

MOBILE HOMES (WALES) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 - Licensing of Mobile Home Sites etc

Section 29 - Decision whether person is fit and proper

73. **Section 29(1)** provides that, in deciding whether a person is a “fit and proper person” to manage a regulated site, a local authority must have regard to all matters it considers appropriate, including any evidence of the kinds listed in subsection (3) or (4). For example, under subsection (3), a local authority should consider if the person has contravened any provision of the law relating to housing (including mobile homes) or landlord and tenant.
74. Under subsection (4) a local authority must consider evidence that anyone associated or formerly associated with the person has done any of the things set out in subsection (3) and whether that evidence is relevant to the question whether the person is a fit and proper person to manage the regulated site.
75. Subsection (5), allows the Welsh Ministers to make regulations which amend section 29 to vary the evidence that a local authority must have regard to when making a decision under this section.
76. Where a local authority decides that a person is not a fit and proper person, it must notify the person of the reasons for that decision and of the person’s right of appeal to a Residential Property Tribunal within 28 days from the date of its decision.