

From: **Mike Hill, Cabinet Member for Community and Regulatory Services**

**Simon Jones, Corporate Director, Growth, Environment and Transport**

To: **Growth, Economic Development and Communities Cabinet Committee – 16 May 2023**

Decision No: **23/00040**

Subject: **Adoption of Gypsy and Traveller Site Pitch Allocation Policy**

Classification: **Unrestricted**

Electoral Divisions: **All divisions**

**Summary:** This report sets out a final version of the Gypsy and Traveller Site Pitch Allocation Policy further to the consultation draft presented to the Growth, Economic Development and Communities Cabinet Committee in November 2022. Whilst the number of responses was low, this is not unusual for a consultation relating to KCC gypsy and traveller policy, and there was positive support for the revised Gypsy and Traveller Site Pitch Allocation Policy and some constructive feedback around language and accessibility, which has been addressed in the final version. There was challenge to one of the proposed exclusions regarding Unauthorised Encampments and this has been revised with legal opinion sought, which has led to the amendments in the final version. There have also been some other minor amendments made in response to comments during the consultation.

**Recommendation(s):**

The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations in relation to the proposed decision to be taken by the Cabinet Member for Community and Regulatory Services, to adopt the Gypsy and Traveller Site Pitch Allocation Policy and Application Form included at Appendix B and C respectively, and delegate to the Director Growth & Communities any further decisions that may be appropriate to deliver the policy as shown at Appendix A.

**1. Introduction**

- 1.1 This report presents the Growth, Economic Development and Communities Cabinet Committee with a final version of the Gypsy and Traveller Site Pitch Allocation Policy following a ten-week public consultation which closed on 7<sup>th</sup> February 2023.
- 1.2 The draft Gypsy and Traveller Site Pitch Allocation Policy was presented to Growth, Economic Development and Communities Cabinet Committee and endorsed for public consultation in November 2022.
- 1.3 There have been amendments made to the draft Gypsy and Traveller Site Pitch Allocation Policy because of the public consultation and the details of these are

featured in section 3 of this report. The revised Gypsy and Traveller Site Pitch Allocation Policy and Application Form can be found in Appendix B.

## 2. Consultation Activity

2.1 Following endorsement from the Growth, Economic Development and Communities Cabinet Committee to proceed to public consultation, a vast amount of work was undertaken to raise awareness of the consultation and promote the opportunity to provide feedback to a wide range of stakeholders. This included:

- Recording and publicising two videos to introduce the consultation and to summarise the proposed changes.
- Hosting and publicising five face-to-face events in libraries across Kent, including an event on a Saturday to consider those who worked Monday to Friday.
- Direct contact with every resident on sites owned and managed by the Authority by text message, letter, and a visit by a Site Manager at the start of the consultation and again part way through.
- Direct contact with every applicant currently on the waiting list for a pitch on a site owned by the Authority, at the start of the consultation and again part way through.
- Direct emails to 172 stakeholder partners and organisations, at the start of the consultation and again part way through
- Presentation at the Kent Housing Officers Group meeting.
- Publication of the consultation on the Let's Talk Kent website.
- Highlighting the consultation on the Gypsy and Traveller Service pages on kent.gov.uk.
- Social media post promoting the face-to-face events.

2.3 A summary of engagement with the consultation webpage, material and social media can be found below:

- 953 page views, 581 visits by 536 unique visitors.
- 108 document downloads, including 74 downloads of the consultation document, and 26 views of the videos to help explain the proposed changes.
- 8,500 post views, with 501 clicks on social media.

2.4 In total, 13 responses were received to the consultation from:

Responding As...	Number of consultees
As a resident of a Kent County Council owned Gypsy and Traveller site	2
As a Gypsy and Traveller living on a private site or in bricks and mortar	3
As a member of the public not living on a Gypsy and Traveller site	1
On behalf of a Parish / Town / Borough / District Council in an official capacity	4
On behalf of a charity, voluntary or community sector organisation (VCS)	2
A representative of a local community group or residents' association.	1

- 2.5 Whilst this number is low, it is important to note that responses were received from three recognised and respected organisations who will help represent the views of the community - Equality and Human Rights Commission; Friends, Families and Travellers; and Kent Equality Cohesion Council.

Response statistics to the closed questions in the consultation have been summarised below via the number of consultees answering instead of percentages.

- 10 out of 13 consultees responding indicated the draft Site Pitch Allocations Policy was easy to understand. An additional 2 consultees believe it was easy to understand in part.
- 6 out of 13 consultees responding indicated the Policy adequately considers the community and its culture. An additional 3 consultees believe it considers the community and its culture in part.
- 7 out of 13 consultees responding indicated the draft Policy meets the aims set out in the consultation document. An additional 3 consultees believe it meets these aims in part.
- 7 out of 13 consultees responding indicated they agree with the exclusions set out in the Policy. An additional 2 consultees agree in part.

Free text feedback highlighted some concerns with regards to eligibility criteria (in relation to those illegally camping) and consistency with other Local Authority Housing Allocation policies (1 respondent). Some consultees also highlighted the need for the policy to be readily accessible in terms of format of the application and straightforward content.

### **3. Amendments Made Following Feedback from Consultation**

- 3.1 Considering the feedback received from the consultation, there have been amendments made to the proposed Gypsy and Traveller Site Pitch Allocation Policy.
- 3.2 Following the feedback received about the proposed exclusion where an applicant has set up 'an unauthorised encampment on Kent County Council land (including highways) within the last 3 years and behaved criminally/anti-socially whilst doing so', this has been amended to clarify that this exclusion would only apply if an Unauthorised Encampment was set up AND in doing so, the applicant engaged in anti-social conduct. As per the policy, this would be verified by information or advice from the Police, a KCC service or another enforcement partner.
- 3.3 Feedback was received about the language used throughout the Policy, and the need for it to be adjusted to be less confusing and less 'business' like in tone. This has been considered and the document has been amended to ensure clarity, clear language and plain English, where possible. There was never an intention to use any discriminatory or stereotypical language in the document, or to not recognise the diversity within the Gypsy Roma Traveller cultures, and as such, the document has been amended to recognise this diversity more explicitly and to remove any terms that have been highlighted as being potentially discriminatory.

- 3.4 There were comments received about assistance for applicants in completing the application form, so the policy has been amended to include details of further support and assistance that can be accessed by applicants. In addition, the GRT Resident Service will offer applicants the opportunity to come to a KCC office, and we will support the completion of the application with them. The creation of a video explaining the application process and form is also being explored with KCC Digital Services.
- 3.5 The proposed Policy has not changed position on the need for identity documents to be supplied as part of the application process. However in recognition of the potential difficulties that may incur with providing identity documents, the proposed policy has been amended to include that the GRT Resident Service will provide advice, guidance, and assistance to obtain the necessary supporting identify documents where possible, whilst maintaining the need for all decisions for pitch allocations to be made based on fact and evidence.
- 3.6 To ensure consistency and fairness at the interviews, a standard template will be used that ensures every applicant is asked the same questions in the interests of consistency. Appropriate records will be maintained throughout the application process.
- 3.7 The Points Allocation System has been slightly amended to consider the feedback from the consultation and has been peer reviewed with other Local Authority scoring systems (such as Norfolk County Council and West Sussex County Council).
- 3.8 The Application Form has been amended to show the scores allocated to each question, and what supporting documentation is required. Two questions around bank accounts and savings have also been removed because on reflection, these were considered unnecessary.

#### **4. Financial Implications**

There are no negative financial implications to the draft Pitch Allocation Policy; however, the introduction of the deposit scheme will provide some limited reimbursement to Kent County Council when a resident absconds from site, either leaving behind waste, owing rent arrears to the Authority, or causing damage when leaving.

#### **5. Equalities Implications**

- 5.1 Screening of the project did not highlight any significant direct negative impact on any of the protected groups, however, it did provide some specific areas for consideration around making the consultation and application process accessible to all.
- 5.2 That said, feedback from the consultation did propose some further consideration around support and assistance for applicants, and this has been considered and the Policy amended to include details of support and assistance available to applicants.

5.3 The Equality Impact Assessment has been reviewed considering the feedback received during consultation, and the subsequent changes that have been made and can be found in is included in the Background Documents (section 8) in this report.

## 6. Conclusions

6.1 The Gypsy and Traveller Site Pitch Allocation Policy underpins Kent County Council's aim to provide a safe environment for Gypsy Roma Traveller communities to live and thrive in Kent and is pivotal to the good management of its sites.

6.2 Several stakeholders were engaged as part of the pre-consultation activity during the preparation of the draft policy, and it has now been subject to public consultation. Following this, the draft Gypsy and Traveller Site Pitch Allocation Policy has undergone some revisions to make the policy as robust, fair and accessible as possible.

## 7. Recommendation(s)

**Recommendation(s):** The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations in relation to the proposed decision to be taken by the Cabinet Member for Community and Regulatory Services, to adopt the Gypsy and Traveller Site Pitch Allocation Policy and Application Form included at Appendix B and C respectively, and delegate to the Director Growth & Communities any further decisions that may be appropriate to deliver the policy as shown at Appendix A.

## 8. Background Documents

- Appendix A – Proposed Record of Decision
- Appendix B – Gypsy and Traveller Site Pitch Allocation Policy
- Appendix C - Gypsy and Traveller Site Pitch Application Form
- Appendix D - [Gypsy and Traveller Site Pitch Allocation Policy Consultation Report](#)
- Appendix E - [Gypsy and Traveller Pitch Allocation Policy EqIA](#)

## 9. Contact Details

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