

COMMUNITY AND ENTERPRISE OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Wednesday 20 December 2017
Report Subject	Provision for Gypsy & Traveller Transit Sites and site the Riverside Management Agreement
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Housing
Report Author	Chief Officer (Community and Enterprise)
Type of Report	Strategic

EXECUTIVE SUMMARY

The Housing Wales Act 2014 places a statutory duty on the Local Authority to assess the accommodation needs of Gypsy Travellers in the county. The same Act then places a statutory duty upon the authority to provide for that need.

Flintshire's Gypsy Traveller Accommodation Needs Assessment (GTAA) which was approved by Welsh Government in March 2017 and is now included in the Local Development Plan (LDP) identifies a need for transit provision in the county

The Mobile Homes Wales Act 2013 was introduced to give residents of permanent local authority Gypsy Traveller sites improved protection in terms of security of tenure. It brought the tenant's licence agreements in line with the rights and responsibilities expected from a social housing tenancy.

Flintshire County Council manages one permanent Gypsy Traveller site at Riverside and the current management agreement and tenant licence agreements require updating to reflect the change in the legislation.

RECOMMENDATIONS

1	The Committee is recommended to give support for; a costed options appraisal to be undertaken for the development of a 6 pitch transit site in Flintshire.
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2.	The review and implementation of new management arrangements at Riverside.
3.	A capital funding application to be made in the Summer of 2018 to Welsh Government to refurbish the Local Authority site at Riverside.

REPORT DETAILS

1.00	Gypsy Traveller Transit Site Provision
1.01	Under Part 3 of the Housing Wales Act 2014 the authority has a statutory duty to provide transit pitches for Gypsy Travellers. The Gypsy Traveller Accommodation Needs Assessment states that there is a need for a transit site and this is evidenced through the data recorded on the number of unauthorised encampments in the county.
1.02	<p>So far this financial year Flintshire has had 34 reported unauthorised encampments. Of those 34 encampments, 13 have been on local authority land, 1 has been on community council land and 20 have been on private land. The presence of an unauthorised encampment results in a cost to the council for moving them on and so far this year it is in the region of £23,231. This includes costs for the securing of an area to prevent further encampments occurring.</p> <p>In 2016-17 there were 20 recorded encampments in the county with 14 being on local authority land and 6 on private land. In this financial year the authority spent £95,912 on target hardening.</p> <p>In 2015-16 there were 40 recorded encampments including 25 on local authority land and 15 on private land. In this financial year the authority spent £49,022 on target hardening.</p> <p>Prior to 2017/18 the authority was not always made aware of encampments on private land. Prior to 2017/18 detailed records of costs of unauthorised encampments were not kept.</p>
1.03	Provision of a transit site would significantly reduce the costs to the council. Travellers would be charged a pitch fee to cover the running costs of the site.
1.04	The development of a transit site will mean that the Local Authority and the Police can direct any unauthorised encampment to the transit site thus negating the need for legal costs, clear up costs and spending money on target hardening. The authority will have responsibility for managing the transit site.
1.05	Flintshire's Gypsy Traveller Accommodation Assessment identifies a need for three transit pitches which would accommodate 6 caravans. However, based on the size of the unauthorised encampments over the past few years, it would be more appropriate to create a six pitch transit site capable of accommodating 12 caravans with an option to have an area for

	emergency accommodation in instances where we have large encampments.
1.06	It will be essential that the Council works in partnership with North Wales Police when planning the transit site and how it is used effectively.
1.07	Capital grant for the funding of a transit site is available from Welsh Government and the aim is to make an application before the financial year beginning 2019. Before an application for funding can be made to Welsh Government a suitable piece of land with planning permission must be available.
1.08	Flintshire has the potential to be the first authority in Wales to have a transit site making it the leading authority in Wales when it comes to dealing with unauthorised encampments and an area of best practice.

2.00	Riverside Management Agreement
2.01	<p>Management of the council owned site at Riverside currently operates through a management agreement between the site manager and the council. This management agreement has been in place since 2012 and is in the process of being updated to reflect legislative and policy changes under the Mobile Homes Wales Act 2013.</p> <p>All local authority Gypsy Traveller sites are regarded as protected sites and the Act requires new licence agreements to be issued to all site residents</p> <p>The current site manager is being consulted and the new agreement, which will be a legally binding document, will be fit for purpose to meet the requirements of the council and Welsh Government.</p> <p>The aim is to run the site in a similar way to local authority housing stock in terms of management, allocation and repairs and a new management agreement will help to facilitate this process.</p>
2.02	In order to apply for grants form Welsh Government to refurbish the Riverside site then the council must ensure that it is being managed and maintained to standards that Welsh Government have set.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Consultation with the Equality and Prosperity Division, Welsh Government in relation to potential transit sites and relevant guidance and grant funding options.
3.02	Local Member and settled Community consultation required in relation to transit site options.
3.03	Consultation with Gypsy Traveller community members.

3.04	North Wales Police in relation to transit site provision and management arrangements.
3.05	Consultation with current site manager in relation to the new site management agreement for Riverside Caravan Site.

4.00	RISK MANAGEMENT
4.01	Risk to the authority of not adhering to the relevant legislation relating to permanent Gypsy Traveller sites. This risk will be mitigated through the adoption of the new management agreement and the issuing of new licences to tenants.
4.02	Risk to the authority of not meeting its statutory duties under the Housing Wales Act 2014 in not providing sufficient Gypsy Traveller transit provision. This risk will be mitigated by developing a transit site.

5.00	APPENDICES
5.01	Appendix 1: List of unauthorised encampments recorded between April 2017 and November 2017

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Contact Officer: Bryn Hall Telephone: 01352 702419 Email: bryn.hall@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None