



Mobile Homes (Wales) Act 2013

2013 anaw 6

PART 2

LICENSING OF MOBILE HOME SITES ETC.

Site managers to be fit and proper persons

29 Decision whether person is fit and proper

- (1) In deciding whether a person is a fit and proper person to manage a regulated site a local authority must have regard to all such matters as it considers appropriate.
- (2) Among the matters to which the local authority must have regard is any evidence within subsection (3) or (4).
- (3) Evidence is within this subsection if it shows that the person has—
 - (a) 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),
 - [^{F1}(b) practised unlawful discrimination or harassment on the grounds of any characteristic which is a protected characteristic under section 4 of the Equality Act 2010, or victimised another person contrary to that Act, in or in connection with the carrying on of any business, or]
 - (c) contravened any provision of the law relating to housing (including mobile homes) or landlord and tenant.
- (4) Evidence is within this subsection if—
 - (a) it shows that any other person associated or formerly associated with the person (whether on a personal, work or other basis) has done any of the things set out in subsection (3), and
 - (b) it appears to the local authority that the evidence is relevant to the question whether the person is a fit and proper person to manage a regulated site.

Changes to legislation: There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, Section 29. (See end of Document for details)

- (5) The Welsh Ministers may by regulations amend this section to vary the evidence to which a local authority must have regard in deciding whether a person is a fit and proper person to manage a regulated site.
- (6) Where a local authority decides that a person is not a fit and proper person to manage a site—
- (a) the local authority must notify the person of the reasons for the decision and of the person's right of appeal under paragraph (b), and
 - (b) the person may, within the period of 28 days beginning with the day on which the decision is made, appeal to a residential property tribunal against the decision.

Textual Amendments

- F1** S. 29(3)(b) substituted (1.12.2014) by [Housing \(Wales\) Act 2014 \(anaw 7\)](#), s. 145(3), [Sch. 3 para. 30\(2\)](#); [S.I. 2014/3127](#), art. 2(a), Sch. Pt. 1

Commencement Information

- I1** S. 29 in force at 1.10.2014 by [S.I. 2014/11](#), [art. 3\(1\)\(b\)](#) (with [art. 4](#))

Changes to legislation:

There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, Section 29.