

# **MOBILE HOMES (WALES) ACT 2013**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 2 - Licensing of Mobile Home Sites etc**

##### ***Section 28 - Requirement for manager of site to be fit and proper person***

70. **Section 28** introduces a new “fit and proper person” requirement that applies to a person who manages a regulated site. Subsection (1) sets out that the owner of land may not allow any part of the land to be used as a regulated site unless the local authority is satisfied either the owner or a person appointed by the owner, or by the local authority (with the owners' consent), is a fit and proper person to manage the site.
71. Subsection (2) provides that, where the owner of land allows a site to be used, but a fit and proper person is not managing the site, in contravention of subsection (1), the local authority may apply to a Residential Property Tribunal for an order revoking the site licence. Subsections (3) and (4) provide that such a contravention is an offence liable on summary conviction to a fine (a maximum of £5,000 at November 2013).
72. Under subsection (5), where an owner has been convicted of an offence under subsection (3) by a magistrates' court on two or more previous occasions in relation to the land, the local authority may apply to the magistrates' court to make an order revoking the site licence.