Caravan Sites Control and Development Act 1960 (as amended)

The Licensing of Relevant Permanent Sites (Scotland) Regulations 2016

Licence Application for a Permanent Residential Mobile Home Site

Notes:

A Site Licence Application must be made by the occupier of the land; usually the owner or person who has leased the land (tenant) with the intention of setting up a caravan site.

Planning permission must be granted before a site licence is able to be issued. If planning permission has not already been obtained, the applicant may still submit a First Site Licence Application, but a licence cannot be issued until permission is granted. It is an offence to operate a site without a licence.

The applicant is required to specify the land to which the application is being made about. A site plan should be included (Scale 1:500 or larger), particularly where the extent of the site to be licenced is unclear or where a site is already in existence, showing the current facilities available as well as any proposals for improvement.

A Fit and Proper Person test will be carried out by the local authority to all site applicants; or where the applicant is not an individual to the person who holds the most senior position within the company, partnership or other body; to any person appointed to manage the site; and to any person who is directly concerned with the management of the site. **This can include requiring the production of a criminal conviction certificate (within the meaning of section 112 of the Police Act 1997). You will be contacted separately if this is required.**

Please note that the application cannot be processed by the Local Authority unless the relevant fee is provided and sections 1-5 are completed.

Type of Application (please tick/cross)					
☐	**New**	☐	**Renewal**	☐	**Transfer**

1. Site Information	
Address of Land to which site application relates	
Name of Site	
Is the applicant the occupier of the land? (Note 1)	
State the applicant's interest in land (e.g., owner or tenant) and give particulars of lease or tenancy if any.	

2. Applicant Information		
a. Individual Applicant - To be completed by an individual applying for a site licence (eg. not a company). If **not** an individual applicant (eg. a company, charity), please complete sections **2b & c**)		
Title		
First Name		
Surname		
Other Names (including any previous names, middle names)		
Date of Birth		
Home Address (Please include all previous home addresses within last five years. Continue on a separate sheet if necessary)		
Post code		
Correspondence Address (if different from home address)		
Correspondence Post Code		
Telephone Number	Home:	Mobile:
Email Address		
b. Where the Applicant is not an Individual (e.g. a Company, Body or Partnership)		
Name of Organisation		
Company's Register Number (if the organisation is a registered company)		
Charity Number (if the organisation is a charity body)		
Address of Organisation		
Post Code of Organisation		

c. Details of the Person Making the Application - Usually, the **person with the most senior position** within the management structure of the organisation		
Title		
First Name		
Surname		
Other Names (including any previous names, middle names)		
Date of Birth		
Position within Organisation		
Correspondence Address		
Correspondence Post Code		
Telephone Number	Landline:	Mobile:
Email Address		

3. Site Management

a. Where the Site Manager is an Individual	
Title	
First Name	
Surname	
Other Names (including any previous names, middle names)	
Date of Birth	
Home Address (Please include all previous home addresses within last five years. Continue on separate sheet if necessary)	
Post code	
Correspondence Address (if different from home address)	

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Correspondence Post Code		
Telephone Number	Home	Mobile
Email Address		
b. Site Management where the applicant is a Company/Charity/Body - Please provide details of the **most senior person** directly involved with the management of the site		
Name of Organisation		
Title		
First Name		
Surname		
Other Names (including any previous names, middle names)		
Date of Birth		
Home Address (Please include all previous home addresses wit five years. Continue on a separate sheet if neces		
Home Post Code		
Correspondence Address		
Correspondence Post Code		
Telephone Number	Landline:	Mobile:
Email Address		
4. Additional Information		
a. Site Information		
Acreage of Site		
State the maximum number of caravans proposed to be stationed at any one time for the purposes of human habitation.		

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Does the applicant propose to permit on the site any tents or other structures for human habitation? If so, please give details.		
A layout plan of the site to a scale of 1:500 should be attached (Note 3) showing the following: • The boundaries of the site; • The positions of the caravan standings; • Roads & footpaths (showing the form and structure of any new access to the site); • Toilet blocks (with details of sanitary facilities, wash hand basins, baths and showers; • Laundry facilities; • Stores & other buildings; • Foul & surface water drainage; • Water supply; • Recreation space; • Fire Points; • Car parking spaces; and • Site lighting.		
Give details of the arrangements for refuse and where not shown on the plan, for sewage and waste water disposal, litter collection and disposal.		
Has planning permission for the site been obtained from the Planning Authority? (Note 2)	Yes/No	
	Planning Reference Number	
	Date Planning Permission Granted	
	Planning Expiry Date	
If not, has it been applied for?		
b. Licencing Information		
Has the applicant held a site licence anywhere in the UK which has been revoked at any time in the last three years? If so, please provide details of the site(s), licensing authority and date revoked.		

5. Fit and Proper Person Test
Please complete and sign the Declarations in Appendix A **for each individual** who is subject to the Fit and Proper Person Test (all those named in Sections 2a., 2c., 3a. or/and 3b.)

Under Section 32R of the Caravan Sites Control and Development Act 1960 (as amended), it is an offence for a person to knowingly or recklessly provide information which is false or misleading. It is also a requirement (under Section 32K of the Act 1960 (as amended)) that a site licence holder must notify the local authority if any new person is appointed to manage the site, or/and if any information provided in this application changes or becomes inaccurate.

Declarations

1. I declare that the information being submitted in this application is accurate and true to the best of my knowledge.
2. I understand that I have a duty to notify the local authority of any changes to the information provided in this application, or/and of the appointment of any new person to manage the site.

Remember you must include the relevant fee, provide a site plan and complete a fit & proper person declaration for each person involved with the management of the site.

Signature: _____ **Date:** _____

Name (printed): _____

Position: _____

FEE FOR RESIDENTIAL CARAVAN SITE LICENSING

See - https://www.highland.gov.uk/downloads/download/503/licensing-fees-and-charges

When complete please return this form to:
envhealth@highland.gov.uk or
Environmental Health, The Highland Council, 38 Harbour Road, Inverness. IV1 1UF

For queries please contact 01349 886606

Cont./…

Appendix A – Fit and Proper Person Declaration

Must be completed by each applicant and each person involved with the management of the site.

Please state who you are making the declaration as: _____
(e.g. The applicant; appointed site manager; most senior person within organisation; most senior person within site management structure)

With respect to the appointed person, being the applicant, relevant partnership or company, appointed manager or person to be appointed as a manager, please declare any unspent conviction relating to the following: -

Any offence(s) involving: -

- Fraud, dishonesty, firearms, drugs, violence, sexual offences or unlawful discrimination,
- Breaking laws relating to caravans, housing, landlords or tenants.
- Breach of agreement relevant to the Mobile Homes Act 1983.
- Breaking the rules relating to reselling of gas, electricity, or for water charges.
- Engaging in antisocial behaviour, or had a complaint made about their anti-social behaviour.
- Breach of any site licence condition relating to any site licence previously issued.
- Failure to provide information to the local authority required by this part.
- Any matter, with respect to any other function of the local authority, relevant to the question of whether the person is a fit and proper person.
- It will not be necessary to declare a conviction that is now spent under the Rehabilitation of Offenders Act 1974

Reference should be made to the full details of the fit & proper person considerations as set out in section 32O of the Caravan Sites & Control of Development Act 1960 (as amended), which are reproduced below.

Name	Date of Offence	Court	Description of Offence	Sentence/Fine

Continue on a separate sheet if necessary

Cont./…

Declarations

1. I declare that the above information is true to the best of my knowledge, and that I have declared all unspent convictions as set out in S32O of the Caravan Sites & Control of Development Act 1960 (as amended).

2. I understand that the Highland Council may share information about me with other Local Authorities for the purpose of carrying out the Fit and Proper Persons Test.

Signature: _____ **Date:** _____

Name (printed): _____

Position: _____ *(if applicable)*

Site Name: _____

NOTES:

Caravan Sites & Control of Development Act 1960 (as amended)

Section 32O – Fit and proper person considerations

(1) In deciding under this Part if a person is a fit and proper person, the local authority must have regard to all of the circumstances of the case, including any material falling within subsections (2) to (6).
(2) Material falls within this subsection if it shows that the person has—
(a) been convicted of an offence—
(i) involving fraud or other dishonesty,
(ii) involving violence,
(iii) involving drugs,
(iv) involving firearms,
(v) which is a sexual offence within the meaning of section 210A(10) of the Criminal Procedure (Scotland) Act 1995 (c.46),
(b) practised unlawful discrimination on the grounds of any of the protected characteristics in Part 2 of the Equality Act 2010 (c.15),
(c) contravened any provision of—
(i) the law relating to caravans,
(ii) the law relating to housing,
(iii) landlord and tenant law,
(d) committed a breach of an agreement to which the Mobile Homes Act 1983 applies,
(e) contravened a direction made under section 37 of the Gas Act 1986 (c.44) (maximum prices for reselling gas),
(f) contravened a direction made under section 44 of the Electricity Act 1989 (c.29) (maximum prices for reselling electricity),
(g) contravened a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002 (asp 3) (charges schemes) as it applied to the person by virtue of section 30(1) of that Act (maximum charges for services provided with help of Scottish Water),
(h) engaged in antisocial behaviour within the meaning of section 143 of the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8),
(i) breached the conditions of a site licence issued under Part 1 or Part 1A of the Housing (Scotland) Act 2014.
(3) Material which shows that a person has a conviction which is a spent conviction for the purposes of the Rehabilitation of Offenders Act 1974 (c.53) does not fall within subsection (2).
(4) Material falls within this subsection if it relates to the failure by a person to provide information which that person is required to give to the local authority in accordance with this Part.
(5) Material falls within this subsection if it relates to a complaint made by a person of which the local authority is aware about antisocial behaviour within the meaning of section 143 of the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8) on the relevant permanent site.
(6) Material falls within this subsection if it is material of which the local authority is aware as a result of any other function carried out by the authority and it appears to the authority to be relevant to the question of whether the person is a fit and proper person.