



East Cambridgeshire District Council

Meeting: Licensing Committee

Time: 10:00am

Date: Wednesday 9 September 2026

Venue: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

Enquiries regarding this agenda: Patrick Adams

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Committee membership

Quorum: 5 members

Conservative members

Cllr Christine Ambrose Smith
Cllr Lee Denney
Cllr Lavinia Edwards
Cllr Martin Goodearl (Chair)
Cllr Keith Horgan
Cllr Julia Huffer (Vice-Chair)

Conservative substitutes

Cllr Bill Hunt
Cllr Kelli Pettitt
Cllr Alan Sharp

Liberal Democrat and Independent members

Cllr Christine Colbert
Cllr Mark Inskip
Cllr John Trapp (Lead Member)
Cllr Christine Whelan
Cllr Gareth Wilson

Liberal Democrat and Independent substitutes

Cllr Chika Akinwale
Cllr Lorna Dupré
Cllr Ross Trent

Lead Officer: Stewart Broome, Licensing Manager

Agenda

1. **Apologies and substitutions** [oral]
2. **Declarations of interests** [oral]

To receive declarations of interests from Members for any items on the agenda in accordance with the Members Code of Conduct.

3. Minutes

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To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 18 March 2026, the minutes of the meeting of the Licensing (Statutory) Sub-Committee held on 22 July 2026 and the minutes of the meeting of the Licensing (Non-Statutory) Sub-Committee held on 29 July 2026.

4. Chair's announcements

[oral]

5. East Cambridgeshire District Council Fit and Proper Person Determination and Fee Policy for Mobile Homes and Caravan Sites 2026

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To consider the adoption of the East Cambridgeshire District Council Fit and Proper Person Determination Policy for Mobile Homes and Caravan Sites 2026 and the East Cambridgeshire District Council Fit and Proper Person Fee Policy for Mobile Home and Caravan Sites 2026.

6. Licensing Manager's Update

To inform Members of the ongoing work of the Licensing Authority and emerging matters.

7. Forward agenda plan

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Notes

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2. The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.
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The Committee Officer will sweep the area to ensure that everyone is out.

4. Reports are attached for each agenda item unless marked “oral”.
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6. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

“That the press and public be excluded during the consideration of the remaining item no(s). X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended).”



East Cambridgeshire District Council

Minutes of a Meeting of the Licensing Committee

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 10:00am
on Wednesday 18 March 2026

Present:

Cllr Christine Ambrose Smith
Cllr Christine Colbert (Substituting for Cllr Cane)
Cllr Lee Denney
Cllr Lavinia Edwards
Cllr Martin Goodearl (Vice Chair)
Cllr Keith Horgan
Cllr Julia Huffer (Chair)
Cllr Mark Inskip
Cllr John Trapp
Cllr Christine Whelan
Cllr Gareth Wilson

Officers:

Patrick Adams – Senior Democratic Services Officer
Stewart Broome – Licensing Manager
Maggie Camp – Director Legal

30. Apologies and substitutions

Apologies for absence were received from Cllr Charlotte Cane and Cllr Mark Goldsack. Cllr Christine Colbert attended as a substitute for Cllr Cane.

31. Declarations of interest

There were no declarations of interest.

32. Minutes

The Committee received the Minutes of the Licensing Committee meeting held on 11 February 2026.

It was resolved unanimously to agree the minutes of the Licensing Committee on 11 February 2026 as a correct record.

33. Chair's Announcements

There were no Chair's announcements.

34. Consultation on Local Transport Authorities and the Licensing of Taxis and Private Hire Vehicles

The Licensing Manager, Stewart Broome, presented a report, AA166 previously circulated, which invited the Committee to finalise the Council's response to the Government's consultation on the transfer of responsibility for taxis and private hire vehicles licensing from District Councils and Metropolitan Borough Councils to Local Transport Authorities (LTAs) in England as part of an effort to curb "out of area" working. It was noted that the deadline for responses was 1 April 2026.

The Committee were invited to ask questions to the Licensing Manager.

In reply to Cllr Keith Horgan, the Licensing Manager explained that officers transferred from the Council to another authority will retain their terms and conditions under the Transfer of Undertakings Protection of Employment (TUPE) regulations. However, officers may opt to leave their employment, which will lead to recruitment and training costs.

In reply to Cllr Martin Goodearl, the Licensing Manager explained that the report should refer to Cambridgeshire instead of Greater Cambridgeshire in paragraph 3.3 of the report, but this was not included in the Council's response to the Government's consultation in Appendix 1.

The Committee moved into debate.

It was agreed that the Council's response should not state that the Government's questions were impossible to answer. After a brief discussion it was agreed that the words "It is difficult to answer this question with any degree of certainty" should be used instead.

Cllr John Trapp stated that savings were likely to result from the Local Government Review as fewer managers would be needed, whilst if the Combined Authority took over responsibility for just taxi licensing, then an additional manager would be required. He suggested that this should be included in the response to the consultation. After a brief discussion it was agreed that the words "savings will already have been achieved by reducing from 6 licensing authorities to 2 or 3 following the Local Government Review", should be included in the Council's response to question 3. The Licensing Manager explained that the Council had a flat management structure, whilst the management structure at a unitary authority or the Combined Authority might require an additional manager above the licensing function, which could mean an increase in costs. The Committee agreed that reference to these potential extra costs should be included in the answer to question 2 of the consultation.

Cllr John Trapp expressed concern that focusing on just taxi licensing could create a monoculture and demotivated staff. Cllr Christine Ambrose Smith disagreed, stating that the variety of work in licensing, including enforcement meant that fears of a monoculture were unfounded. Cllr Mark Inskip agreed with

Cllr Ambrose Smith, as there was a need for specialists and it would not be useful to include this point in the consultation response.

Cllr Martin Goodearl suggested that the Cambridgeshire and Peterborough Combined Authority did not have the infrastructure to take on responsibility for the taxi licensing function. Cllr Mark Inskip added that the responsibilities of the Combined authority were strategic, whilst this Council focussed on operational matters, such as determining taxi licence applications. It was agreed that this point should be added to the response to question 13 in the consultation response.

Cllr Julia Huffer expressed concern that making an authority, which had no prior experience of licensing administration, responsible for the issuing of thousands of taxi licences, could compromise the safety of passengers and drivers, especially as it was instigated by a government that was purely motivated by reducing costs.

Cllr Martin Goodearl suggested that making a single taxi licensing authority responsible for Cambridgeshire and Peterborough could increase the distance that taxi drivers will need to travel to get their licences. The Licensing Manager agreed and added that hackney drivers would be obligated to drive their passengers further distances if the district zones were abolished and hackney carriages would focus on the largest urban areas in the county, making it more difficult to hail a taxi in other areas. Cllr John Trapp expressed concern regarding the safety implications of enlarging the administrative area to the county, as it would result in the loss of local knowledge. Cllr Julia Huffer agreed and pointed out that this safety issue was covered in the answer to question 13.

Cllr Keith Horgan feared that the Government were only focussing on costs and were not considering the effect on safety and standards. He was proud of the service provided by the Council, which robustly and efficiently applied national policy. The Licensing Manager agreed and stated that there had been a large increase in the number taxi licences processed by the Council because it ran an efficient service. He informed the Committee that the Government's initiative would only reduce "out of area" working but would not eliminate it.

The Committee agreed that authority should be delegated to the Licensing Manager to include the amendments just decided by the Committee to Appendix 1.

Cllr Julia Huffer proposed and Cllr Martin Goodearl seconded the recommendations, as amended. A vote was taken and it was unanimously agreed

to resolve:

to Agree

- A)** To delegate authority to the Licensing Manager to include the amendments agreed by the Committee to the wording

of the answers to questions one to four and thirteen to fifteen contained in Appendix 1; and

- B)** To instruct officers to submit the agreed answers to the Government's LTA consultation prior to the 1 April 2026 deadline.

35. Licensing Manager Update

The Licensing Manager explained that the Tobacco and Vapes Bill had received its third reading in the House of Lords and was now being considered by the House of Commons. The new regulations were expected to be in force by the end of the year. He would keep the Committee updated on this matter.

It was noted that the next meeting of the Licensing Committee would be held on Wednesday 13 May at 10 am.

The Committee **Noted** the report.

The meeting concluded at 11:05 am

Chair.....

Date.....



East Cambridgeshire District Council

Minutes of a Meeting of the Licensing (Statutory) Sub Committee

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 2:00 pm on
Wednesday 22 July 2026

Present

Councillor Lavinia Edwards
Councillor Keith Horgan (Chair)
Councillor Gareth Wilson

Officers

Patrick Adams – Senior Democratic Services Officer
Alex Beebe – Senior Licensing Officer
Stewart Broome – Licensing Manager
Maggie Camp – Director Legal & Monitoring Officer

Others present

Thomas Janes – Applicant
Amy Robinson – Senior Ecologist (East Cambridgeshire District Council)

1. Apologies and Substitutions

Apologies for absence were received from Cllr John Trapp. Cllr Gareth Wilson attended as a substitute.

2. Declarations of Interest

No declarations of interest were made.

3. Determination of an Application for a Premises Licence at Dullingham Polo Club, Hill Farm, Station Road, Dullingham

The Chair explained the procedure to be followed at the meeting and introduced the officers and members present.

The Senior Licensing Officer presented the report, AB50, previously circulated, which invited the Sub-Committee to determine an application for a premises licence submitted by TDC Group Ltd, on land at Dullingham Polo Club, Hill Farm, Station Road, Dullingham.

The Senior Licensing Officer explained that the application had to be determined according to the following four licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance

- Public safety
- The protection of children from harm

It was noted that the applicant had the right to appeal the decision to the magistrates.

Members of the Panel asked the Senior Licensing Officer questions and received the following responses.

In response to Cllr Gareth Wilson, the Senior Licensing Officer stated that the replacement Event Management Plan included a new Environmental Protection and Ecological Management section, which set out measures on how the environment would be protected. It was noted that Mr Janes would refer to this in his presentation.

In reply to Cllr Keith Horgan, the Senior Licensing Officer reported that there had been no local objections to the application. It was noted that the Cambridgeshire Fire and Rescue Service had raised concerns for the applicant's consideration. The Licensing Manager explained that the Licensing Sub Committee were not responsible for any matters that were covered by Fire and Safety legislation and so these could not form part of any decision.

The Senior Licensing Officer confirmed that under the current wording of the application an event could be held on any Saturday. The Applicant, Thomas Janes, explained that he only wanted a licence for a single event on a Saturday at the end of August. He made the following statement.

"Hifields Festival has been successfully held at this site since 2015. The application before you relates to the same managed woodland area and the same event layout that has previously been used, including the 2025 event, without any proposed expansion into new areas.

"I have worked in the events industry for over 15 years, delivering large scale events in woodlands, open countryside, fields and country parks across Hertfordshire, Cambridgeshire, Suffolk and Norfolk. Throughout that time I have worked closely with local authorities and other stakeholders to ensure events are delivered safely and responsibly whilst respecting the environments in which they take place. None of those events has resulted in environmental enforcement action or wildlife offences.

"I take my responsibilities as an event organiser extremely seriously. Throughout this application I have worked proactively with the Licensing Authority and have updated my Event Management Plan to provide additional detail where appropriate.

"In response to the representations received, I have introduced a comprehensive Environmental Protection and Ecological Management section, together with supporting environmental management procedures. These clearly set out how the woodland environment will be protected before, during and after the event.

"To be absolutely clear, this event does not involve tree felling, vegetation clearance, habitat removal or excavation within the woodland. All infrastructure is temporary, existing managed areas and access routes will be used wherever practicable, contractors will receive environmental briefings, and procedures are in place to protect wildlife, prevent pollution and respond appropriately should any environmental issue arise.

"I also made every effort to engage directly with the objector and local authority ecologist. I contacted the Licensing Team, spoke with the objector by telephone, offered a site visit and asked whether there were any reasonable mitigation measures that could be implemented. He advised that he was unable to engage, so I have instead sought to address the concerns by strengthening the Event Management Plan and documenting the environmental controls that will be in place.

"My objective has always been to work collaboratively and deliver a safe, professionally managed event that promotes the licensing objectives while respecting the surrounding environment.

"I respectfully submit that the application demonstrates that the event can continue to operate responsibly, as it has done for a number of years, and I ask the Committee to grant the premises licence."

Sub Committee members were invited to ask the applicant any questions.

In reply to Cllr Gareth Wilson, Thomas Janes stated that the event had taken place every year from 2015 and from 2017 it had been held in the woods. He had not received any complaints.

In reply to Cllr Lavinia Edwards, Thomas Janes stated that there was no CCTV on the site. They had one member of security staff for every 100 attendees.

In reply to the Director Legal, Thomas Janes explained that no trees had been removed and no wildlife had been knowingly disturbed. An ecologist from Mott McDonald had assisted with the writing of the Event Management Plan. He had tried to liaise with Council officers about their concerns but without success.

In reply to the Director Legal, Thomas Janes reported that there were two existing licences on the premises. The landowner ran wedding events on the site, but this had no connection with his business.

In reply to Cllr Keith Horgan, Thomas Janes stated that he had previously used the landowner's licence for events but he wanted his own licence to continue to run the event once a year.

In reply to Cllr Keith Horgan, Thomas Janes explained that there were no petrol generators on site. Diesel generators were used and he understood that the catering crew use gas for their cooking.

In reply to Cllr Keith Horgan, Thomas Janes stated that if an animal's habitat was found close to where they planned to set up the stage, they would move the stage.

In reply to Cllr Gareth Wilson, Thomas Janes explained that last year's insurance was for 1,000 attendees. This year 1,500 were expected so the insurance would need to cover 2,500 attendees to ensure that there was some headroom.

In reply to Cllr Lavinia Edwards, Thomas Janes confirmed that he had not carried out a wildlife survey. He had asked for advice from the Council's ecology section, but they had been unable to assist him in this matter. He explained that holding the event in the woods created more atmosphere and this annual event had always been held in the trees.

Amy Robinson, Senior Ecologist, made the following statement.

"My name is Amy Robinson, a qualified ecologist, a full member of Institute of Sustainability & Environmental Professionals and Chartered Environmental Professional. You may recognise me as the Council's senior ecologist, but I am not permitted to attend in such capacity at this meeting, therefore you must treat me as an external party.

"Today I represent Richard Kay's valid objection, as he could not attend. Again, Richard should be considered as an 'other person', rather than an employee of the council. I shall not repeat the submitted objection. Instead, I'll focus on the implications, should this application be approved.

"It is understood that, in deciding upon applications, you are obliged to promote the licensing objectives set out in law, one of which is the prevention of crime and disorder.

"Typically, for a licence, such crime and disorder risks would be matters such as anti-social behaviour or drug use. But the law does not limit your considerations to just those issues. The law requires you to consider the prevention of all crime and disorder, including local environmental, such as wildlife crimes.

"More broadly, whenever the Council undertakes its statutory duties, whether licensing or any other duties, it has a legal requirement under the Crime and Disorder Act and the Natural Environment and Rural Communities Act to prevent harm to the natural environment and protected species.

"As such, you are legally obliged to consider whether, in approving this, if there is a real risk of a crime, likely to take place. Importantly, you do not have to prove a crime will take place. For example, you do not have to prove drug use will take place, you simply must determine whether it is likely or that is reasonably possible a crime will take place.

"In this instance, the applicant is proposing to install stages, bars, dancing areas, pathways, lighting, loud music etc in a woodland in a few days' time at the peak activity seasons for many protected species.

“Protected species, such as all nesting birds, all bats and badgers. It is illegal to intentionally harm or disturb protected species or their resting places. This includes scaring them away through loud noise / inappropriate lighting or destroying their roosting areas or their setts. All of these actions are a criminal offence, which come with imprisonment, and unlimited fines per animal.

“In appendix 3 of the Event management plan version 2 there are still no tree safety reports or ecology reports. The applicants state “no intentional harm to wildlife will occur” but still intend to create noise over 50db which are harmful to bats in peak bat pup season, generate artificial lighting in an area that doesn’t have any normally. In 14.4 of the appendix it states “should any active bird nest, bat roost, badger sett or other protected species be identified during the event build, the affected area will be protected and works will cease within that location pending appropriate advice.” The appropriate ecological advice has already been given by the councils’ ecology team. We have been informed this is simply not an option for them.

“In an attempt to compromise we had sought to restrict the licence to only the open field near to but not in the woodland. An event taking place in the field only, with appropriate measures to prevent harm, which would dramatically reduce the risk of harm, to the point that it is unlikely a wildlife crime would take place. Consequently, the objection could be withdrawn.

“I therefore, respectfully ask the Committee to align with the compromise which has been proposed to make this legally compliant or refuse this application in order to prevent a crime taking place under the Crime and Disorder Act 1998, the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, and the Conservation of Habitats and Species regulations 2017 as well as making sure this Council follows its legal duty to conserve and enhance biodiversity under the Natural Environment & Rural Communities Act 2006.”

In reply to Cllr Lavinia Edwards, Amy Robinson stated that under the Environment Act 2021 all licensing applications needed to consider the impact on the environment and habitat of protected species.

In reply to Cllr Gareth Wilson, Amy Robinson explained that there was an extremely high likelihood that there were protected animals in the woods in question, such as badgers, bats or nesting birds. In reply to Keith Horgan, Amy Robinson explained that noise and lighting could disturb animals such as bats and badgers in their habitat. Juvenile bats, in particular, would be vulnerable at that time of year. She stated that in her view and that of the Climate Change and Natural Environment Manager, the event should be held in the nearby field, 100 metres away from the woodland area.

In reply to Cllr Keith Horgan, Amy Robinson explained that the Council had a duty to prevent crime and crime did not have to be reported in order of the Council to refuse to award a licence.

The applicant was asked if he had anything to add. Thomas Janes reiterated that he had approached the Council’s ecology section for advice and none was given.

He stated that if the stage had to be 100 metres from the woods the event would not be able to take place and under that restriction, many other events would also have to be cancelled. He confirmed that he been given a fair hearing and been given every opportunity to make his case.

The Chair explained that the Sub Committee would go into private session with the legal officer to discuss the application and come to its decision. All parties would be notified of the decision in 5 working days.

The public meeting concluded at 10:45 am and the meeting then went into closed session.

The Committee **agreed** to:

DECISION: The decision of the Licensing Sub-Committee (in exercise of the powers delegated by East Cambridgeshire District Council as Licensing Authority) is to grant the licence subject to conditions, as per the operating schedule and further modification of conditions in order to promote the licensing objectives, as set out below:

GRANT the application for a premises Licence to TDC Group Ltd in accordance with paragraph 4 of the Officer Report subject to:

- (i) the conditions contained in the operating schedule accompanying the application.
- (ii) the following conditions to be applied to Annex 3 of the licence:

Condition 1

- Events limited to one per calendar year, to take place on a Saturday in August.

Condition 2

- Attendance at the event shall be limited to 2,500 persons at any given time, including ticketed customers, staff and volunteers.

Condition 3

- The premises licence holder shall give notice of any events dates (where more than 1000 people will be in attendance) together with the proposed licensable activities and timings permitted, no later than 3 months before the date of the event to the Council's Licensing Authority and the Safety Advisory Group (SAG). The notice will include a draft version of the Event Management Plan (EMP).

Condition 4

- The premises licence holder shall submit the final agreed version of the EMP to the Safety Advisory Group no later than 28 days (14 days (2026 event only)) before the day of the event itself, not including the day of the event. The final version of the EMP must be agreed by the Licensing Authority and Cambridgeshire Constabulary.

The Event Management Plan shall comprise of, but not be limited to:

- Detailed site plan showing the locations of fencing, bars and entertainment areas
- Details of security (including fencing) and stewarding arrangements for the event
- Details of the event hotline (in the event neighbours wish to contact the organiser)
- Noise monitoring procedures including management and control measures being in place to adequately address music noise impacts
- Traffic management plan
- Major incident plan (including counter terrorism measures)
- Security & crowd management plan (including search, admissions and eviction Policies)
- Medical risk assessment and plan
- Adverse weather plan
- Children & vulnerable adults safeguarding policy (including reference to a risk assessment relating to presence of open water on site)
- Alcohol management plan
- Drugs policy
- Environmental Protection and Ecological Management plan

Condition 5

- Any changes to the final EMP may only be made with the written agreement of the Licensing Authority as the contents of the EMP will be regarded and treated as though they are premises licence conditions.

Condition 6

- Condition 3 of this Annex will only be applicable to events from 2027 onwards.

Condition 7

The Environmental Protection and Ecological Management section of the Event Management Plan will include the following amended statements:

- All contractors, staff and volunteers will be instructed that no trees or vegetation are to be removed without prior consultation with the Council's Ecology Officer.
 - Should any active bird nest, bat roost, badger sett or other protected species be identified during event build, the affected area will be protected and works will cease within that location pending appropriate advice of the Council's Ecology Officer.
 - Following the event, the Event Organiser will undertake a post event review and produce a report, which will be submitted to the Council's Ecology Officer, to identify any environmental issues and implement improvements for future events
- (iii) Any mandatory conditions that must be included in the licence.



East Cambridgeshire District Council

Minutes of a Meeting of the Licensing (Non-Statutory) Sub Committee

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 10:00 am
on Wednesday 29 July 2026

Present:

Cllr Martin Goodearl (Chair)
Cllr Keith Horgan
Cllr John Trapp
Cllr Gareth Wilson

Officers:

Patrick Adams – Senior Democratic Services Officer
Alex Beebe – Senior Licensing Officer
Stewart Broome – Licensing Manager
Maggie Camp – Director (Legal Services)

In attendance: Tracy Gordon (Applicant)

1. Declarations of interest

None.

2. Application for Consent to Trade from a Location Defined as a Consent Street in Accordance with the Local Government (Miscellaneous Provisions) Act 1982

The Sub-Committee received a report, AB51 previously circulated, to consider an application from Tracy Gordon, trading as Tracy's Tasty Treats, to sell cakes/baked items from a "cake shed" located at the side of her premises from Friday to Sunday 8 am to 6 pm.

Members of the Sub Committee were invited to ask questions to the officer.

In reply to Cllr Keith Horgan, the Senior Licensing Officer confirmed that the business was deemed to be on a consent street, as it was on land adjacent to a consent street.

In reply to Cllr Keith Horgan, the Senior Licensing Officer explained that the Lord of the Manor had not objected to the application but had made a comment about land ownership. The Licensing Manager reported that land ownership was not relevant to the Sub Committee's decision.

In reply to Cllr John Trapp, the Senior Licensing Officer explained that the other businesses on East Fen Common and Quy Common were of a different nature to Tracy Gordon's business.

Tracy Gordon, the applicant, made the following statement.

"Chair, Members of the Licensing Committee, thank you for giving me the opportunity to speak today.

"My name is Tracy Gordon, and I have lived in Soham all my life. My family has long-standing connections with the local community and also runs a local business here, so this is a place that means a great deal to me.

"A few years ago, my health deteriorated, and I reached a point where I was no longer able to continue in my previous employment. Like many people in that situation, I had to think differently about how I could continue working while managing my health.

"Baking had always been something I enjoyed, so I decided to turn that passion into a small business that I could run from home. Over the last two years, I have worked incredibly hard to build that business. What started as making cakes for friends and family has gradually grown through word of mouth and social media into something that provides me with an income and allows me to remain independent.

"Earlier this year, I introduced the Cake Shed. It is a very small, self-service shed, situated entirely within the boundary of my front garden. It opens only on selected weekends and serves a relatively small number of customers. It is not a café or a shop, and it is certainly not intended to operate as a large commercial business.

"When I became aware that a Street Trading Licence was required, I made the application because I wanted to ensure I was operating correctly and in accordance with the Council's requirements.

"Since then, I have carefully considered every comment that has been raised. I understand that local residents are entitled to express their views, and I respect that. Rather than dismissing those comments, I have tried to address them wherever I reasonably can.

"For example, I am offering to reduce my opening hours during the winter months so that trading takes place during daylight hours. During periods of exceptionally hot weather, I already choose not to open because I don't want to compromise the standard of the products I sell. I have always tried to operate the business responsibly and with consideration for my neighbours.

"The evidence I have submitted includes card transaction records, demonstrating the modest scale of the business, photographs, site plans and independent supporting statements from local residents and people with direct

knowledge of East Fen Common. I hope these documents have helped to provide an accurate picture of how the Cake Shed operates in practice.

“I appreciate that the Committee has an important decision to make. All I ask is that you consider the evidence as a whole. My hope is that you will see that this is a small, responsibly run home-based business that has not resulted in the significant adverse impacts suggested in the objections.

“This business has given me the opportunity to continue working, remain independent and continue contributing to my local community despite the challenges with my health. I sincerely hope you will allow me to continue doing that.”

Members of the Sub Committee were invited to ask questions of the applicant.

In reply to Cllr John Trapp, Tracy Gordon explained that there was substantial parking by her home and with only a maximum of eight customers a day, these visitors had little impact on residents.

In reply to Cllr Keith Horgan, Tracy Gordon stated that she considered the public liability insurance was sufficient to cover her business. She added that Tim Clark, Lord of the Manor, had believed that the business was going to operate on the Common, when it was actually operating from a shed on the side of her house. She agreed that she could close her business earlier in the winter, due to the shorter daylight hours.

In reply to Cllr Gavin Wilson, Tracy Gordon stated that she accepted cash, but this was very rare as most people used a contactless form of payment.

The public meeting concluded at 10:30 am and the meeting then went into closed session.

The Committee **agreed** to:

Decision

The decision of the Licensing (Non-Statutory) Sub-Committee (in exercise of the powers delegated by East Cambridgeshire District Council as Licensing Authority) was to:

Grant the application, with the variation of operating hours from 8 am to 6 pm or dusk, whichever is sooner. The application will be subject to the Council's approved standard conditions, as listed in Appendix 6 to the report.

Reasons for the Decision (provided to Tracy Gordon at the conclusion of the hearing)

Having read the content of the objection and submissions, and listened to the submission by the applicant, Members considered public safety, the avoidance of public nuisance, highway issues and compliance with legal requirements would not be undermined by the application. The Sub-Committee considered that there had been no objections from Cambridgeshire Constabulary, Cambridgeshire County Council highways department or the town council.

Chair.....

Date.....

DRAFT

TITLE: East Cambridgeshire District Council Fit and Proper Person Determination and Fee Policy for Mobile Homes and Caravan Sites 2026

Committee: Licensing Committee

Date: 9th September 2026

Author: Senior Environmental Health Officer

Report number: AB61

Contact officer: Karen See Senior EHO

Karen.see@eastcambs.gov.uk 01353 616358, SF203, The Grange, Ely

Issue

1. The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 were adopted in East Cambridgeshire with separate determination and fee policies, approved by Members in October 2021.
2. These policies must be reviewed within 5 years to enable the renewals and future new applications for mobile home site operators to continue to be assessed for their fit and proper status.

Recommendations

3. That Members agree the adoption of:
 - i) The East Cambridgeshire District Council Fit and Proper Person Determination Policy for Mobile Homes and Caravan Sites 2026; and
 - ii) The East Cambridgeshire District Council Fit and Proper Person Fee Policy for Mobile Home and Caravan Sites 2026; and
 - iii) For policies to take effect immediately.

Background/Options

4. The Council has a statutory duty under the Caravan Sites and Control of Development Act 1960 to licence Mobile Home/Caravan sites. The Council can attach conditions to licences to ensure certain standards relating to the condition of the site, including matters such as layout and services, are maintained.
5. An annual inspection of the licensed permanent residential Mobile Home/Caravan sites run commercially within East Cambridgeshire (relevant protected sites) is carried out by Officers to check compliance with licence conditions. An annual fee is charged for the inspections and these fees were published in the Park Homes Fees Policy 2024. The requirements of the licensing regime are separate to the Fit and Proper Person register.

6. The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 as amended, require the manager of a relevant protected site to be a Fit and Proper Person (“the Regulations”). In 2021 East Cambridgeshire introduced a Fit and Proper Person Determination Policy in compliance with “the Regulations”. This policy must be updated every 5 years and the draft 2026 version is attached in Appendix 1.
7. A local authority must be satisfied that the site owner “*is a fit and proper person to manage the site*” or, if the owner does not manage the site, “*that a person appointed*” to do so by the site owner “*is a fit and proper person to do so*” or has, with the site owner’s consent, “*appointed a person to manage the site.*”
8. The fee from 2026 onwards has been calculated with reference to the Regulations, and considering the following matters for which costs are incurred, or likely to be incurred 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 reviews of decisions.
9. The draft 2026 Fit and Proper Person Fees Policy is provided in Appendix 2.
10. Details of the how the fee has been calculated is provided in Appendix 3.

Arguments/Conclusions

11. The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020, as amended, is Statute and therefore must be implemented by the Council.
12. The Regulations require the policies to be reviewed every 5 years and for the operator or their appointed manager to renew their application every 5 years.
13. It is at the Local Authority’s discretion whether they charge a fee for the administration of the application. As this option is available, it is prudent to adopt a fee to cover our administrative costs. A Fee Policy must be adopted and published if fees are to be charged.

14. The updated cost of the Fit and Proper Person assessment has been calculated using a cost matrix, with reference to the Regulations. Only reasonable costs can be included within the calculation, including, for example, administration and officer time to process the application, running checks and placing the named person (if approved) upon the Fit and Person register etc.

15. The fee of £240 is considered to be reasonable.

Additional Implications Assessment

16. In the table below, please put Yes or No in each box:

Financial Implications No	Legal Implications No	Human Resources (HR) Implications No
Equality Impact Assessment (EIA) No	Carbon Impact Assessment (CIA) No	Data Protection Impact Assessment (DPIA) No

Appendices

Appendix 1 – Draft East Cambridgeshire District Council Fit and Proper Person Determination Policy for Mobile Home and Caravan Sites 2026

Appendix 2 – Draft East Cambridgeshire District Council Fit and Proper Person Fee Policy for Mobile Home and Caravan Sites 2026

Appendix 3 – Calculation of fee's 2026

Background documents

East Cambridgeshire District Council Fit and Proper Person Policy documents, 2021

Caravan Sites and Control of Development Act 1960

Mobile Homes Act 2013

Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (SI 2020/1034)

Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) (Amendment) Regulations 2021

East Cambridgeshire District Council
Fit and Proper Person
Determination Policy
for Mobile Home and Caravan Sites
2026

Directorate	
Service	Waste and Environmental Services
Author(s)	Simon Cross/Karen See
Approved by	Licensing Committee
Approval date	9 th September 2026
Version	2.0 — Replaces 2021 Policy
Next review date	Sept 2029

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1. Executive Summary

The Fit and Proper Person (FPP) Determination Policy lays out the legislation and shows the steps the Council goes through to determine whether or not an applicant is 'fit and proper' to manage a 'relevant protected' Mobile Home or Caravan Site. A 'relevant protected' site is a licenced site which has permanent residential homes, whether solely permanent residential or mixed with holiday use and let on a commercial basis.

The fit and proper person requirement outlined in this Policy will provide a safeguard to examine site owners, or their managers in order to prevent site owners/managers posing a risk to the welfare or safety of persons occupying mobile homes on the site.

The Policy also sets out different circumstances which may arise, including refusal of putting a person on the register or removal from it if this is required etc. and the procedures for these different circumstances.

If approved, the applicant will be placed on the Council's Fit and Proper Person Register on the East Cambridgeshire District Council website, generally for a period of 5 years, although a shorter period may be granted at the discretion of the Council. On expiry, a new application is required.

Conditions may also be attached to the approval e.g. the annual payment must be paid within 4 weeks from the date of the letter requesting payment.

This Policy has been updated from the 2021 version to reflect:

- Operational experience gained since the regime commenced in October 2021;
- First-tier Tribunal decisions and legal precedent from Upper Tier Tribunals and Higher Courts;
- The Consumer Rights Act 2015 and other consumer protection legislation, which protect residents from unfair commercial practices;
- The Mobile Homes (Pitch Fees) Act 2023, which amended the pitch fee review index; and
- The requirement, identified at policy review, to ensure consistent and transparent decision-making.

Policy at a Glance

Application fee: £240.00 (subject to annual review in line with the Council's Fees and Charges Schedule)

Registration period: Up to 5 years (shorter period may be granted at the Council's discretion)

DBS check required: Basic certificate — no more than 6 months old at date of application

Enforcing officer: Environmental Health Domestic Team

Contact: environmentalhealth@eastcambs.gov.uk | 01353 665555

Register: Published on ECDC website and available at The Grange, Nutholt Lane, Ely, CB7 4EE

2. Legislative Framework

This policy has been prepared pursuant to, and in accordance with, the following legislation and guidance:

Legislation / Guidance	Relevance
Caravan Sites and Control of Development Act 1960	Site licensing framework; sections 12A–12E (as inserted by Mobile Homes Act 2013) govern the FPP scheme
Mobile Homes Act 1983	Residents' rights; pitch agreement protections
Mobile Homes Act 2013	Enforcement powers; local authority charging; FPP framework inserted into 1960 Act
Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (SI 2020/1034)	Core FPP requirement — Key legislation for this policy
Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) (Amendment) Regulations 2021	Corrects statutory reference in the 2020 Regulations
Mobile Homes (Pitch Fees) Act 2023	Changed pitch fee review inflation index
Consumer Rights Act 2015	Protects residents from unfair commercial practices
Equality Act 2010	Conduct criterion; non-discrimination obligation
Sexual Offences Act 2003, Schedule 3	Notification requirement offences considered as conduct criterion
Police Act 1997, s.113A	Authority for Disclosure and Barring Service (DBS) checks
MHCLG Non-Statutory Guidance: 'Mobile homes: a guide for local authorities on the fit and proper person test' (June 2021)	Government guidance to which ECDC has regard in making determinations

3. Scope — Which Sites and Persons Are Covered

3.1 Relevant Protected Sites

The fit and proper person requirement applies to all ‘relevant protected sites’ within the East Cambridgeshire district. A relevant protected site is a site that:

- Requires a site licence under section 1 of the Caravan Sites and Control of Development Act 1960; and
- Is not solely for holiday purposes, or is not otherwise incapable of being used all year round.

This includes:

- Residential parks used exclusively for permanent residential occupation; and
- Mixed-use parks used for both residential and holiday purposes.

3.2 Exemptions

A site is exempt from the fit and proper person requirement if it is a ‘non-commercial family-occupied site’, defined as a site:

- Where each caravan stationed on a permanent pitch and used as a permanent residence is occupied only by the site owner, the site owner’s family members, or a member of the site owner’s family and their family members; and
- That is not operated on a commercial basis — i.e. the amount charged to residents does not exceed a fair contribution to the site owner’s reasonable rates, council tax and maintenance costs.

Important: Exemption Conditions

If circumstances change (e.g. the site begins to rent to non-family members or is let commercially), the site owner must apply to ECDC without delay.

ECDC will assess exemption claims on a case-by-case basis and may request supporting evidence.

3.3 Who Must Apply

The ‘relevant person’ subject to assessment is:

- The site owner themselves (where they manage the site); or
- A person appointed by the site owner to manage the site.

Only a site owner who holds, or has applied for, a site licence may apply. Where the site owner is not an individual, the application must be made by the following ‘relevant officer’:

- Company: a director or other officer of the company;
- Partnership: a partner;
- Body corporate (management vested in members): a member; or
- Any other body: a member of the management committee.

Where there are joint site owners, one owner may apply on behalf of all, but must provide details of all other owners in the application form.

The fit and proper person must be the individual with day-to-day responsibility for managing the site. Anyone applying for a new site licence, or for the transfer of an existing licence to a new owner, must apply to have themselves or their site manager included on the register before the site may lawfully operate.

4. The Application Process

4.1 How to Apply

Applications must be submitted in writing to the Environmental Health Domestic Team using the Council's prescribed application form, accompanied by the application fee and supporting documents. Applications should be sent to:

Environmental Health Domestic Team
East Cambridgeshire District Council
The Grange, Nutholt Lane, Ely, Cambridgeshire CB7 4EE
Email: environmentalhealth@eastcambs.gov.uk
Telephone: 01353 665555

4.2 Required Information

All applications must include the following:

A. Site and applicant details

- Applicant's name and business contact details;
- Where the applicant is not an individual: the name and role of each relevant officer;
- Name and address of the site;
- Evidence of the applicant's legal estate or equitable interest in the site (e.g. Land Registry title);
- Confirmation that the applicant is the occupier within the meaning of section 1 of the Caravan Sites and Control of Development Act 1960;
- Name and business contact details of any other person holding a legal estate or equitable interest in the site; and
- Name and address of any other relevant protected site for which the applicant holds or has an interest in a licence, or which the applicant manages.

B. Information about the relevant person (where different from applicant)

- Whether the application is made in respect of the site owner or an appointed site manager;
- The relevant person's name and details of their role;
- Where a further individual is responsible for day-to-day management, the Required Information for that individual as defined in paragraph 14 of Schedule 2 of the Regulations.

C. Conduct and management information

- A completed declaration addressing all conduct criteria set out in Section 5 of this policy;
- A management plan (see Section 5.1(b)); and
- Evidence of financial standing (see Section 5.1(c)).

D. Criminal record certificate

- A basic Disclosure and Barring Service (DBS) certificate issued under section 113A(1) of the Police Act 1997, dated no more than six months before the date of application, for the relevant person and each individual in relation to whom information is provided.
- Where further information is deemed necessary, ECDC may request further details from the applicant or the individual.

- Information on obtaining a DBS certificate is available at [Request a basic DBS check - GOV.UK](#)

E. Declaration

A declaration must be signed by the appropriate person (site owner, director, partner, etc.) confirming:

- All reasonable enquiries have been made into the matters relevant to the fit and proper person assessment; and
- All information provided is correct and complete to the best of their knowledge and belief.



Warning: It is a criminal offence to provide false or misleading information in an application, or to omit material information. There is no defence available for this offence. The application is not valid unless the correct fee is paid. ECDC is not required to consider an incomplete application.

4.3 Application Fee

The current application fee is £240.00. This fee is reviewed annually in line with the Council's Fees and Charges Schedule. Any significant revision requires Committee approval and public consultation pursuant to the Fit and Proper Person Fee Policy.

The fee is not refundable if an application is refused. No fee is payable in respect of sites that qualify for the family-occupied site exemption.

5. Evidence and Assessment Criteria

'Fit and proper' is not defined in statute. ECDC must assess all relevant evidence and exercise judgement in reaching a determination. The following criteria, drawn from the 2020 Regulations and MHCLG guidance, are applied in every assessment.

5.1 Ability to Manage the Site

(a) Competence

ECDC will consider whether the relevant person has a sufficient level of competence to manage the site, including:

- Relevant experience in site management or property management;
- Relevant training or professional qualifications;
- Knowledge of the legal framework governing park home sites, including site licensing conditions, residents' rights under the Mobile Homes Act 1983, and relevant health and safety legislation; and
- Awareness of the Consumer Rights Act 2015 obligations and protection of residents from unfair commercial practices.

(b) Management Plan

The applicant must provide a management plan demonstrating how they will ensure effective management of the site. ECDC will consider whether the plan adequately addresses:

- Pitch fee arrangements and billing processes;
- The manager's proximity to and availability at the site;
- Contact details for residents, including out-of-hours and emergency contacts;
- A complaints procedure;
- Planned maintenance and repair schedules;
- Staffing arrangements; and
- Refuse removal and site cleanliness arrangements.

Management Structure Note

The council will normally expect the person responsible for the management of the site to be ordinarily resident in the United Kingdom and capable of responding promptly to site management issues and regulatory requirements.

Where the applicant is a company, ECDC may take into account the location of its directors, officers and principal place of business when assessing whether suitable management arrangements are in place.

Where overseas management is proposed, ECDC will require additional information regarding management arrangements and reserves the right to seek legal advice when determining whether the arrangements are suitable.

Where a third party is proposed to carry out day-to-day management, full details of that person and their management arrangements must be provided.

(c) Financial Standing

ECDC will consider whether the applicant has, or has access to, sufficient funds to manage the site and comply with licence obligations. Applicants should provide:

- Evidence of available funds or financial reserves;
- Details of any third-party funding arrangements, including from associated companies.

ECDC will be cautious where third-party funding is not disclosed, as this affects the assessment of financial viability. Funding structures that could impair compliance with licence conditions will be given significant weight.

5.2 Conduct Criteria

ECDC will assess whether the relevant person (and, where applicable, associated persons) meets the following conduct criteria. The applicant must demonstrate that the relevant person:

#	Conduct Criterion
a	Has not committed any offence involving fraud or other dishonesty, violence, firearms or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements)
b	Has not contravened any provision of the law relating to housing, caravan sites, mobile homes, public health, planning or environmental health, or landlord and tenant law
c	Has not contravened any provision of the Equality Act 2010 in, or in connection with, the carrying on of any business
d	Has not harassed any person in, or in connection with, the carrying on of any business
e	Is not, and has not been within the past 10 years, personally insolvent
f	Is not, and has not been within the past 10 years, disqualified from acting as a company director
g	Has the right to work in the United Kingdom
h	Is, or will upon registration become, a member of any applicable redress scheme enabling complaints to be dealt with in connection with the management of the site (when such a scheme is in place)

5.3 Harassment Records

ECDC will investigate any conduct that could amount to harassment. Where information is received suggesting conduct which may amount to harassment of residents, the Council may make such enquiries as it considers necessary to determine whether the conduct is relevant to the fit and proper person assessment or any other regulatory function.

The Council may take into account complaints, witness statements, enforcement records and other relevant evidence, whether or not this resulted in prosecution or formal action. The weight attached to such evidence will depend on its credibility, seriousness and relevance to the management of the site.

Any refusal of an application by another local authority will be centrally recorded and the details and reasons for refusal considered as part of the assessment.

5.4 Associated Persons

The Council may consider the conduct of persons associated or formerly associated with the applicant where there is evidence that the conduct is relevant to the management of the site or the applicant's suitability to be included on the register. A relevant associate is any individual who may have played a part, directly or indirectly, in a decision or action that has had an impact on residents' rights, or the quiet enjoyment of their homes.

ECDC may require the applicant to provide details of current or former associates during the application process. The authority will determine which associates' conduct is material to the assessment on a case-by-case basis.

5.5 Other Relevant Matters

The Regulations are drafted widely. ECDC may take into consideration any other matters it considers relevant to the assessment of the relevant person's conduct, competence and suitability to manage the site. This may include events at other sites or in other business activities of the site owner or manager.

6. Decisions, Notification and Rights of Appeal

6.1 Decision Options

Following assessment, ECDC will decide to:

- Grant the application unconditionally and include the relevant person on the register for up to 5 years;
- Grant the application subject to conditions and include the relevant person on the register (for up to 5 years, or a shorter period at the Council's discretion); or
- Reject the application.

6.2 Unconditional Grant — Final Decision Notice

Where ECDC is satisfied the relevant person meets the fit and proper person test without conditions, a final decision notice will be served. The notice will state:

- The date of the notice;
- The final decision;
- The reasons for the decision;
- When the decision takes effect; and
- The right of appeal to the First-tier Tribunal (Property Chamber) and the period within which an appeal may be made.

6.3 Grant Subject to Conditions

Conditions may be attached to an entry where ECDC would only be satisfied the relevant person meets the requirement if the conditions were complied with. All conditions must be:

Requirement	Description
Specific	The exact condition the site owner is required to address must be clearly stated
Measurable	The conditions required and the expected outcomes must be defined
Achievable	The applicant should reasonably be expected to meet the condition. A small single-site operator cannot be expected to have the same resources as a large company
Realistic	The applicant must have a clear path to achieving the required outcome with no factors making it impossible or unlikely
Time-bound	A clear timescale must be set for completion of each condition

Conditions must relate to the relevant person's competence to manage the site, the management structure, funding arrangements, or the influence of an associated person. Where a person has committed a criminal offence or contravened legislation, it is not appropriate to set a condition in relation to that specific incident, as such a condition cannot reverse past conduct.

6.4 Refusal

Where ECDC determines the applicant does not meet the requirements and conditions would not be appropriate, the application will be refused. A preliminary decision notice will be served before a final refusal decision is made.

6.5 Preliminary Decision Notice

Where ECDC proposes to grant subject to conditions, or to refuse, a preliminary decision notice will be served setting out:

- The date of the notice;
- The preliminary decision and the reasons for it;
- The proposed effective date of the final decision;
- The right to make written representations within 28 days; and
- The consequences of operating the site in contravention of the Regulations.

6.6 Representations

An applicant who receives a preliminary decision notice has 28 days (beginning the day after the notice is served) in which to make written representations to ECDC. The Council must take all representations into account before making a final decision.

6.7 Final Decision Notice

Following the representations period, ECDC will, as soon as reasonably practicable, make a final decision and serve a final decision notice on the applicant. The notice will set out: the date; the final decision; the reasons; when the decision takes effect; the right of appeal and the timeframe; and the consequences of non-compliance.

6.8 Appeals

An applicant may appeal to the First-tier Tribunal (Property Chamber) within the period specified by the Tribunal. Grounds of appeal include:

- Inclusion on the register for a period of less than 5 years;
- Inclusion on the register subject to conditions; or
- Rejection of the application.

Where an applicant accepts a decision not to include the originally nominated person on the register, they must put in place alternative management arrangements compliant with the Regulations. Failure to do so is an offence. An appellant cannot claim compensation for losses incurred while an appeal is pending.

7. The Fit and Proper Person Register

7.1 Maintenance and Publication

ECDC will maintain and keep up to date a register of fit and proper persons for relevant protected sites in the district. The register will be:

- Published on the ECDC website [Information for site users | East Cambridgeshire District Council](#)
- Available for inspection at The Grange, Nutholt Lane, Ely, CB7 4EE during normal office hours; and
- Updated promptly following each decision.

7.2 Register Contents

The register will record, for each entry:

- The name and address of the site;
- The name of the relevant person;
- The date of inclusion and the expiry date of the registration;
- Any conditions attached to the entry; and
- Where an application has been refused, the date of refusal.

7.3 Duration and Renewal

Registration is valid for up to 5 years from the date of inclusion. A shorter period may be granted at ECDC's discretion. Site owners must apply for renewal before the expiry date. ECDC will write to site owners no later than three months before expiry as a reminder; however, it remains the site owner's legal responsibility to ensure a valid registration is in place at all times.

7.4 Changes in Circumstances

A site owner must notify ECDC and apply for a new registration if:

- The site manager changes;
- The ownership of the site changes or transfers;
- Any declared information changes (e.g. a new criminal conviction, insolvency, or disqualification from acting as a director); or
- Any other material change occurs that may affect the relevant person's fitness and propriety.

7.5 Review and Removal from the Register

If new evidence relevant to an entry becomes available, ECDC may:

- Impose a new condition on the entry;
- Vary an existing condition;
- Remove a condition; or
- Remove the person from the register.

Before taking action to impose or vary a condition, or remove a person from the register, ECDC must serve a notice of proposed action setting out the reasons, the proposed action and its proposed effective date, and the right to make representations. The site owner will have 28 days to make representations. ECDC must, as soon as reasonably practicable after that period, decide whether to take the action and serve a notice of action taken within 5 working days.

No notice of proposed action is required before removing a condition — as this is a positive step — but ECDC will notify the site owner in writing and update the register accordingly.

Officers must exercise judgement in deciding whether new evidence warrants review. Any decision to impose, vary or remove a condition, or to remove a person from the register, should relate to the person's fitness and propriety rather than to separate site licensing issues.

8. Offences and Enforcement

8.1 The Three Offences

There are three criminal offences under the Regulations, all of which carry an unlimited fine on summary conviction (level 5):

#	Offence	Defence available?
1	Operating a site without a fit and proper person in place (i.e. without valid registration)	Yes — limited statutory defences apply (see Section 9)
2	Providing false or misleading information in the application, or failing to provide required information	No — no defence available
3	Failing to comply with a condition attached to an entry on the register	Yes — limited statutory defences apply (see Section 9)

8.2 Consequences of Non-Compliance

In addition to prosecution and an unlimited fine, where a site is operated by a person who has not been approved as fit and proper, the court or the First-tier Tribunal has power to revoke the site licence. ECDC will also consider the site owner's compliance history when assessing future applications for registration or licence renewal.

9. Defences

A limited defence is available to a site owner who has inherited a site and has a reasonable excuse for failing to make an application within the required period. The following table sets out the relevant periods in specific circumstances:

Circumstance	Relevant application period
Registered person's registration period expires	Before the expiry date of the registration
Relevant person ceases to be registered (other than by a local authority decision)	Within 28 days of the relevant person ceasing to be registered
New site licence applied for or transferred	Before the site is operated under the new or transferred licence

Circumstance	Relevant application period
Site owner inherits a site with no fit and proper manager in place	As soon as reasonably practicable after inheriting the site

10. Council-Appointed Manager

Where a relevant person fails the fit and proper person assessment and the site owner is unable to identify and appoint a suitable alternative manager, ECDC may, with the consent of the site owner, appoint a fit and proper person to manage the site. The costs reasonably incurred by ECDC in identifying and appointing a manager will be recovered from the site owner.

This power will be used as a last resort to protect the welfare and safety of park home residents, where no suitable alternative management can be put in place. ECDC will document its reasons for exercising this power.

11. Policy Review and Version Control

This policy will be reviewed no later than three years from the approval date, or earlier if there is a material change in legislation, government guidance or operational practice. Any revision will be subject to Licensing Committee approval.

Version	Date	Summary of Changes	Approved by
1.0	4 th October 2021	Original policy adopted to implement the 2020 Regulations	Licensing Committee
2.0	9 th September 2026	Full review: updated legislative framework (2023 Pitch Fees Act, Consumer Rights Act 2015); expanded conduct criteria (right to work, redress scheme); overseas management guidance; enhanced management plan requirements; UK Tribunal case law incorporated; version control table added.	Licensing Committee

Appendix A. Application Checklist

Use this checklist to confirm your application is complete before submission. An incomplete application will not be considered valid and may constitute an offence.

Item	Included
Completed application form	☐
Application fee paid (£240.00 or current rate)	☐
Evidence of legal estate or equitable interest in the site (e.g. Land Registry title)	☐
Confirmation of site licence held or applied for	☐
Details of all relevant officers (if applicant is a company, partnership or body)	☐
Details of any other relevant protected sites owned, managed or held	☐
Basic DBS certificate (issued no more than 6 months before date of application)	☐
Management plan addressing all matters in Section 5.1(b)	☐
Evidence of financial standing (Section 5.1(c))	☐
Completed conduct declaration (Section 5.2)	☐
Details of any associated persons where relevant	☐
Details of any criminal convictions, insolvency, or director disqualification	☐
Signed declaration confirming accuracy and completeness of application	☐

Appendix B. Glossary of Key Terms

Term	Definition
Applicant	The person making the application, usually the site owner or a relevant officer acting on behalf of the site owner
DBS Certificate	Disclosure and Barring Service certificate issued under section 113A(1) of the Police Act 1997, confirming an individual's criminal record history
ECDC	East Cambridgeshire District Council
FPP	Fit and Proper Person
Mixed-use park	A site used for both permanent residential and holiday occupation
Non-commercial family-occupied site	A site occupied only by the owner and/or family members, not operated on a commercial basis — exempt from the Regulations
Relevant officer	A director, officer, partner or management committee member authorised to act on behalf of a non-individual site owner
Relevant person	The individual subject to the fit and proper person assessment — either the site owner or an appointed site manager
Relevant protected site	A licensed site that is not solely for holiday purposes or otherwise incapable of being used all year round
Regulations	The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (SI 2020/1034), as amended
Site licence	A licence granted under section 3 of the Caravan Sites and Control of Development Act 1960, required for land to be used as a caravan site
Site owner / Occupier	The person who holds, or has applied for, a site licence for the relevant protected site

East Cambridgeshire District Council

The Grange, Nutholt Lane, Ely, Cambridgeshire CB7 4EE

environmentalhealth@eastcambs.gov.uk | 01353 665555 | eastcambs.gov.uk



Appendix 2

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

Service	Waste and Environmental Services		
Author	Karen See		
Approved by			
Approval date	Sept 2026	Review date	Sept 2029

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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.

APPENDIX 3		Officer/s level	Hourly Rate £ not including overheads	Average No of hrs taken	Total Sum £
CALCULATION OF FEE FOR FIT AND PROPER PERSON					
1) Initial Enquiries		TO	30.92	0.25	7.73
2) Letter writing, Telephone calls to make appointments and requesting any documents or other information from the site owner or from a third party in connection with the fit and proper process		TO	30.92	1.25	38.65
3) Sending out forms		AO	22.77	0.25	5.69
4) Updating files/Computer systems		AO	22.77	0.5	11.38
5) Processing the application fee		AO	22.77	0.25	5.69
6) Land Registry Searches		TO	30.92	0.25	7.73
7) Reviewing necessary documents and certificates		TO	30.92	0.5	15.46
8) Preparing preliminary and final decision notices		TO	30.92	1.25	38.65
9) Review by manager or lawyers: review any representations made by applicants or responses from third parties		SEHO	38.90	1.00	38.9
10) Updating the public register		TO	30.92	0.5	15.46
11) Carrying out any risk assessment process considered necessary		SEHO	38.90	0.5	19.45
12) Reviews of decisions or in defending appeals		TO SEHO	30.92 38.90	0.5 0.5	15.46 19.45
TOTAL SUM					239.70
£240 is an appropriate fee	Sept 2026				

Licensing Committee Annual Agenda Plan

Agenda Item 7

Lead Officer: Stewart Broome, Licensing Manager
Democratic Services Officer: Patrick Adams

Wednesday 14 October 2026	10:00am
Chair's Announcements	Democratic Services
Review of Licensing Fees	Stewart Broome, Licensing Manager
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services

Wednesday 11 November 2026	10:00am
Chair's Announcements	Democratic Services
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services

Wednesday 9 December 2026	10:00am
Chair's Announcements	Democratic Services
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services

Wednesday 20 January 2027	10:00am
Chair's Announcements	Democratic Services
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services

Wednesday 10 February 2027	10:00am
Chair's Announcements	Democratic Services
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services

Wednesday 10 March 2027	10:00am
Chair's Announcements	Democratic Services
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services

Wednesday 19 May 2027	10:00am
Chair's Announcements	Democratic Services

**Licensing Committee
Annual Agenda Plan**

Agenda Item 7

Lead Officer: Stewart Broome, Licensing Manager
Democratic Services Officer: Patrick Adams

Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services