, please quote your Site LC No. together with the description for the” Caravan Site Fit and Proper Person Test]” |
| By Telephone:Telephone payments – You can pay by debit or credit card by telephone on 01462 474000 between 9am and 5pm Monday – Friday.  You will need to speak to our Customer Service Team so please do not select the automated payment line. **You must have your LC No with you.** |
| By post:You can post your application form and a cheque (made payable to, **North Hertfordshire District Council**): **Gernon Road, Letchworth, SG6 3JF** |
| **FOR OFFICE USE ONLY: All application fee payments to be allocated to Environmental Health Department Reference: GL 1269 005 9462** |

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| **NOTE A** |
| 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 B** |
| 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 12
1. **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 section 12; and
* A criminal record certificate.
1. **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;
1. their name and
2. 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 section 14 and
* a criminal record certificates.
1. If the individual above is not a relevant officer of the company, then the site owner must also provide the information in section 14 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.
2. **If the site owner is an individual and will be site manager, and has 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 section 12 for themselves; and

 * the additional information in section 14 for the person they have appointed or intend to appoint to be responsible for the day-to-day management of the site.
* 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.
1. **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;
	+ - 1. their name and
			2. details of their role (if any) in relation to the management of the site.
* the information in section 14 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 section 14 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 section 14 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 section 14 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.
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**Environmental Protection & Housing Team**

**North Hertfordshire District Council**

**Gernon Road**

**Letchworth, SG6 3JF**

**Env.Health@noth-herts.gov.uk**

**Telephone Number:** **01462474000**

 **Privacy Notice**

North Herts District Council collects information about you in order to process your application for inclusion in the register of fit and proper persons.

**What information is being collected?**

We will be asking you for:

* details of the applicant
* information relating to the site manager
* information relating to any other person(s) involved in the management of the site
* criminal record certificate
* information about specific matters (e.g. ability to secure proper management of the site – as per Schedule 3)

**Why we collect this information:**

It is necessary for us to process personal data and criminal offence data in order to determine your application for inclusion in the register of fit and proper persons which is made under Regulation 6 of the Mobile Homes (Requirement for Manager of Site to be a Fit and Proper Person) (England) Regulations 2020.

The legal basis under Article 6 of the UK GDPR for processing this information is ‘public risk’ as it is a function of the Council to process Fit and Proper Person applications made under the 2020 Mobile Homes Regulations.

The relevant condition under Schedule 1 of the Data Protection Act 2018 is the statutory purposes condition (paragraph 6 of Schedule 1 of the Data Protection Act 2018) because it is necessary for the Council to process the criminal offence data in relation to the Fit and Proper Person applications made under the 2020 Mobile Homes Regulations.

**Public register:**

We are required by Regulation 5 of the Mobile Homes (Requirement for Manager of Site to be a Fit and Proper Person) (England) Regulations 2020 to establish and keep up to date a register of persons who we are satisfied are fit and proper persons. We must make the register open to inspection by members of the public and publish the register online.

**With whom might share your information?**

We will only share personal data with those authorities who legally are allowed to have access to this information under the Data Protection Act.

**For how long will we keep your information?**

We will keep your information for **5 years.**

NB: Regulation 5 (4) of the 2020 Regulations provides that ‘A person's inclusion in the register has effect for such period as the local authority may decide but that period must not exceed five years.

**Your Rights:**

You do have some legal rights in respect of the personal information we collect from you. Please see the Council’s [Data protection Page](https://www.north-herts.gov.uk/search/node/data%20protection) and the Council’s [Privacy policy](https://www.north-herts.gov.uk/home/council-data-and-performance/website-information/privacy) for further details. You can also contact the Council’s Data Protection Officer on. dpo@north-herts.gov.uk .

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us or directly to the Information Commissioner’s Office at [https://ico.org.uk/concerns](https://ico.org.uk/concerns/).