

KENT COUNTY COUNCIL

GYPSY AND TRAVELLER ADVISORY BOARD

MINUTES of a meeting of the Gypsy and Traveller Advisory Board held at Sessions House, County Hall, Maidstone on Friday, 30 November 2007.

PRESENT: Mr A H Bowles (Chairman), Mr A R Bassam (substitute for Mrs A D Allen), Mr M J Fittock, Mr J B Fullarton, Mr I T Jones and Mr S J Koowaree.

OFFICERS: Miss C Highwood, Director – Resources, Kent Adult Social Services, Mr B Forrester, Head of Gypsy and Traveller Unit; Mr A Casson, Operations Manager, Gypsy and Traveller Unit; Ms J Robson, Head of Language and Traveller Achievement Service; and Mr G Mills, Democratic Services.

UNRESTRICTED ITEMS

1. Minutes

RESOLVED that the Minutes of the meeting held on 25 July 2007 were correctly recorded and that they be signed by the Chairman.

2. Dates of Meetings – 2008

(1) These were agreed as follows:-

Wednesday, 13 February

Tuesday, 22 April

Tuesday, 2 September

Thursday, 27 November

(2) The Advisory Board agreed that in future all its meetings would commence at 10:00 am.

3. Promoting Access and Achievement: Gypsy, Roma and Traveller Children (Item 5)

(Ms L Robinson, Strategy and Standards Officer, Specialist Teaching Services; Louise Simpson, Advisory – Refugee & Traveller Achievement (Mid-Kent); and Carol Mellors, Advisory – Refugee & Traveller Achievement (West Kent) were present for this item)

(1) This presentation detailed the work of the Minority Communities Achievement Service and provided information on the statutory responsibilities the County Council had in providing educational services. The presentation also detailed the range of other work and services which the County Council undertook through the Minority Communities Achievement Service. The County Council has been recognised nationally for its work and is acting as a pilot authority on a project with the DCSF aimed at raising achievement in the Gypsy, Roma and Traveller communities.

(2) The Minority Communities Achievement Service particularly provides a range of help and support aimed at improving access to educational services and raising

achievement. This involves working collaboratively with schools, clusters of schools and other agencies and by promoting the development of inclusive policies and practice. Support is given to the most vulnerable children and young people at risk of not accessing education and this work also has links to corporate and directorate actions linked to equality and diversity. The Service works to DfES Guidance "Aiming High" 2003 which is designed to give support and advice to schools and professionals with newly arrived pupils. The Guidance gives advice on bullying and race equality issues and through Family Liaison Officer support, and gives support to new arrivals and vulnerable families. The Service is also developing strategies designed to build closer links with traveller communities and to develop closer inter agency working. The Service is also providing advice on culturally appropriate resources and curriculum development and help with secondary transfer issues.

(3) In the course of a wide ranging discussion, Members of the Advisory Board asked Officers a number of detailed questions about the challenges which the Service was facing and the strategies and protocols which it was adopting in order to meet these.

(4) At the conclusion of discussion, Members placed on record their thanks and appreciation to Officers for the presentation which clearly demonstrated the commitment and resources being focussed on what is often a challenging and complex area of work.

4. Improving Educational Outcomes for Gypsy, Roma and Traveller Children through Commissioning Services within the evolving arrangements for Local Children's Trusts in Kent

(Item 6 – Report by Managing Director, Children, Families & Education)

(1) This report provided Members with an update on the development of arrangements for improving outcomes for Gypsy, Roma and Traveller Children through the Commissioning of Services within the evolving arrangements for Local Children's Trusts. In July 2006, the Department for Schools, Children & Families set out an agenda for the future for local authorities through "Positive Pathways for the Future Provision for Gypsy, Roma and Traveller Children" and specialist services were encouraged to reassess the orientation of their core work within the context of the agenda for Every Child Matters.

(2) Jenny Robson said that as part of the development of Children's Trust arrangements in Kent, the Local Children's Trust Reference Group and the Children's Trust Board had endorsed three guiding principles. These were to provide a streamlined and highly strategic County arrangement with a key focus on commissioning and improved outcomes for children and young people; having a presumption in favour of decision-making at the most local level that was consistent with excellent performance (Outcomes for Children) and Value for Money (Quality and Infrastructure); and providing a focus on earlier intervention and prevention services for Children, Young People and Families. Specialist services to promote access to education are currently funded through the Children's Services Grant and in 2007/08 Kent had committed some £626k through the Minority Communities Achievement Service on specialist posts to support achievement of Gypsy, Roma and Traveller families. However, confirmation had not yet been received as to the level of funding through the Children's Services Grant for 2008/09 for this area of work.

(3) In March 2007, the Children, Families & Education Senior Management Team established a multi-agency stakeholder group to steer the future commissioning of services currently delivered through the Minority Communities Achievement Service and the Specialist Teaching Services. A sub-group including representatives of schools, agencies, voluntary sector and the Gypsy and Irish Traveller Communities was to meet in order to undertake a needs analysis, research effective practice, map existing provision, conduct consultation with the community on priorities and develop options for the future. This work would be undertaken within the context of the development of Local Children's Trusts, the establishment of integrated teams, contact point and the common assessment framework.

(4) During the course of discussion, Members of the Advisory Board asked a number of questions related to the report and the provision of services.

(5) The Advisory Board noted the report and there would be a further report in 2008 setting out the options for future Commissioning of Services to secure improved outcomes for Gypsy, Roma and Traveller families.

5. Project Update: Sites in Swale and Tonbridge and Malling Boroughs

(Item 7 - Report by Oliver Mills, Managing Director – Kent Adult Social Services)

(1) Mr Forrester reported on progress with two major capital projects. The first was at a site known as Three Lakes, Murston, Sittingbourne. This site was one that had remained without improvement for some considerable time and was, of all the sites managed by the Unit, in most need of substantial improvement, redevelopment or relocation. The other site was at Coldharbour, Aylesford which was first built in 1981 and currently had consent for 26 caravans or 22 pitches. However, it had been in use since about 1994 as an 8 pitch site with a maximum of 16 caravans. As part of a four-borough Gypsy and Traveller Accommodation Assessment, published in 2007, Tonbridge & Malling Borough Council had been assessed as having a need for a further 10 pitches during 2006/11 and 5 more for the period 2011/2016 and there was therefore a strong case for redeveloping, expanding and/or relocating the site in the same general area. Project Boards have been established to take forward both these projects, each involving the County Council and the relevant borough council.

(2) During the course of discussion Mr Forrester confirmed that there would, as appropriate, be briefings for local Members relevant to each site and also the occupants of sites and with local residents. There would also be briefings made available for Ward Members from the borough councils.

(3) The Advisory Board endorsed the approaches taken to achieve the successful new site provisions as detailed in the report and supported the bids for grant in 2008. There would be further updates on progress as appropriate.

6. Security of Tenure on Public Sites for Gypsies & Travellers

(Item 8)

(1) In 2004, the Government lost a case in the European Court of Human Rights. The Plaintiff had showed that the ability of authorities to evict someone from a site within 28 days' notice, and there being no statement of reason within the Site Licence Agreement, was a breach of human rights of himself and others in the same position. As a result of this finding, the Government improved security of tenure slightly by allowing challenge to

eviction decisions through the County Courts and ensuring that sites run by County Councils had a minimum figure of 28 days' notice. Due to a legal anomaly, there had been no minimum period for sites managed by County Councils up until then. The Government still have to improve security of tenure further to comply with the European Court of Human Rights ruling and this would be done through the Housing and Regeneration Bill, a major bill for the current session of Parliament.

(2) Mr Forrester said that in Kent the Site Licence Agreement used on KCC sites had been substantially improved within the past couple of years and it had been KCC practice not to seek to evict anyone unless there was sufficient reason to do so. Once the new security of tenure provisions had passed into law or government guidance was finalised on changing site licence, or both happened together, the plan was to consult on the wording of a new licence.

(3) Mr Forrester also briefed the Advisory Board on how this matter related to planning enforcement. Currently a site licensee (of any caravan or park home site) whether or not it is specifically for gypsies or travellers does not have what is called "an interest in the land" but only a right to occupy the land with the caravan. This means that a planning enforcement notice could not be validly served on such licensee but only on the owner or operator of the site. The effect of this legal difference from social housing is that the County Council had to be prepared to evict licensees from their pitches if they breached planning policy. Mr Forrester said that representations were being made to the Community & Local Government Department about the need for a change in the law in this area.

(5) Mr Forrester said that although KCC's site licence complies with the current law it would need to be changed when the law changes. Those changes would be the subject of consultation with all KCC licensees and with licensees of other socially rented sites in Kent that wanted similar updated licenses. Mr Forrester also said that a change in the law on planning enforcement notices making it possible for them to be served on those who rent caravan pitches would also be welcomed.

(6) Following discussion, the Advisory Board endorsed the approach on these matters as outlined in the report.

7. Engagement with Gypsy & Traveller Communities

(Item 9 - Report by Oliver Mills, Managing Director – Kent Adult Social Services)

(1) This report had links with the earlier reports on educational issues. Over past 5 years there had been a welcome growth in the number of agencies who were engaging direct with gypsy and traveller communities. When the government re-introduced grant aid for the improvement of public gypsy sites in 2001, it required authorities to consult with site residents before a grant bid could be approved. This was a practice that Kent authorities had already adopted, especially over major redevelopments, such as that which saw the Swan Farm land become the Barnfield Park Site and, following the 2001 changes, when the Aylesham site was redeveloped in 2002.

(2) In 2006, the Kent and Medway County Wide Officer Group was established specifically to drive forward the recommendations which arose from the KCC Select Committee report on this subject and a number of individuals from the gypsy and traveller communities, including those from gypsy and traveller organisations are invited to attend every alternate meeting. This had proved to be very successful in developing understanding on both sides.

(3) Mr Forrester briefed the Advisory Board on other areas where KCC was actively seeking to improve engagement and these were detailed in the report. Kent Police were also working to improve engagement with gypsy and traveller communities and great progress was being made in helping police officers and those from Traveller communities to understand each other much better. Mr Forrester also highlighted the work of the Minority Communities Achievement Service and said that KCC was involved in a working group to steer the future commissioning of specialist services to promote access to education and raise achievement. In addition, the Minority Communities Achievement Service was providing training to professionals working with schools and other agencies in order to improve their skills, knowledge and understanding and this work was gaining increased momentum within the emerging context of Children's Trust arrangements in Kent. In addition, the Gypsy & Traveller Unit was providing awareness training for staff of Canterbury City Council and plans were being discussed for such training to be made available to KCC staff across the directorates.

(4) In the course of discussion, Members said they welcomed the initiatives and progress being made and in particular the engagement of Kent Police in the work of the Advisory Board. Mr Forrester also confirmed that the Kent and Medway Fire Rescue Service was working with young people across communities in order to raise fire awareness and were producing a DVD aimed specifically at fire safety on gypsy and traveller sites. The Service also provided Fire Warden training.

(5) The Advisory Board endorsed the approaches being taken forward as detailed in the report and supported the further widening of engagement and the development of awareness training.

8. Future Plans for Gypsy and Traveller Accommodation in Kent

(Item 10 - Report by Mr Oliver Mills, Managing Director – Kent Adult Social Services)

(1) This report which provided an overview of the planning advice to SEERA by Kent and Medway Planning Authorities, plus recommendations on KCC's involvement in future processes.

(2) The Advisory Board noted the advice presented in the report to be given to SEERA by the Kent and Medway Planning Authorities and endorsed the report's conclusions. The Advisory Board also endorsed the cautious but co-operative approach suggested whereby KCC would, if approached, assist other Kent Authorities in assembling site locations for inclusion within their Local Development Frameworks. The Board also endorsed the support for the SEERA public consultation exercise to be undertaken in summer 2008.