

REPORT TO: Health Policy & Performance Board
DATE: 28th November 2017
REPORTING OFFICER: Strategic Director, People
PORTFOLIO: Health & Wellbeing
SUBJECT: Gypsy & Traveller Service : Policy Review
WARD(S): Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 The purpose of the report is to inform the Board of the annual review of Halton Gypsy Travellers Allocations Policy 2017 – 2018.

2.0 RECOMMENDATION: That the Board

- 1) Note the contents of the report and associated Appendix; and**
- 2) Comment on the Halton Gypsy Travellers Allocations Policy 2017/18.**

3.0 BACKGROUND

3.1 The policy is reviewed annually to ensure it is current and fully compliant with legislation. The policy outlines the pitch allocation and illegal encampment procedures.

3.2 Halton Borough Council (HBC) has a full time Gypsy and Traveller (GTLO Liaison Officer who is responsible for the day to day management of the G&T Service including the G&T sites (through the site warden x1 for both of HBC sites), unauthorised encampments, general enquires and complaints relating to G&T within Halton.

3.3 In practice, HBC has a number of duties and responsibilities which impact on the lives of Halton's population including Gypsies and Travellers: education, public health, community safety, and equalities and social cohesion in all aspects of service provision.

3.4 As the success in working with and social welfare of Travelling communities is fundamentally linked to the availability and quality of accommodation including the HBC transit site, any degree of success for HBC in addressing health, education, employment and unauthorised encampments will be inextricably linked to the success in supporting the provision of authorised sites, both publicly and privately owned resulting in the fundamental need for HBC to provide a Gypsy and Traveller Service.

Accommodation Sites within Halton

3.5 Halton has three HBC owned and managed sites:-

- **Widnes, Riverview** - A permanent site offering 23 pitches
- **Runcorn, Transit Site** - A temporary stopping site with 14 pitches
- **Runcorn, Canalside** – A permanent site offering 12 pitches

In addition to the HBC sites, there are additional sites all in Runcorn.

Private sites with planning permission are:-

- **Runcorn, Bigfield Lodge**
- **Runcorn, Windmill Street**

Unauthorised Encampments

3.6 Since January 2017 Halton has seen 16 encampments mainly in Runcorn. Whilst most encampments are managed within office hours with the officers making full use of Section 62 powers (direct the encampment to the HBC transit site) available to the police and HBC.

3.7 HBC and Police devised a joint protocol to tackle illegal encampments, which was effective from 1st May 2017. The Protocol is in line with statutory guidance, national policy frameworks and best practice. Due consideration was given, with due regard to statutory obligations including the Human Rights Act 1998, the Equality Act 2010 and other government statutory guidance

3.8 The Protocol covers Gypsies and Travellers and other Travelling ethnic groups who have a nomadic lifestyle for all or part of the year. The Protocol takes into consideration the fact that Halton Borough Council has provided a transit site (opened February 2009) within its ownership and management. The Protocol applies to all land which the Council either own or exercise rights or obligations over including highway land and public rights of way or with the agreement of the land owner, with regards to private land.

3.9 The purpose of this protocol 'unauthorised encampment' relates only to trespass by Gypsies and Travellers on land they do not own as opposed to 'unauthorised development', where Gypsies and Travellers are developing land they themselves own, or with the permission of the landowner, without the necessary planning permissions

3.10 The Aim of this protocol is to ensure an effective, efficient, fair and consistent approach to the management of unauthorised encampments. It takes into account the reasonable needs and expectations of both the settled and Travelling communities; and enables the public sector partners to undertake their statutory responsibilities

3.11

Local authorities have a statutory duty to undertake an assessment (section 25 Housing Act 2004). Cheshire West have agreed to take the lead role in

completing the GTAA, with Halton forming part of the Cheshire sub regional partnership, will be included within the process.

- National policy requires authorities in their Local Plans to have a five year supply of specific deliverable Gypsy and Traveller sites to meet the identified need within the GTAA.
- Government guidance recommends GTAA's are carried out sub-regionally to better understand travel patterns, provide a consistent approach, avoid double counting and provide economies of scale.
- It is the first step to a planned approach to site provision and is the evidence base for the Local Development Framework and Local Plans. It also provides the evidence base to develop housing, homelessness and other commissioning strategies.
- If authorities can demonstrate adequate provision, evidenced by a robust and up-to-date GTAA, this will carry significant weight with the Planning Inspector when considering Appeals.
- The last GTAA for the Partnership was completed in 2014 and it is good practice to refresh the evidence base on a regular basis.

3.12

The new GTAA partnership provisional figures for permanent Gypsy and Traveller pitches are outlined in the table below, which shows the figures per authority with the five year phasing, which is now a requirement.

Authority	2013-2018	2018-2023	2023-2028	Total
Cheshire East	32	17	20	69
Cheshire West	15	15	16	46
Halton	12	6	7	25
Warrington	26	4	5	34
Total	85	42	48	175

- **Halton** secured full planning permission for the site within Runcorn, which offers 12 permanent pitches.

The evidence also indicates that there are a number of encampments each year which a transit site may help to address. The number of unauthorised encampments has fallen sharply in Halton since a public transit site was provided, saving on legal and clean-up costs. ORS has recommended that Cheshire East, Cheshire West and Chester and Warrington each provide a suitably located publicly provided transit site.

Local Issues

3.12

Cover for the Gypsy & Traveller Liaison Officer and the HBC G & T Service whilst is very limited. There is not a HBC Assistant Gypsy Traveller Liaison Officer

employed by HBC as this position ended in March 2014. The GTLO constantly has to prioritise his work load due to the service being under staffed.

3.13 The HBC transit site is often difficult to manage due to the nature of the site and being a short stay site. The site is very demanding on officer time and needs officer attendance most days.

3.14 The Mersey Bridge works programme has seen a general increase in numbers of G&T, which has attracted them to Halton in pursuit of work and other opportunities, Scrap metal etc.

4.0 **POLICY IMPLICATIONS**

4.1 The government recognises that there are social consequences for Gypsies and Travellers of a reduced rate of site provision and insufficient supply of Traveller sites. The lack of authorised sites can lead to an increase in unauthorised sites that leading to increased tensions with settled communities

4.2 Local authorities are now expected to plan and set targets for accommodation of Gypsies and Travellers in their Local Plans and to justify policies for site provision using robust evidence which will be tested at Local Plan examinations.

4.3 Local Authorities place great emphasis on working collaboratively with neighbouring local planning authorities to establish need – and removing the proposal that need be assessed ‘in the light of historical demand’. A requirement that criteria-based policies should be fair, and facilitate the traditional and nomadic life of Travellers while respecting the interests of the settled community.

4.4 HBC has been recognised for being forward thinking in it strategies when developing new sites for G&T and is consistently used by other authorities for bench marking and best practice.

Gypsy and Traveller Accommodation Assessment (GTAA) 2014

4.5 There has been a long standing statutory requirement for LAs to undertake a Gypsy and Traveller Accommodation Assessment (GTAA) (s.225 of the Housing Act 2004

A new Gypsy and Traveller Accommodation Assessment (GTAA) were published in March 2014 on behalf of the Cheshire Partnership. This evidence has already been successfully used at public inquiry and local plan examination (CWAC).

Delivery of the new permanent site at Warrington Road meets the 5 year pitch requirement (2013 – 2018) entirely. Therefore this new site is critical to meeting national policy requirements.

5.0 **OTHER/FINANCIAL IMPLICATIONS**

5.1 Funding is provided by the Council to employ a full-time Gypsy and Traveller

Liaison Officer (GTLO). The council charges for all its sites and the designated wardens collect the rent on behalf of the council.

- 5.2 The GTLO is not paid for out of hour's services, which needs to be addressed. Future consideration is needed to identify funding to offer financial payment for out of hours services, in line with Cheshire.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children & Young People in Halton**

None identified.

6.2 **Employment, Learning & Skills in Halton**

None identified.

6.3 **A Healthy Halton**

There is no national data to work from, but sufficient information is available to conclude that Gypsies and Travellers can expect reduced life expectancy and poor levels of health at all stages of life, exacerbated by social factors.

At present it is estimated that 20% of members of Travelling communities live on unauthorised sites. While 80% do live on authorised sites, there are issues about the standards on both public and private sites nationally. Halton is recognised as having a good standard of Gypsy and Traveller sites. In exceptional circumstances HBC allows temporary and extended stays on its transit site for Travellers who need emergency care or who have life threatening illnesses and do not have a place to live and access health services.

6.4 **A Safer Halton**

None identified.

6.5 **Halton's Urban Renewal**

None identified

7.0 **RISK ANALYSIS**

- 7.1 Failure to meet the needs of Gypsies and Travellers can lead to prosecutions of Councils. Furthermore, the inability to offer an accelerated procedure to tackle illegal encampments would result in long delays and costly clean up processes.

8.0 **EQUALITY & DIVERSITY ISSUES**

- 8.1 The Policy includes priorities targeted at providing support for those who are vulnerable or have complex needs and other marginalised groups such as young people and offenders.

9.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

- 9.1 None under the meaning of the Act.