

## **Fit and Proper Persons test**

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 ("the Regulations") introduced a fit and proper person test for mobile home site owners or the person appointed to manage the site, unless exempted by the Regulations.

From 1 October 2021, unless the site is exempt, the site owner must:

- be a fit and proper person to lawfully operate a park home site, or
- have a fit and proper site manager in place

### **What must a site owner do?**

Site owners operating a relevant protected site must apply between 1 July 2021 and 1 October 2021 to the council for the relevant person (themselves or their appointed manager) to be included on the local register of fit and proper persons to manage a site.

A site owner may only apply if they hold or have applied for a site licence for the site.

Applications are online only. Payment must be made before the application can be submitted.

The applicant seeking entry on the register will need a basic DBS certificate (dated no more than six months before the date of the application) and this must be included with the application. The DBS certificate must be from an approved supplier. Information about how to arrange a DBS check can be found on the [government's website](#).

### **Exempt sites**

A site is exempt if it's "a non-commercial family occupied site". This is a site only occupied by members of the same family and not being run on a commercial basis.

The regulations provide further detail about this exemption, see [The Mobile Homes \(Requirement for Manager of Site to be Fit and Proper Person\) \(England\) Regulations 2020](#) for more details.

### **Application cost**

Between 1 July 2021 and 1 October 2021, applications for currently licensed sites will be accepted and processed with no charge and all successful applicants will be placed on the register for a 12-month period. When these owners renew their registration in 12 months' time, a fees policies will be in place.

### **What we will consider**

To be sure that the relevant person is a fit and proper person to manage the site, and to add them to the register, we will consider a number of factors that are listed in [our determination policy](#) and are not limited to the following;

- past compliance with the site licence
- the long-term maintenance of the site
- whether the relevant person has sufficient level of competence to manage the site
- the management structure and funding arrangements for the site or proposed management structure and funding arrangements

We'll also consider whether the relevant person:

- has the right to work within the UK
- has 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)
- has 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
- has contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business
- has harassed any person in, or in connection with, the carrying on of any business
- has had an application rejected by any other local authority
- is, or has been within the past 10 years, personally insolvent
- is, or has been within the last 10 years, disqualified from acting as a company director

We also may consider the conduct of any person associated or formerly associated with the relevant person (whether on a personal, work or other basis), if it appears that person's conduct is relevant.