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

Environmental Health & Trading Standards

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**Environmental Health &**

**Trading Standards Manager**

Andrew Blake

The licensing of Relevant Permanent Sites (Scotland) Regulations 2016

Particulars to be given by Applicant for a Transfer Application for a Relevant Permanent Site under Part 1A

Please note that unless the prescribed information in sections 1-9 is completed. The application will not be processed until such information is received by the local authority.

**The security and correct use of your personal information is important to us. We do not sell personal data to external organisations.** [**Our Privacy Statement**](https://www.westlothian.gov.uk/media/20760/Privacy-Statement-for-Environmental-Health-and-Trading-Standards/pdf/Privacy_Statement_-_Environmental_Health_and_Trading_Standards_(A8860595).pdf)[[1]](#footnote-1) **explains what information we hold, how we manage it, who we may share it with and how we manage its disposal.**

Notes

1. ‘Occupier’ here means the person who is entitled to possession of the site by virtue of an estate or interest therein, e.g. as owner or tenant. Where the site extends to not more than 400 square yards and is let with a view to its use as a caravan site the application should be made by the person who would be entitled to possession of the site but for the tenancy.
2. In the case of existing sites the plan should show the facilities already available as well as proposals for improvement.
3. A site licence cannot be issued until planning permission has been granted. If the applicant has not already obtained planning permission they may still submit an application for a site licence but a licence cannot be issued until the planning permission has been granted. It is an offence to operate a caravan site without a licence.

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| --- | --- | --- |
| Information Required by Law | | |
| Site Information | | |
| 1. Address of the land to which the application relates. |  | |
| 1. Name of the site |  | |
| Applicant Information | | |
| 1. If the applicant is an **individual**:   (if not, complete section 4)  Name and Address of each occupier(s) (the current licence holder) | Title (Mr/Mrs/Miss) |  |
| First Name |  |
| Surname |  |
| Other names (Including any previous names used) |  |
| Date of Birth |  |
| Home Address  (All previous addresses in last 5 years. Continue on separate sheet if necessary) |  |
| Post Code |  |
| Correspondence Address (if different from above) |  |
| E-mail |  |
| Applicant Telephone number |  |
| 1. If the applicant is a **company, partnership or body**:   Name and Address of the organisation and individual who holds the most senior management position within the organisation (current licence holder). | Name of Organisation |  |
| Title (Mr/Mrs/Miss) |  |
| First Name |  |
| Surname |  |
| Position |  |
| Organisation Address |  |
| Organisation Post Code |  |
| Company’s Registration Number (if applicable) |  |
| Registered Charity Number (if applicable) |  |
| Correspondence address (in relation to site management) |  |
| Correspondence Post Code |  |
| E-mail |  |
| Applicant Telephone number |  |
| Site Management | | |
| 1. Name of Transferee(s) if an individual (s) | Title (Mr/Mrs/Miss) |  |
| First Name |  |
| Surname |  |
| Other names (Including any previous names used) |  |
| Date of Birth |  |
| Home Address  (All previous addresses in last 5 years. Continue on separate sheet if necessary) |  |
| Home Post Code |  |
| 1. If the Transferee is a company, partnership or body:   Name of the organisation and individual who holds the most senior management position within the organisation. (current licence holder) | Name of Organisation |  |
| Title (Mr/Mrs/Miss) |  |
| First Name |  |
| Surname |  |
| Position |  |
| Organisation Address |  |
| Company’s Registration Number (if applicable) |  |
| Registered Charity Number (if applicable) |  |
| Correspondence address (in relation to site management) |  |
|  | Correspondence Post Code |  |
|  | E-mail |  |
|  | Telephone Number |  |
| 1. **If an individual**, the name of person(s), appointed or to be appointed by the Transferee to manage the site (the ‘Appointed Manager’)   (if not an individual complete Section 8) | Title (Mr/Mrs/Miss) |  |
| First Name |  |
| Surname |  |
| Other names (Including any previous names used) |  |
| Date of Birth |  |
| Home Address  (All previous addresses in last 5 years. Continue on separate sheet if necessary) |  |
| Home Post Code |  |
| 1. Where the Appointed Manager **is not an individual:** Name of the partnership, body or organisation,   Name any individual (Site Manager) who is to be directly concerned with the management of the site on behalf of the Appointed Manager. | Name of Organisation |  |
| Title (Mr/Mrs/Miss) |  |
| First Name |  |
| Surname |  |
| Other names (Including any previous names used) |  |
| Date of Birth |  |
| Home Address  (All previous addresses in last 5 years. Continue on separate sheet if necessary) |  |
| Home Post Code |  |
| Correspondence address (in relation to site management) |  |
| Correspondence Post Code |  |
| Fit and Proper Person | | |
| 1. Please complete and sign the Declaration in [Schedule A](#Schedule_A) **for each individual** subject to the Fit and Proper Person Test (All those named in Sections 5, 6, 7 or 8). | | |
| Additional information | | |
| Additional Site Information | | |
| 1. Is the Transferee the occupier of the site (See [note 1](#Note_01)).   State applicant’s interest in land (e.g. owner or tenant) and give particulars of lease or tenancy, if any. |  | |
| Please provide a copy of Public Liability Insurance. | For office use only: Confirm receipt | |
| Please provide a copy of the Site Rules | For office use only: Confirm receipt | |
| Licensing History | | |
| 11. Has the Transferee 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. |  | |

It is an offence for any person to knowingly or recklessly provide information which is false or misleading.

I understand that I have a duty to notify the local authority of the appointment of any new person to manage the site and any other changes to the information provided in this application as a consequence.

|  |  |
| --- | --- |
| Signature |  |
| Name (Printed) |  |
| Date of Application |  |

Schedule A: Fit and Proper Person Test

(Required for each ‘person’ subject to a fit and proper person test)

I am making this declaration as: (please delete as appropriate)

* The Transferee (Section 5 of the application form)
* The most Senior Manager within the organisation (Section 6 of the application form)
* The Appointed Site Manager (Section 7 of the application form)
* The individual responsible for management of the site on behalf of the Appointed Manager (Section 8 of the application form)

1. Unspent Specified Convictions

State overleaf whether you have any unspent convictions in respect of:

* fraud or other dishonesty, involving violence, involving drugs, involving firearms or a sexual offence within the meaning of section 210A (10) of the Criminal Procedure (Scotland) Act 1995.
* practising unlawful discrimination on the grounds of any of the protected characteristics in Part 2 of the Equality Act 2010
* a contravention of any provision of the law relating to caravans, the law relating to housing, landlord and tenant law
* having committed a breach of an agreement to which the Mobile Homes Act 1983 applies.
* a contravention of a direction made under section 37 of the Gas Act 1986 (maximum prices for reselling gas).
* a contravention of a direction under section 44 of the Electricity Act 1989 (maximum prices for reselling electricity).
* a contravention of a charges scheme made under 29A of the Water Industry (Scotland) Act 2002 (charges scheme) 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).
* engaging in antisocial behaviour within the meaning of section 143 of the Antisocial Behaviour etc. (Scotland) Act 2004.
* breaching the conditions of a site licence issued under Part 1 or Part 1A of this Act.

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| Name | Date | Court | Offence | Sentence/Fine |
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Continue on separate sheet if necessary

1. Unspent Other Convictions

State overleaf whether you have any unspent convictions not referred to in question A.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Date | Court | Offence | Sentence/Fine |
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Continue on separate sheet if necessary

Declarations

1. I understand West Lothian Council may share information about me, where necessary with other Local Authorities for the purposes of determining whether a person is a ‘fit and proper person’.
2. I declare that the information provided by me on this form is correct to the best of my knowledge and belief.

|  |  |
| --- | --- |
| Signature |  |
| Name (Printed) |  |
| Position (where applicable) |  |
| Date of Declaration |  |

Notes

1. It is an offence to knowingly or recklessly provide information which is false or misleading. A person who commits and offence is liable to summary conviction to a fine not exceeding level 3 on the standard scale.
2. It is a duty to inform the Local Authority of any changes under Section 32K of the Caravan Site and Control of Development Act 1960 (as amended)
3. In terms of considering whether or not you are a fit and proper person, consideration may also be given to the following:

* material relating to the failure by a person to provide information which that person is required to give to the local authority in accordance with Part 1A of the Caravan Sites and Control of Development Act 1960.
* material relating 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 on the relevant permanent site
* material of which the local authority is aware as a result of any other function carried out by the authority to be relevant to the question of whether the person is a fit and proper person.

1. <https://www.westlothian.gov.uk/media/20760/Privacy-Statement-for-Environmental-Health-and-Trading-Standards/pdf/Privacy_Statement_-_Environmental_Health_and_Trading_Standards_(A8860595).pdf> [↑](#footnote-ref-1)