
STATUTORY INSTRUMENTS

2020 No. 1034

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

Offence of contravention of fit and proper person requirement

- 11.**—(1) An occupier of land commits an offence if the occupier contravenes regulation 4(1).
- (2) In proceedings against an occupier for an offence under paragraph (1) it is a defence that—
- (a) a circumstance specified in column two of the table at paragraph 2 of Schedule 5 applies and at the material time—
 - (i) the relevant period for making a registration application in that circumstance specified in column three of that table (“relevant period”) had not come to an end; or
 - (ii) an application under regulation 6 had been duly made within the relevant period and was still effective and the relevant person continues to occupy or manage the site as applicable; or
 - (b) the occupier—
 - (i) became the occupier of the land by operation of law; and
 - (ii) had a reasonable excuse for failing to make an application under regulation 6 within the relevant period.
- (3) An occupier of land guilty of an offence under paragraph (1) is liable on summary conviction to a fine.
- (4) In this regulation—
- “effective” means, in relation to an application, that—
- (a) it has not been withdrawn;
 - (b) and either—
 - (i) a final decision notice has not been served on the applicant;
 - (ii) the period for appealing against the final decision, or against any relevant decision of the First-Tier Tribunal, has not expired; or
 - (iii) where an appeal has been brought against the final decision, or against any relevant decision of the First-tier Tribunal, the appeal has not been finally determined or withdrawn;
- “final decision notice” has the meaning given in Schedule 4;
- “relevant decision” means a decision which is given on an appeal to the First-tier Tribunal and confirms the local authority's decision (with or without variation).

Commencement Information

11 [Reg. 11](#) in force at 1.10.2021, see [reg. 1\(3\)\(a\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020, Section 11.