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**MOBILE HOMES  
FIT AND PROPER PERSON  
FEE POLICY**

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**Introduction**

1. A relevant protected site is a site, which requires a licence, which is not solely for holiday purposes or is otherwise not capable of being used all year round. A relevant protected site cannot operate unless the local authority is satisfied that the manager qualifies as a fit and proper person, Sections 12A -12E of the Caravan Sites and Control of Development Act 1960, as implemented by Section 8 Mobile Homes Act 2013 (subject to paragraph 10 below).
2. A site owner under the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (SI 2020/1034) (“the Regulations”) must apply to their local authority for the relevant person (themselves or their appointed manager) to be added to the register of fit and proper persons managing sites in their area (“the register”).
3. The site owner may only apply to be added to the register if they hold, or have applied for, a site licence for the site. This provision also applies where the site owner or site manager is a registered company.
4. The Regulations permit the local authority to determine the fee for an application or registration for someone to be added to the register. It is imperative that the fee is included with the application and failing to include this may mean that the site owner is in breach of the requirements of the Regulations.
5. This fee policy will also relate to any annual fee to recover costs which the local authority may have incurred, or which will be incurred, in appointing a person to manage a site with the site owner’s consent.
6. Site owners will be required to submit a completed application from 1 July until 1 October 2021 (3 months) and pay the fee, outlined below, to their local authority, which will also include any additional fees such as an annual site fee.

## **Fees for Fit and Proper Persons Register Applications**

### **Application fee**

7. The local authority believes that fit and proper person assessment and/or checks to be included on the fit and proper register will take a total of 240 minutes per application. This time of 240 minutes includes updating and publishing the register.
8. The checks are likely to be carried out by the same officers who carry out the licensing functions but additionally will require review and assessment by a manager and the legal department and Assistant Director in some complex cases. Therefore, the fee is set at £187 for the fit and proper person application.
9. The local authority will take into account the following matters on which costs are incurred, or likely to be incurred (by various departments, including costs incurred by outsourcing contracts), when determining its fee policy for consideration of applications for entry on a fit and proper person register:
  - (a) Initial enquiries;
  - (b) letter writing/ telephone calls etc to make appointments and requesting any documents or other information from the site owner or from any third party in connection with the fit and proper process;
  - (c) sending out forms;
  - (d) updating files/ computer systems and websites;
  - (e) processing the application fee;
  - (f) land registry searches;
  - (g) time for reviewing necessary documents and certificates;
  - (h) preparing preliminary and final decision notices;
  - (i) review by manager or lawyers; review any representations made by applicants or responses from third parties;
  - (j) updating the public register;
  - (k) carrying out any risk assessment process considered necessary and
  - (l) reviews of decisions or in defending appeals.
10. The fee applied is limited to recovering the costs of exercising the fit and proper person test function only and no other costs that have already been charged for by other service areas are included.
11. The local authority will conduct relevant background checks regarding the applicant's background in management and their financial standing. The results of these checks will allow the local authority to decide on whether or not to accept the application. The time taken for these checks is accounted for in the fee, irrespective whether or not the entry on the register is granted.
12. Where an applicant contacts the local authority before making an application, to ascertain the likelihood of the success of that application, the authority can provide basic informal advice, for example, the conditions surrounding an application, or the information required to be submitted and general guidance on making the application.

13. Any preliminary advice the local authority provides, prior to receiving an application, must be accounted for in the fee and cannot be charged separately.

#### **Annual fee for an existing entry on the register:**

14. Where the application by a site owner is more complex the local authority is able to increase the fee, referred to above. This additional payment may be required by way of an annual fee.

15. The annual fee may include the cost of monitoring the fit and proper person scheme or conditions attached to entries to the register. The local authority can conduct this annually and can also decide on frequency of payments to cover the local authority's annual costs.

#### **Where no fee is applied**

16. In certain circumstances, the local authority may determine that no fee is required to be paid. A site is exempted from a fee only if it is occupied by members of the same family and is not being run as a commercial residential site.

#### **Revising Fees**

17. The local authority may revise its fees policy and any revision will be published.

#### **Payment of fees**

18. As outlined above in paragraph 4, a local authority is not required to consider an application for entry on the register unless that application is accompanied by the correct fee. If the correct fee is not paid, the application will not be valid and the site owner could be in breach of the Regulations.

19. If the local authority decides not to approve an application the applicant is not entitled to a refund of the fee paid.