

Transfer of a Caravan Site Licence

Relevant permanent sites

Caravan Sites and Control of Development Act 1960 (as amended), Part 1A

Return your application to foodandsafety@midlothian.gov.uk or Environmental Health, Midlothian Council, Fairfield House, 8 Lothian Road, Dalkeith, EH22 3AA

Please provide a copy of:

- your public liability insurance
- Your fire safety risk assessment

Site details –completed by current site licence holder

Question	Answer
Name of the site	
Address of the site including postcode	
<p>Who is the current occupier of the land?</p> <p>Note: "Occupier" means the person who is entitled to possession of the site by virtue of an estate or interest therein, e.g. as owner or tenant. Where the site extends to not more than 400 square yards and is let with a view to its use as a caravan site the application should be made by the person who would be entitled to possession of the site but for the tenancy.</p>	
Who is the person who you wish to transfer the licence to?	

Question	Answer
Number of owner-occupied residential caravans on (or will be on) the site	
Number of residential caravans rented out by the licence holder on (or will be on) the site	
Number of other types of caravans on the site e.g. holiday lets, touring pitches	
Who will supply electricity to the site?	
Is electricity sold onto the residents by the licence holder?	
Who will supply drinking water to the site? (Scottish Water or Private supply). If it is a private supply give details.	
How will wastewater (e.g. surface water and foul drainage) be removed?	
Who will supply mains gas (if used)?	
Do residents use bottled gas?	
Do residents use heating oil?	
How will domestic waste removed?	
How will commercial waste removed?	
Number of people to be employed on the site and their occupations	

Declaration:

I [current licence holder's name] _____
 declare that the information above is true to the best of my knowledge.

Signed Date.....

Position in Organisation.....

Details if transferee is a person – completed by current site licence holder

Question	Answer
Transferee full name	
Any other names used	
Transferee home address	
Addresses where transferee has lived in the past 5 years	
Transferee date of birth	
Transferee telephone number	
Transferee email address	
Address for correspondence if different to above	
Is the transferee the owner or tenant of the land on which the caravan site is located? If tenant, please give details of the owner	
Has the transferee held or hold a licence for any other residential site(s) in the United Kingdom? If yes, the name and address of site, dates licence held and issuing local authority	
Has the transferee been refused a licence or had a licence revoked for any residential site(s) in the United Kingdom? If yes, the name and address of site and local authority area	

Details if the transferee is an organisation

Question	Answer
The full name of the organisation	
The address of the organisation	
Company or charity registration number	
The full name and position of the most senior person in the organisation	
The home address of the most senior person in the organisation	
Organisation telephone number	
Organisation email address	
Address for correspondence if different to above	
Is the transferee the owner or tenant of the land on which the caravan site is located? If you are the tenant, please provide details of the owner.	
Has the transferee held or do they hold a licence for any other site(s) in the United Kingdom. If yes give the name and address of the site, dates licence held and issuing local authority	
Has the transferee been refused a licence or had a licence revoked for any residential site(s) in the United Kingdom? If yes, the name and address of site and local authority area	

Transferee fit and proper person declaration

Do NOT declare information concerning spent convictions under the Rehabilitation of Offenders Act 1974. If you answer Yes to any of these please give details. You may need to provide a Level 1 Disclosure certificate.

Have you:	Yes/No
Been convicted of an offence involving fraud or other dishonesty?	
Been convicted of an offence involving violence?	
Been convicted of an offence involving drugs?	
Been convicted of an offence involving firearms?	
Been convicted of an offence which is a sexual offence within the meaning of section 210A(10) of the Criminal Procedure (Scotland) Act 1995 (c.46)?	
Practiced unlawful discrimination on the grounds of any of the protected characteristics in the Equality Act 2010 (c.15)?	
Contravened any provision of the law relating to caravans?	
Contravened any provision of the law relating to housing?	
Contravened any provision of landlord and tenant law?	
Committed a breach of an agreement to which the Mobile Homes Act 1983 applies?	
Contravened a direction made under section 37 of the Gas Act 1986 (c.44) (maximum prices for reselling gas)?	
Contravened a direction made under section 44 of the Electricity Act 1989 (c.29) (maximum prices for reselling electricity)?	
Contravened a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002 (asp 3) (charges schemes) as it applied to the person by virtue of section 30(1) of that Act (maximum charges for services provided with help of Scottish Water).	
Engaged in antisocial behaviour within the meaning of section 143 of the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8)?	
Breached the conditions of a site licence issued under Part 1 or Part 1A of the Caravan Sites and Control of Development Act 1960?	
Had a site licence revoked in the last 3 years?	

Declaration:

I [transferee name] _____
 declare that the information above is correct. I understand that the licensing authority may carry out checks to confirm this and that if I deliberately fail to disclose anything, or subsequently fail to disclose anything, I may be liable to prosecution and my application will be refused or my licence withdrawn.

Signed Date.....

Position in Organisation.....

Details if the site manager is a person – completed by transferee

Question	Answer
Full name	
Any other names used	
Home address	
Addresses where they have lived in the past 5 years	
Date of birth	
Telephone number	
Email address	
Address for correspondence in relation to management of the site	
Dates that this person has been engaged as site manager at this site (or date from when they will be engaged)	
Has this person held a position as a site manager at any other site(s) in the United Kingdom If yes name and address of site, name of position held and dates at site	

Details if the site manager is an organisation – completed by site manager

Question	Answer
The full name of the organisation	
The address of the organisation	
The company or charity registration number	
The full name and position of the most senior person in the organisation	
The home address of the most senior person in the organisation	
The date of birth of the most senior person	
Organisation telephone number	
Organisation email address	
Address for correspondence if different to above	
Has this organisation held a position as a site manager at any other site(s) in the United Kingdom If yes name and address of site, name of position held and dates at site	

Site Manager Fit and proper person declaration

Do NOT declare information concerning spent convictions under the Rehabilitation of Offenders Act 1974. If you answer Yes to any of these please give details. You may need to provide a Level 1 Disclosure certificate.

Have you:	Yes/No
Been convicted of an offence involving fraud or other dishonesty?	
Been convicted of an offence involving violence?	
Been convicted of an offence involving drugs?	
Been convicted of an offence involving firearms?	
Been convicted of an offence which is a sexual offence within the meaning of section 210A(10) of the Criminal Procedure (Scotland) Act 1995 (c.46)?	
Practiced unlawful discrimination on the grounds of any of the protected characteristics in the Equality Act 2010 (c.15)?	
Contravened any provision of the law relating to caravans?	
Contravened any provision of the law relating to housing?	
Contravened any provision of landlord and tenant law?	
Committed a breach of an agreement to which the Mobile Homes Act 1983 applies?	
Contravened a direction made under section 37 of the Gas Act 1986 (c.44) (maximum prices for reselling gas)?	
Contravened a direction made under section 44 of the Electricity Act 1989 (c.29) (maximum prices for reselling electricity)?	
Contravened a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002 (asp 3) (charges schemes) as it applied to the person by virtue of section 30(1) of that Act (maximum charges for services provided with help of Scottish Water).	
Engaged in antisocial behaviour within the meaning of section 143 of the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8)?	
Breached the conditions of a site licence issued under Part 1 or Part 1A of the Caravan Sites and Control of Development Act 1960?	

Declaration:

I [Site Manager's name] _____
 declare that the information above is correct. I understand that the licensing authority may carry out checks to confirm this and that if I deliberately fail to disclose anything, or subsequently fail to disclose anything, I may be liable to prosecution and my application will be refused or my licence withdrawn.

Signed Date.....

Position in Organisation.....

Midlothian Council Privacy Notice

How your personal Information is used by Environmental Health

Under the Data Protection Act 2018, you have a right to know how we collect, use and share your personal data. Environmental Health carries out a wide range of regulatory functions for Midlothian Council. In doing so we collect information about individuals and businesses. We enforce the laws in areas such as private sector housing, food safety, workplace safety and environmental crime. We also issue various licences. This privacy notice explains the information Environmental Health needs in order to carry out these functions.

Environmental Health is part of the Communities and Economy service provided by Midlothian Council. More information about the Communities and Economy Service privacy notice can be found on the Council's website

Our Privacy Promise

We promise to collect, process, store and share your data safely and securely.

What lets us collect your information?

Environmental Health processes your personal information in accordance with the following data processing conditions:

- Where processing is necessary for the exercise of official authority or for the performance of a task carried out in the public interest
- Where processing is required by law

The main laws under which Environmental Health can process your information in relation to caravan site licensing are:

- Caravan Sites and Control of Development Act 1960
- Caravan Sites Act 1968
- Health and Safety at Work etc. Act 1974
- Refuse Disposal (Amenity) Act 1978
- Water (Scotland) Act 1980
- Water Services etc. (Scotland) Act 2005
- Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017

What kinds of personal data do we collect?

The personal data we collect might include your **name, date of birth, address, National Insurance number, or other information that identifies you**. If necessary, we might also collect what is called 'special category' data – that is, sensitive information such as your gender and medical/health information.

How do we collect your personal data?

We collect your personal data in many different ways. You might give us your personal data yourself, by entering your information in an application form, a contact form on the Council website or by contacting a Council officer in person, in writing or over the phone. We might also receive your personal data from other council services, other agencies or local authorities.

How do we use your personal data?

The personal data collected from you may be used in different circumstances:

- For the purposes of performing any of our statutory enforcement duties
- to contact you about a complaint, service request or application you have made to us
- to maintain any registers that the law requires us to keep
- If you have applied for a licence of some sort we may use your personal data to check that you have not been disqualified from holding a licence, committed certain offences relating to fraud, violence or drugs, or contravened any laws, rules or agreements that may stop you being issued with a licence
- to determine if you are a fit and proper person to be a caravan site licence holder
- for the collection of any fees due to the Council

Do we share your personal data?

We will only share your personal data if it is necessary to do so and the appropriate conditions have been met to protect it. We will share your personal data if we are compelled to share it by law. If we share information regularly with another organisation, the conditions for sharing your personal data are set out in an Information Sharing Agreement or are permitted by legislation.

With whom do we share your personal data?

Your Personal data may be shared with other Midlothian Council services where we are carrying out a regulatory function or where it is necessary for us to carry out a service you have asked us to. We may share your personal data with other persons authorised by Midlothian Council to act on our behalf in carrying out the requirements of the above legislation such as contractors. If necessary, we might share your personal data with other agencies and authorities, depending on the service being provided.

The external bodies with whom we might share information to carry out are functions include (organisations with a star are mandatory):

- Health and Safety Executive
- Scottish Environment Protection Agency
- The Procurator Fiscal Service*
- Police Scotland
- HMRC
- Scottish Government
- Lothian and Borders Fire and Rescue Service
- Other local authorities

How long do we keep your personal data?

Your personal data is kept in line with Midlothian Council's Retention Schedule. The retention schedule sets out the kinds of information the Council creates and uses, how long it should be kept, and what should be done with it at the end of its 'life'. Our retention schedule

Further Information

You can find out more about how we use your information, the rights you have under the Data Protection Act and how to contact us by referring to the overarching Midlothian Privacy Notice on the Midlothian Council website.