



Appendix 2

East Cambridgeshire District Council (Draft) Fit and Proper Person Fee Policy for Mobile Home and Caravan Sites 2026

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1. **Executive Summary**

This Policy lays out the legislation and the requirements of the **Fit and Proper Person Fee Policy 2026**. It is a legal requirement to publish this Policy prior to charging a fee. This Policy also shows how the fixed fee was calculated to aid transparency.

The local authority operates a fixed initial application fee which must be paid when the application is submitted. The application will not be considered until the fee has been paid.

A fee of **£240.00** has been determined which is considered fair and reasonable. The fee covered by the **Fit and Proper Person Fee Policy** will be increased annually by the same percentage that is applied to other fees in the Council's Fees and Charges Schedule. However, should a more significant change in fees be required, then the **Fit and Proper Person Fee Policy** will be revised, subject to Committee agreement following a consultation and published.

A mobile homes **Fit and Proper Person Determination Policy 2026** has also been published, which sets out the arrangements the local authority will normally apply and consider in carrying out its responsibilities for the mobile homes fit and proper person test. The determination policy will be used to inform and direct the local authority's decision making, particularly when making decisions on relevant applications and enforcement action.

2. **Introduction**

- 2.1 A site owner under the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020, as amended (SI 2020/1034) ("the Regulations") must apply to their local authority for themselves or their appointed manager, to be added to the Register of Fit and Proper Persons managing sites in their area ("the register") for 'relevant protected' sites.
- 2.2 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.
- 2.3 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.
- 2.4 The Regulations permit the local authority to determine a fee for an application or registration for someone to be added to the Fit and Proper Person Register. It is necessary for this fee to be paid and failing to pay

this may mean that the site owner is in breach of the requirements of the Regulations.

- 2.5 Site owners are required to submit a completed application prior to 5 years elapsing from their previous registration. If a new site licence is being applied for or transferred then a completed FPP application must be submitted before the site is operated under the new or transferred licence. If a site owner inherits a site with no fit and proper manager in place then the application must be made as soon as reasonably practicable after inheriting the site.

3. Fee for Fit and Proper Persons Register Applications

Initial application fee

- 3.1 A fixed application fee has been calculated:

To calculate the application fee, the local authority has determined the average time to process an application and has applied the hourly rates based on the officer posts that will be involved in the process

The local authority has considered the following matters on which costs are incurred, or likely to be incurred, 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.

- 3.2 **Appendix 1**, gives the breakdown of the necessary steps, the officer time, level of officer and full costs to process an average application. This is to show how the fee to be imposed was calculated. The fee imposed is considered fair and transparent.

- 3.3 The Fit and Proper Person application fee has been set at **£240.00** up to April 2027.

4. Additional considerations for an application fee:

- 4.1 The local authority will be required to 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 should be accounted for in the fee, irrespective whether or not the entry on the register is granted.
- 4.2 Where an applicant contacts the local authority before making an application, to ascertain the likelihood of the success of that application, the authority is expected to provide informal advice, for example, the conditions surrounding an application, for example the information required to be submitted and general guidance on making the application. There is further guidance relating to this in the **Fit and Proper Person Determination Policy 2026**.
- 4.3 Any preliminary advice the local authority provides, prior to receiving an application, must be accounted for in the application fee and cannot be charged separately.

5. Such other matters as the local authority considers to be relevant

5.1 An appointed manager fee

This is where the local authority is provided with the site owner's consent to appoint an individual to manage a site. The costs associated with this should be reasonable and are recoverable from the site owner and are outside this fee policy.

5.2 Revising Fees

The purpose of publishing the fee policy is to show that the fees imposed by the local authority are fair and transparent so that anyone required to pay a fee can understand the charges.

The local authority may revise its fee at any time. Any changes will need to be justifiable and reasonable, ensuring full transparency for the site owner.

The fee covered by the **Fit and Proper Person Fee Policy** will be increased annually by the same percentage that is applied to other fees in the Council's Fees and Charges Schedule. However, should a more significant change in fees be required, then the **Fit and Proper Person**

Fee Policy will be revised, subject to Committee agreement, and the new fees will be published.

6. Amending conditions attached to an entry on a register

- 6.1 A local authority may alter the conditions attached to an entry on a register (by adding new conditions or changing or deleting existing ones), following a review. The local authority must notify the site owner of its interim decision (except in the case where it is deleting a condition) and consider any representations made by the site owner, before reaching a final decision. If the site owner is unhappy with the decision to alter, or not alter, the conditions, they will have a right of appeal to the First-tier Tribunal (Property Chamber).
- 6.2 There are no requirements for a site owner to make a new application for a condition to be altered. Any costs involved with amending existing conditions, or adding new conditions to an entry, have been factored into the cost of calculating the original application fee.
- 6.3 A new individual coming in to manage a site, where there is an existing Fit and Proper Person registered, will be required to make a new application and the standard application fee must accompany any new application made.

8. Payment of fees

- 7.1 As outlined above, 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 will be in breach of the Regulations.
- 7.2 If a local authority decides not to approve an application the applicant is not entitled to a refund of the fee paid.