



## Communities and Local Government Committee

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Ann Jones AM

Chair, Communities, Equality and Local Government Committee

National Assembly for Wales

**CARDIFF BAY**

CF99 1NA

19 December 2012

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### Regulated Mobile Home Sites (Wales) Bill

When I appeared before the Committee on 6 December I promised to write to you on the fit-and-proper person test and whether the manager or site owner was the most appropriate person required to be fit-and-proper.

In the course of our inquiry we received evidence of abuse and harassment at a number of park home sites in the UK. We considered the fit-and-proper person test would be a useful tool for local authorities to exclude the worst offenders from the sector and stop the most extreme incidents of abuse. A number of options for operating the scheme were presented to us and we concluded that a scheme combining aspects of both housing in multiple occupancy (HMO) licensing and consumer credit licensing would provide the most flexibility and best protection.

The scheme we proposed would enable local authorities to withdraw a site licence if the site manager were found not to be fit-and-proper. In addition, it would provide local authorities with a power to take over the management of a site (or in extreme cases compulsorily purchase a site), as the HMO scheme does, and would enable local authorities to consider the associates of a site manager before deeming them fit-and-proper, as the consumer credit licensing system does. These powers in combination would provide that management of a site could be taken over by the authority, or potentially someone chosen by the authority, if the site manager were found to be unfit either personally or potentially by association with an unscrupulous site owner.

I see drawbacks in requiring the site owners to be fit-and-proper. Firstly, as I said to your committee, we received evidence that some businesses that own park home sites have complicated corporate structures with subsidiary companies. These structures might be used to shift ownership between related companies to meet fit-and-proper person requirements.

Secondly, if the site owner were required to be fit-and-proper, in cases where they were found not to be, a new site owner would have to be found for the park to be licensed. Any resulting sale of a site might benefit residents in the long-term but in the short term this could cause disruption.

found. There may be instances where installing a new manager at the site would be a more appropriate course of action though this would not be allowed under the above system.

I hope this is helpful and thank you again for the opportunity to give evidence to your committee. Do not hesitate to get in touch if you think I can help further.

A handwritten signature in blue ink, appearing to read 'Clive Betts', written in a cursive style.

**Clive Betts**  
*Chair of the Committee*