



KENT COUNTY COUNCIL

GYPSY AND TRAVELLER ADVISORY BOARD

AGENDA

Thursday, 24 November 2011, at 10.00 am
in the Darent Room, Sessions House, County Hall, Maidstone

Ask for: **Geoff Mills/Andrew Swan**
Telephone: **(01622) 694289/696388**

Membership (8)

Conservative (7): Mr J D Kirby (Chairman), Mrs A D Allen, Mr M J Angell,
Mr A H T Bowles, Mr R B Burgess, Mr A D Crowther and
Mrs C J Waters

Liberal Democrat (1): Mr S J G Koowaree

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UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

1. Introduction/Webcasting
2. Substitutes
3. Declarations of Interests by Members in items on the Agenda for this meeting.
4. Minutes (Pages 1 - 2)
5. Allocations Policy for Gypsy and Traveller Site Pitches managed by KCC (Pages 3 - 14)

6. Provision of Public Traveller Sites in Kent (Pages 15 - 22)
7. Rents on KCC Traveller Sites from April 2012 (Pages 23 - 24)
8. Minority Communities Achievement Service - Update (Pages 25 - 28)

Peter Sass
Head of Democratic Services

Wednesday, 16 November 2011

Please note that any background documents referred to in the accompanying papers may be inspected by arrangement with the officer responsible for preparing the relevant report.

KENT COUNTY COUNCIL

GYPSY AND TRAVELLER ADVISORY BOARD

MINUTES of a meeting of the Gypsy and Traveller Advisory Board held in the Medway Room, Sessions House, County Hall, Maidstone on Tuesday, 19 July 2011.

PRESENT: Mr J D Kirby (Chairman), Mrs A D Allen, Mr S J G Koowaree
Mrs C J Waters

IN ATTENDANCE: Mr W Forrester (Head of Gypsy & Traveller Unit), Mrs L Simpson (Advisor Refugee & Traveller Achievement, Mid Kent), Jeffery (Traveller Engagement and Operations Manager), Mr G Mills (Democratic Services Manager (Executive), Andrew Swan (Democratic Services)

UNRESTRICTED ITEMS

1. Minutes

(Item. 4)

RESOLVED that the Minutes of the meeting held on 18 November 2010 are correctly recorded, and that they be signed by the Chairman.

2. Affordable Homes Programme, including progress reports on site projects
(Item. 5) Report by Corporate Director, Enterprise and Environment

(1) Mr Forrester introduced this report detailing three initiatives under the Affordable Homes Programme in Swale, Maidstone, and Tonbridge & Malling.

(2) Discussion was focused on the new Coldharbour site in Tonbridge & Malling, with Board members encouraged by the fact that there appears to be little local opposition to expansion of the existing site. Mr Forrester explained that there was already a good relationship between local residents and those families currently on the Coldharbour site, and that KCC had worked closely with the District Council, and had involved the local community in the planning process, before the current site had opened. Mr Forrester advised the Board that the current site residents have raised concerns about new people coming onto the site but he felt these concerns could be addressed...

(3) During the course of discussion members of the Board asked a number of questions to which officers responded accordingly. In particular Ms Jeffery explained the process for the allocation of pitches which was she said similar to the allocation process for social housing.

(4) The Board AGREED to endorse and support the actions being taken to secure successful new site accommodation, as described in the report.

3. KCC's response to the current Traveller Planning Consultation by CLG

(Item. 6) Report by Corporate Director, Enterprise and Environment

(1) Mr Forrester introduced this report which provided background and recommended a proposed response by KCC to the DCLG's consultation on proposed policy changes relating to planning for traveller sites.

(2) The DCLG's main proposals included a greater emphasis on local assessment of needs, and the requirement for planning authorities to have a five year land supply for traveller pitches.

(3) During the course of discussion members raised a number of points of detail to which officers responded accordingly. In particular it was said the consultation did not appear to address the issue of transit sites and this was something Mr Forrester said he would raise with the DCLG

(4) The Board AGREED to endorse the proposed KCC response to the DCLG consultation as detailed in the report.

4. Minority Communities Achievement Service - Update

(Item. 7) Report by Alex Gamby, Head of Learners with Additional Needs

(1) Mrs Simpson introduced this report which provided an update on a range of important issues impacting on MCAS. She highlighted in particular a consultation currently being undertaken regarding proposals to delegate funding to schools for a range of services and responsibilities which are currently funded centrally from the government grant for schools and pupil services (the Dedicated Schools Grant). For each of these services there were outline proposals for buy-back options, with MCAS offering a range of prescribed packages of services for schools to consider 'buying back' .

(2) Mrs Simpson advised that, at this point in time, the future of MCAS remained uncertain with no specific financial savings currently identified for the service.

(3) Following further discussion The Board noted the report, and additionally AGREED that it should be passed to the relevant Policy Overview and Scrutiny Committee(s) so they could be aware of the wide range of activities and actions being undertaken by MCAS, and of the implications of the proposals currently under consultation in terms of resource for supporting GRT (Gypsy Roma Travellers) young people no longer being 'ring-fenced'.

By: Mike Austerberry, Corporate Director, Enterprise and Environment
To: Gypsy and Traveller Advisory Board – 24 November 2011
Subject: **ALLOCATIONS POLICY FOR GYPSY AND TRAVELLER SITE PITCHES MANAGED BY KCC**
Classification: Unrestricted

Summary: An item recommending a consultation proposal for the update of the KCC Allocations Policy, which decides which applicants are offered pitches on Traveller sites managed by KCC.

Background

1. The KCC Gypsy and Traveller Unit (until 2006 called the Gypsy Unit) began to manage sites, and allocate pitches, in 1993.
2. In 1996, an allocation policy was developed specifically for the new pitches on the Barnfield Park site in Ash, Sevenoaks, where there was a great deal of competition for the available pitches and the possibility of legal challenge. The allocation policy was adopted for all the sites that KCC managed.
3. Since 1997, practice on allocations has been progressively improved, including adopting the best practices of housing authorities and housing associations in allocating housing, and requesting more detailed information and evidence from applicants.

Reason for a new policy

4. With the prospect of new council sites on the horizon, and the need not only, as now, to cater fairly for all within Gypsy and Traveller communities, but also to be seen to do so, it seems timely to review the current policy, consult on the proposed new policy, and discuss the issues which arise.
5. The draft policy (Appendix A) has now been completed and reflects a more balanced approach to allocations to Kent County Council's owned or managed residential Gypsy and Traveller Sites.
6. We have also created a draft waiting list guidance information pack (Appendix B) that shows how the system works in an easy to read format. A copy of each is attached to this report.

Features of new policy

7. The draft policy is very much in line with social housing allocation policies in having a points system. Each application is awarded points based on the information supplied by the applicant(s).

8. Points are awarded for particular personal circumstances, including health and social care needs. These are detailed in Appendix A to this item. The balance of points is designed to ensure that those with greatest needs should be highest on the list.

9. In addition, the proposed new policy reflects the need to cater for those who rent or buy land and move to it, without any planning consent, and claim that there is no other Traveller pitch accommodation they can occupy. The new policy proposes, tentatively, that those who do so, at least where the planning policies for the land are very restrictive, should be added to the waiting-list for the relevant area, and may be offered pitches when they become vacant, even if they have not applied to be on the waiting-list. Legal advice is being sought on this proposal currently.

10. An Equality Impact Assessment has been prepared for the proposed new policy, and is attached at Appendix D.

Recommendation

11. That the Board recommend to the Cabinet Member for Environment, Highways & Waste support for a three month consultation on the proposed new policy, to begin on 5 January 2012.

Bill Forrester
Head of Gypsy and Traveller Unit

Bill.forrester@kent.gov.uk

01622 221846

Background papers: as below only.

Appendices:

A: Draft new Allocations Policy

B: Draft waiting list guidance information pack

C: Flow chart for waiting-list applications

Kent County Council's Gypsy & Traveller Pitch Allocation Policy.

Aim of the Policy

To provide a high quality site pitch for those for whom the pitches are provided who are in greatest need and those who may have great difficulty in securing pitches on privately owned Traveller sites with planning consent.

The way it works

To ensure an appropriate 'needs assessment' is completed, a points system is applied. Each applicant is given a point score based on the information provided. The Gypsy & Traveller Unit will treat all applicants and applications fairly. However, there are only a limited number of pitches, and it is not possible to provide a pitch for everyone who wants one. If Kent County Council cannot help by offering you a pitch, staff will try to advise you on other options.

Can you apply for a Pitch on one or more Sites owned or managed by Kent County Council?

To get on the Kent County Council's Gypsy & Traveller Unit site waiting list:

1. You must be over 18 years of age and have lived in the area for 12 months or have close family that have lived in the area for the past three (3) years consecutively. Close family means Grandparent, Parent or Sibling

OR

2. You must be someone whom the Council considers should qualify, on a case by case basis, because of your exceptional circumstances or special needs, regardless of your previous address.

The following people are not eligible to apply for a Pitch:

- a) Any person applying for a pitch in their own right who is under 18 years of age.
- b) Any person who is ineligible under the law due to their being subject to immigration control or being a person from abroad, who is ineligible for housing assistance.
- c) Any person, or any member of their household, living with them at the time:
 - i) who has been found guilty of serious anti social behaviour and a possession order from any accommodation has been sought or obtained in the last 5 years
 - ii) who has assaulted or threatened a member of staff or a contractor employed by the council or its agent, and an injunction is being sought or has been obtained
 - iii) who has knowingly given false or misleading information or withheld information that has been reasonably requested.

We take into account

Any serious differences between families or individuals will be considered when allocating pitches to new licensees to minimise potential conflicts, within any official Gypsy & Traveller site, or with residents within the locality of such a site. However, a key part of the purpose of this policy is to ensure fair access to pitches for those from all Gypsy and Traveller groups.

You can ask for a review of a decision to refuse or terminate your application, or to seek to be re-included on the waiting list.

A fresh application will be considered if the applicant's immigration status has changed to allow them to live in Britain.

Where an applicant or any member of their household knowingly gives false or misleading information, or withholds information that has been reasonably requested, any allocation may be revoked, and a fresh application will not be accepted for one year.

The above criteria will be considered by an Allocations Panel. Any information provided on personal issues will be kept confidential, and handled in accordance with the Data Protection Acts..

Please fill out the application form in accordance with the waiting list guidance form..

Site Rules/Licence Conditions

All successful applicants will be offered a pitch agreement under the Mobile Homes Act 1983 (both applicants where the licence is joint) which sets out the rules governing good conduct of sites, advising that any breach of a pitch agreement is likely to result in formal action being taken, including, where the breach is not remedied or cannot be remedied, seeking the removal of the pitch occupier(s) from the site. Once agreement is concluded under the procedures in the Mobile Homes Act 1983, each applicant or joint applicant will be issued with a copy of their pitch agreement.

Complaints

If you have a complaint, then ask for details of Kent County Council's complaints procedure. A copy of this can be obtained from the Gypsy & Traveller Unit, Invicta House, County Hall, Maidstone, Kent ME14 1XX, or any other county council office.

Kent County Council

Gypsy & Traveller Sites

Waiting List Guidance

This leaflet explains how to apply for a pitch on one of Kent County Council's Traveller sites. Please read it in full before completing your application.

Who is eligible to apply for a Pitch on Sites owned or managed by Kent County Council?

1. You must be over 18 years of age and have lived in the Kent County Council area for 12 months or have close family that have lived in the area for the past three (3) years consecutively. Close family means grandparent, parent or sibling. Evidence of this must be submitted with your application.
2. People whom the Council considers should be qualifying persons, on a case by case basis, because of exceptional circumstances or special needs, regardless of their previous address.

How do I apply?

You will need to complete an application form and return it to the Gypsy and Traveller Unit. You can also write to us for an application form at the address below

Kent County Council
Gypsy and Traveller Unit
Invicta House
County Hall
Maidstone
Kent ME14 1XX

You can also call 08458 247 247 and request a form to be sent to you.

You can get help filling it in from KCC site managers, or District or Borough Council housing officers.

3. Who cannot register on the waiting list?

You are not eligible to apply for a pitch if

- a) you are under 18 years old and/or:
- b) you are a person who is ineligible under the law due to their being subject to immigration control or being a person from abroad, who is ineligible for housing assistance.

c) you, or any member of your household, living with you at the time:

i) Have been found guilty of serious anti social behaviour and a possession order from any accommodation has been sought or obtained in the last 5 years

ii) Have assaulted or threatened a member of staff or a contractor employed by the council or its agent, and an injunction is being sought or has been obtained

iii) Have knowingly given false or misleading information or withheld information that has been reasonably requested.

Individuals have a right to request a review of a decision to refuse, terminate or re-include them on the waiting list.

4. How are Gypsy & Traveller site pitches allocated?

We allocate site pitches through a points scheme, based upon an assessment of an applicant's welfare needs. Those with the highest number of points and meeting the largest number of criteria required to go onto one of our sites, will be offered any pitches suitable to their needs first.

Sometimes, we may need to give immediate assistance to families living on the roadside and therefore homeless. However, any family found to have accommodation on a Traveller site within another Local Authority will be referred back to that Authority.

Under the Mobile Homes Act 1983, recently introduced by law on all our sites, your pitch needs to remain your "only or main home", and the pitch agreement can be terminated if it stops being your only or main home.

The number of applicants awaiting a Traveller site pitch may vary from time to time.

An application remains on the waiting list for 12 months. After this time, it will expire. Kent County Council will contact you at the last address you have given, to see if you wish to renew your application. You can approach us at any time and ask for an application to be extended for a further twelve months from the time you contact us.

If an applicant cannot be contacted within 7 days of a pitch becoming available, the pitch will be offered to the person on the waiting list with the next highest number of points.

5. Can your position on the waiting list change?

Your position on the waiting list can move up or down. For example, if you are awarded points for medical reasons you may go up list. Equally, other applicants who are assessed to be a higher priority due to their circumstances; could overtake you. If you have had children since your original application or a change in your welfare needs, your points may go up. This could change your position on the list.

6. How do we Assess Applications?

Working as part of the Gypsy & Traveller Unit, a panel of Managers assess each individual application on merit. They can only consider an application accompanied by supporting information/ evidence of welfare needs that are mentioned on the form. If you do not provide us with the information requested, we will not accept the application form and will return it to you.

Details of the points system can be found on the back of this guidance booklet. As far as possible, we will allocate pitches on our sites in the same way as social housing is allocated.

7. Can I choose my new home?

You can express a preference for a particular site **or sites**, We need to ensure pitches are allocated to those who really need them.

Before you begin to live on the pitch you must sign to say you have received a Pitch **agreement**. The terms in that are regulated by a version of the Mobile Homes Act 1983

8. Pitches for People with Disabilities

None of our pitches are currently purpose built to meet the needs of people with disabilities. However if someone needs the pitch adapting, Kent County Council will supply details for the relevant agency.

9. How many offers will I get?

If you refuse an offer of a suitable pitch, you may have to wait a while for another offer to be made. This is due to the short supply of pitches. We will make you a maximum of two (2) suitable offers. After this, no offers will be made for twelve (12) months. If you decide to refuse an offer, you should let Kent County Council know within 7 days of the offer.

10. And if I am not happy or disagree with the points I have been given?

We will review your application if you write or ring to tell us why you want a review. If you are still not satisfied, you have a right to appeal to the Pitch Appeal Panel, made up of Senior Managers from Kent County Council who have not been involved with the application before.

11. Points Allocation System (based upon evidence provided)

Points Rating Criteria	Points
<u>Local Connections</u>	
Applicants have lived in an area for 12 months or have family resident in the area for 3 out of last 5 years,	20
<u>Problems with Existing Accommodation</u>	
Living on an overcrowded plot	30
Unauthorised site without useable facilities	10
Housing on an unauthorised private site	10
<u>Poor or Absent facilities</u>	
Lack of water supply	20
No flushing Toilet	5
No Bathing or Showering facilities	5
<u>Security of Tenure</u>	
Applicant at Risk of Eviction (through no fault of their own)	20
Given notice to quit	25
<u>Welfare Considerations</u>	
Applicant fears for their personal safety. At risk of, or escaping violence, intimidation, harassment (through no fault of their own)	40
Applicant required to support or care for a relative (for medical reasons)	30
Applicant is required to support or care for a relative	25
<u>Family Considerations</u>	
Pregnancy	15
Children under 12 months	10
Children 1 -18 Years old	5
Relatives aged over 60	15
<u>Educational Considerations</u>	
Children 5-11 Years Old	10
Children 12-16 Years Old	10
Children that have a Statement of Special Educational Needs	25
<u>Medical Conditions</u>	
Substantial. Applicant has/ is likely to have significant health problems. Has, or is likely to be unable to carry out personal care or domestic routines in future.	75
Moderate. Applicant is unable to carry out the majority of personal care/domestic routines, may need help from family.	30

Existing Points

1-25
26-50
51-75
76-100
101plus

Points Added for every months an applicant is on Waiting List.

1 Additional Point
2 Additional Points
3 Additional Points
4 Additional Points
5 Additional Points

What do I need to do now?

Please check your application form making sure that you have completed all the relevant boxes, including your contact details.

Supporting Information.

Please look through the tick list overleaf. Please go through all the boxes until you have provided the required information and enclose all relevant details. If you do not supply all the information, we will not process your application and it will be returned to your address.

You can use these as supporting information:

- Current Licence/ Tenancy Agreement
- Current Rent Book or Card (if you have one)
- A utility bill or receipt (no more than 3 months old) for gas, electric, water or telephone services
- A Full Driving Licence
- A Birth Certificate
- A Council Tax bill or receipt
- Details of any benefits you get that show your National Insurance Number
- A bank statement (no more than 3 months old)
- NHS medical card
- Antenatal clinic card and birth certificate

Please note that we may arrange to visit your current address before offering you a pitch on one of our sites.

Please send your completed application form and supporting information to:

Kent County Council
Gypsy and Traveller Unit
Invicta House
County Hall
Maidstone
Kent ME14 1XX

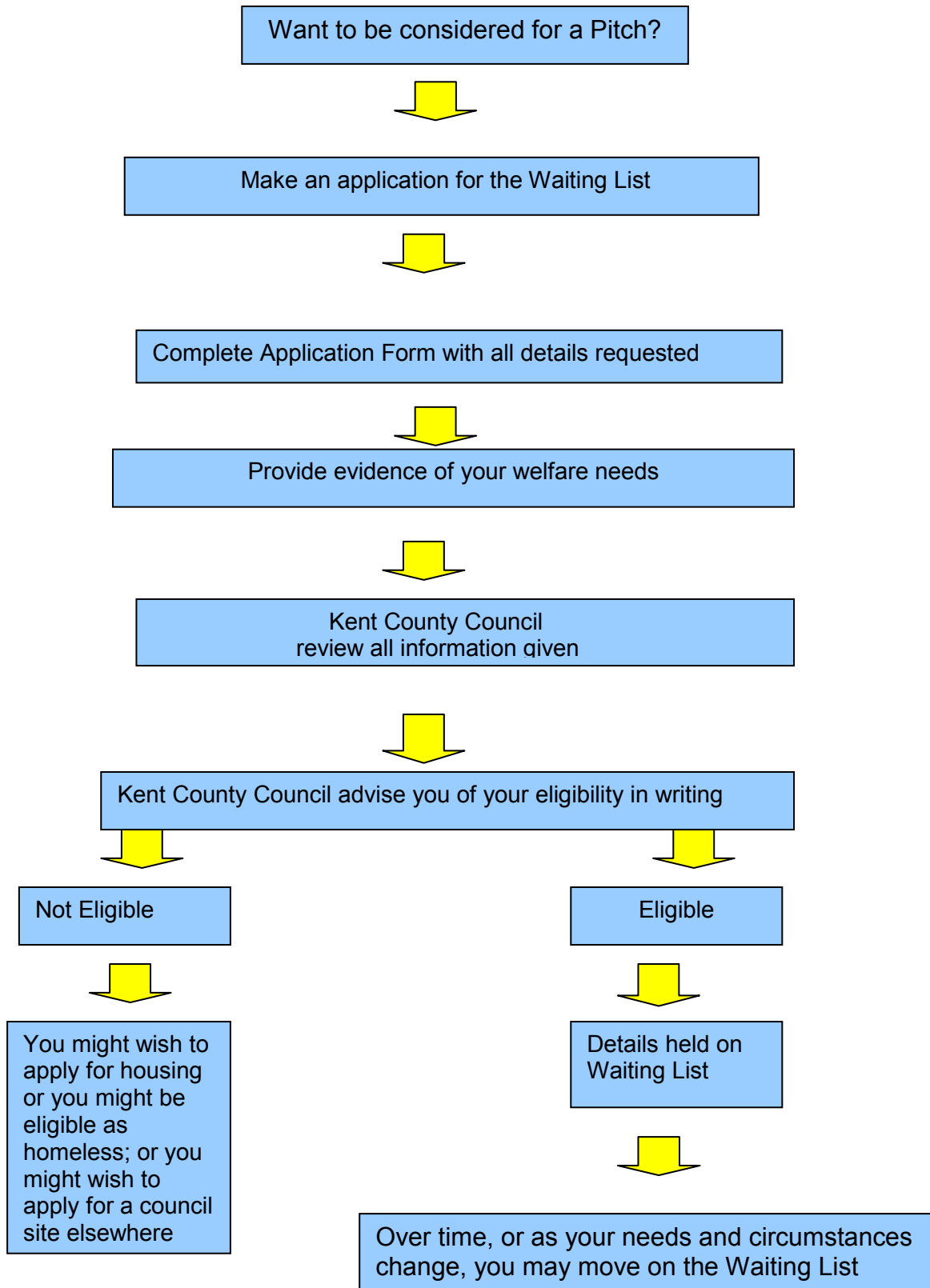
Gypsy.traveller@kent.gov.uk

Supporting Information Checklist (Please tick boxes accordingly)

Personal Information (Essential)	Add and Tick – or “tick when added”?
Contact Telephone Number	
Contact Address	
National Insurance Number (Main applicant & Joint applicant)	
Passport Number (Main applicant & Joint applicant)	
A Signed Application form (Main applicant & Joint applicant)	
Support Information (Essential)	
Photocopy of Passport (Main applicant and Partner where applicable)	
Photocopy of any document showing your Name & National Insurance Number(Main applicant & Joint applicant)	
1 type of identification for each person moving with you including each child	
Birth Certificate(Main applicant & Joint applicant)	
Details of 2 referees	
Support Information (Where Applicable)	
2 types of identification showing your current address	
2 Types of identification shown current address of any Joint Applicant (if different to Main)	
Expectant Mothers must provide proof of expected date of birth	
Medical letter/s supporting any medical conditions stated in application form	

APPENDIX C TO ITEM 5

TRAVELLER PITCH ALLOCATION PROCESS – FLOW CHART



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By: Mike Austerberry, Corporate Director, Enterprise and Environment
 To: Gypsy and Traveller Advisory Board – 24 November 2011
 Subject: **PROVISION OF PUBLIC TRAVELLER SITES IN KENT**
 Classification: Unrestricted.

Summary: An item which reviews the current and planned further public site provision in Kent and Medway. It also includes the overall position on all site provision for Gypsies and Travellers.

Background

1. There are currently 17 local authority owned and managed sites within the administrative county of Kent. There is one site owned and managed by Medway Council.
2. Of those 18 sites, seven are owned by KCC. The Gypsy and Traveller Unit, within the Planning & Environment Division of Enterprise and Environment, manage those and three others, two of which are for Maidstone Borough Council and one for Tonbridge and Malling Borough Council.
3. A full list of those current sites appears at Appendix A to this item and is also available at:
http://www.kent.gov.uk/community_and_living/gypsies_and_travellers/sites_in_kent_and_medway.aspx
4. In total, there is capacity for just under 300 caravans on all those sites. In January 2011, as part of a standard half-yearly national count conducted by all local authorities in England, 302 caravans were counted on those sites.
5. Public site provision therefore catered for almost exactly 25% of the overall counted (authorised and unauthorised) Gypsy and Traveller caravans in Kent and Medway in January of this year.
6. On one site in Gravesham, the occupiers have a 25-year lease of their pitches. On one KCC site, two occupiers each have 999-year leases, which they have purchased. Otherwise, all the pitches are believed to be on weekly licences.

Affordable Homes Programme

7. In February 2011, Providers of Housing registered with the Tenant Services Authority (RPs for short) were given the opportunity to bid, either alone, or jointly with local authorities and other partners, for funding for Traveller pitches for the period 2011-2015.
8. Maidstone Borough Council, working with Town and Country Housing Association, bid for a 15-pitch new site to be provided around 2013 or 2014. The bid has been submitted to the HCA's national panel and its decision on funding is expected by mid November. No location has yet been identified for the proposed site.
9. In a partnership with Amicus Horizon Housing Association, KCC has bid for a 14-pitch site within Swale Borough, again likely to be built in 2013. The bid has been

accepted, and is now subject to detailed evaluation. No suitable location has yet been identified for the proposed site.

10. Sevenoaks District Council received a grant of £1.308m from DCLG to provide 4 extra pitches and upgrade the existing 12 pitches under the Gypsy and Travellers Grant Scheme in 2008-2011. This work is due for completion in November 2011. An application for funding for the clearing of WWII bombs found during the construction was made to the Homes and Communities Agency in May 2011.
11. Following a review of whether “social housing”, legally, includes Traveller pitches, the Tenant Services Authority (TSA) and Homes and Communities Agency (HCA) appear to have decided that it does not, and therefore that, in future, some or all District, Unitary and County Councils will be able to make bids in their sole names. We await clarification of that.
12. As the bid deadline for the Affordable Homes Programme was eventually 29 July of this year, it remains to be seen whether there will be a further opportunity to bid, and when that will occur, and which organisations will be eligible to bid.
13. The HCA is maintaining a consistent line that it will only fund any Traveller pitches, as with affordable housing, in part, and the balance of the funds need to be provided from elsewhere. However, it is not clear what remaining percentage of agreed costs they may require, although they have a ceiling for total pitch costs.

Coldharbour site, Aylesford, Tonbridge & Malling

14. Just before the end of the last financial year, funds from Cornwall, which had not been spent on a planned site project there, were offered to KCC for the Coldharbour site in Tonbridge & Malling Borough.
15. This £932k was accepted, even though it was only part of the funding needed for a site designed in 2009, which did not get Government grant.
16. The original scheme has been completely revised, and a planning application has been submitted, and is awaiting determination, for a 26 pitch site.
17. Under the contract between the HCA and KCC, a start on site with building works needs to happen by 31 March 2012.
18. All being well, 18 of the planned 26 pitches (replacing the current eight-pitch site) will be complete by the end of 2012.

Impact of planned projects

19. If all the planned projects, for which bids have already been submitted, are successfully established, then the increase in provision of public pitches will be as in the table below.

Council	Current public pitches (and caravan capacity)	Additional public pitches – if current projects are successfully completed	All caravans (mobiles & tourers) not on legal or tolerated sites in January 2011 (CLG Caravan Count data)
Ashford	16 (16?)		12
Canterbury	18 (30)		10
Dartford	12 (12)		0
Dover	14 (28)		5
Gravesham	24 (32) ?		0
Maidstone	32 (32)	15 (29)	104

Medway	11 (12)		0
Sevenoaks	54 (83)	4 (8)	4
Swale	15 (25)	14 (28)	22
Thanet	0 (0)		0
Tonbridge & Malling	22 (30)	18 (36)	9
Tunbridge Wells	9 (9)		7

20. The right hand column above is a very raw snapshot of the January 2011 position from the latest published Government data, as collected by all local planning authorities. It does not reflect the extent to which authorities have identified site needs, and met them, through the planning process.
21. Perhaps more useful is the table from 2007 which shows the projected need for further pitch provision for Kent and Medway for the five years 2006-2011. This follows. However, it comes with the strong caveat that some of these figures, especially for Sevenoaks District, were modified during the Regional Planning process, as a result of an aim to apply consistent methodology across four GTAA studies, conducted using slightly different approaches.
22. The GTAA data is still relevant, with any necessary updating, within current planning processes, even though the South East Plan is due to expire as the Localism Act becomes law shortly.

Initial Five Years Provision

<i>District/GTAA area</i>	<i>Gypsy and Travellers: Additional Pitch Provision Years 1-5</i>
Ashford	14
Maidstone	32
Ton & Malling	10
Tunbridge Wells	8
West Kent GTAA area	64
Sevenoaks	64
Sevenoaks GTAA area	64
Dartford	27
Gravesham	15
Medway	10
Swale	62
North Kent GTAA area	114
Canterbury	22
Dover	3
Shepway	2
Thanet	4
East Kent GTAA area	31
Kent and Medway	273

23. The full advice to the SE Regional Assembly in 2007, based on the last round of GTAA's and provision to date then, is at:

http://www.kent.gov.uk/environment_and_planning/planning_in_kent/strategies_and_plans/gypsies_and_travellers/accomodation_advice.aspx

24. Further site provision, mainly through private sites, has been granted consent since 2007, to meet the needs, and those figures may be available in time for the meeting. In Maidstone and Sevenoaks, for example, they have met the identified GTAA needs, but still have further demand. They are currently reviewing their GTAA figure. Other councils in Kent are also taking stock, identifying needs, taking forward their own LDF process, and awaiting the outcome of the Government's consultations on 1. Gypsy and Traveller and Travelling Showpeople sites and 2. The National Planning Policy Framework, which KCC and other authorities have responded to.

Kent Forum and Kent and Medway Housing Strategy

25. The Gypsy and Traveller numbers were discussed at the September Kent Forum with members requesting further information and advice from the Kent Planning Officers Group and Kent Housing Group. This is being addressed as part of joint work to inform the refresh of the Kent Forum Housing Strategy.

Linked planning issues

26. Board members will be aware of the controversy that can surround unauthorised developments by Gypsies and Travellers (or others), typified, in an exceptional case, by Dale Farm in Basildon, Essex.
27. Although any individual or group is free to submit a planning application for any development within the UK, whether or not they own the land, attention is being focused in Kent on applicants who move on to land and develop it, without prior planning consent, claiming that lack of site provision means that they have no choice.
28. In addition to measures in the Localism Act, if confirmed, which will enable councils to decline to determine certain retrospective planning applications, other measures are being considered to enable councils to cater for further Gypsy and Traveller site need, and to restrict developments in unsuitable locations. These will primarily be through allocations under Local Development Framework policies.
29. By early next year, it should also be clear what the new planning framework (both the National Planning Policy Framework and the promised new "light-touch" guidance on this particular subject) will look like, including in the context of the Localism agenda.

Recommendation

30. Members of the Board are asked to note the report, and endorse the efforts to achieve further public site provision.

Bill Forrester
Head of Gypsy and Traveller Unit

Bill.forrester@kent.gov.uk

01622 221846

Background papers: 2007 Advice to South East Regional Assembly

APPENDIX A – LIST OF COUNCIL SITES IN KENT AND MEDWAY

- Aylesham Caravan Site Snowdown
Dover
CT15 4LS
Managed by Kent County Council
01622 221798
gypsy.traveller@kent.gov.uk
- Barnfield Park Caravan Site
New Ash Green
Sevenoaks
TN15 7LY
Managed by Kent County Council. Two pitches are occupied with 999-year leases.
01622 221798
gypsy.traveller@kent.gov.uk
- Bean Caravan Site
Claywood Lane
Bean
Dartford
DA2 8BU
Managed by Dartford Borough Council.
01322 343434
- Chilmington Caravan Site
Chart Road
Great Chart
Ashford
TN23 3AE
Managed by Ashford Borough Council.
01233 637311
- Cinderhill Wood Caravan Site
Matfield,
Brenchley
Tunbridge Wells
TN12 7ED
Managed by Tunbridge Wells Borough Council
01892 526121 ext 3160
- Coldharbour Caravan Site
Old London Road
Aylesford
ME20 7NZ
Managed by Kent County Council
01622 221798
gypsy.traveller@kent.gov.uk
- Cuxton Caravan Site
Sundridge Hill
Cuxton
ME2 1LE
Managed by Medway Council.
01634 333171
- Denton Caravan Site
Westcourt Marshes

Shamrock Road
Gravesend
DA12 2LL
Managed by Gravesham Borough Council.
01474 564422/824785

- Springvale
1-8 Springvale
Springhead Road
Northfleet

Gravesend
DA11 8HW

Managed by Gravesham Borough Council. Residents have 25-year leases.
01474 564422/824785

- Greenbridge Park (formely known as Vauxhall Road Caravan Site)

Vauxhall Road
Canterbury
CT1 1YZ
Managed by Kent County Council
01622 221798

gypsy.traveller@kent.gov.uk

- Heartenoak Caravan Site

Heartenoak Road
Hawkhurst
TN18 5EU
Managed by KCC

- Polhill Caravan Site

Dunton Green
Sevenoaks
TN13 2TQ
Managed by Kent County Council
01622 221798

gypsy.traveller@kent.gov.uk

- Romani Way

Hever Road
Edenbridge
TN8 5NQ Managed by Sevenoaks District Council.

[01732 227312](tel:01732 227312)

- Silverspot Caravan Site

Old Ferry Road
Iwade
ME9 8SP
Managed by Swale Borough Council
01795 417349

- Stilebridge Caravan Site

Stilebridge Lane
Marden
Maidstone
TN12 9BJ
Managed by Kent County Council
01622 221798

gypsy.traveller@kent.gov.uk

- Three Lakes Park (formerly known as Murston Caravan Site)
Castle Road
Sittingbourne
ME10 3NL
Managed by Kent county council
- Water Lane Caravan Site
Ulcombe
Maidstone
ME17 1DH
Managed by Kent County Council
01622 221798
gypsy.traveller@kent.gov.uk
- Windmill Lane Caravan Site
Windmill Lane
West Malling
ME19 6PJ
Managed by Kent County Council
01622 221798
gypsy.traveller@kent.gov.uk

By: Mike Austerberry, Corporate Director, Enterprise and Environment
 To: Gypsy and Traveller Advisory Board – 24 November 2011
 Subject: **RENTS ON KCC TRAVELLER SITES – FROM APRIL 2012**
 Classification: Unrestricted

Summary: An item on the new process for setting rents under the Mobile Homes Act 1983, and the proposed rents for managed sites from April 2012.

Background

1. (1) In November 2010, and in keeping with increases in other charges in the Kent Adult Social Services Directorate, GTAB recommended an increase of 3.1% in site rents with effect from 1 April 2011, based on the increase in the Consumer Price Index (CPI) to September 2010, the reference point for welfare benefits increases.
- (2) Following a change in the law which applied a version of the Mobile Homes Act 1983 to all Traveller caravan and mobile home sites managed by councils, there is a different procedure for raising rents.
- (3) In general, rents cannot be raised more than once in any twelve-month period, and only by a maximum of the Retail Price Index (not the Consumer Price Index), unless there is a case by the landlord for pitch occupiers to contribute towards improvements which benefit the pitch they occupy.
- (4) There are no such major improvements to any of the sites which KCC manages, within the period back to April 2011.
- (5) Under the Mobile Homes Act, KCC has to contact each licensee at least 28 days before the date of proposed rent increase (1 April 2012) and let them know the proposed rent. The RPI which applies appears to be the one twelve months after the last review – which was the September 2010 CPI.
- (6) Any pitch occupier may object to the proposed increase, but will at least have to pay the current rent while the objection is being resolved. If they do that, they will not be in arrears. Once any new rent is agreed, then the pitch occupier will be liable for the new rent from the change date, so that could include back rent to 1 April 2012.

Rents Currently Charged and Level of Increase from 1 April 2012

2. (1) Many of the current licensees on the sites are claimants, and therefore the rents are paid by Housing Benefit. Welfare benefits (including Housing Benefit) are now increased annually by the Consumer Price Index (CPI), and the rate of increase to September 2011 (which is the reference point for the April 2012 benefits rise) was 5.4%. For Gypsy and Traveller sites this is Housing Benefit. In light of all this, it is recommended that the current site rents are all increased by 5.4% from 2011.

(2) These increases will enable the costs of managing and maintaining the sites to be more adequately covered by the income received.

(3) The above increases will produce the following new rents from 1 April 2012:

Aylesham Caravan Site Snowdown, Dover CT15 4LS	Existing New	£54.42 per week £57.00
Barnfield Park Caravan Site New Ash Green, Sevenoaks TN15 7LY	Existing New	£46.40 per week £48.50
Coldharbour Caravan Site Old London Road, Aylesford ME20 7NZ	Existing New	£42.27 per week £44.50
Greenbridge Park Vauxhall Road, Canterbury CT1 1YZ	Existing New	£53.90 per week £56.50
Heartenoak Caravan Site Heartenoak Road, Hawkhurst TN18 5EU	Existing New	£51.25 per week £54.00
Polhill Caravan Site Dunton Green, Sevenoaks TN13 2TQ	Existing New	£43.30 per week £45.50
Three Lakes Park Castle Road, Sittingbourne ME10 3NL	Existing New	£50.72 per week £53.00
Windmill Lane Caravan Site Windmill Lane, West Malling ME19 6PJ	Existing New	£52.31 per week £55.00

3. (2) In addition to the above sites, the KCC Gypsy and Traveller Unit manage the two Maidstone Borough Council sites, at Stilebridge Lane, Marden and Water Lane, Ulcombe, under a management agreement. Consultation will take place with the Borough Council over the rents they plan to charge for 2012/13.

Recommendation

4. (1) Members are asked to endorse these new proposed rents being applied from 1 April 2012 and that pitch occupiers are advised of the proposed increases with the required 28 days notice in advance of that date, in conformity with the Mobile Homes Act 1983.

Bill Forrester
Head of Gypsy and Traveller Unit

01622 221846

Background papers: Mobile Homes Act 1983; ONS details of RPI and CPI levels.

To: Gypsy Traveller Advisory Board

By: Alex Gamby, Head of Advocacy and Entitlement
Education, Learning and Skills Directorate

Title: Minority Communities Achievement Service Update

Date: 24 November 2011

Classification: Unrestricted

Summary	This report provides information about the current situation for and issues impacting on the Minority Communities Achievement Service and the way forward.
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1. Introduction

1. In the context of national and local agendas, the current environment and operating framework for the Minority Communities Achievement Service (MCAS) has undergone significant changes and is currently undergoing further ones. These will inevitably lead to significant change for MCAS itself. This report seeks to describe the changes and possible implications for MCAS impacting on GRT young people and their families.

2. ELS Restructure and MCAS

2.1 MCAS is located in KCC's Education Learning and Skills Directorate (ELS). It was formerly situated within Learners with Additional Needs but currently in the new ELS structure it sits within Advocacy and Entitlement, continuing to provide the following range of advice, support and training services in relation to minority ethnic groups, including Gypsy Roma Travellers (GRT):

- Admission procedures including accurate data collection;
- Supporting access to education, including for Children Missing Education;
- Assessment strategies;
- Home/school liaison;
- Classroom strategies to support outstanding teaching and learning;
- Accelerating learning for New Arrivals/beginners of English;
- Distinguishing between English as an additional language and special educational needs;
- Raising attainment of vulnerable groups through appropriate target setting and tracking of progress;
- Effective use of data;
- Racial incidents, policies and procedures;
- Enhancing race equality through the curriculum;
- Audit tools to support planning and identification of good practice;
- Impact assessment;
- Engaging with families from disadvantaged communities;
- Professional development for those in senior leadership roles, including those with designated responsibilities and all other staff groups including, teaching assistants, lunch time supervisors, governors, mentors.

3. Delegation

3.1 In July 2011 a consultation was undertaken with schools setting out options for the delegation from April 2012 of funding for a range of services and responsibilities to schools which have hitherto been provided or paid for centrally out of the Dedicated Schools Grant (DSG), the Government grant provided for schools and pupil services.

For each budget that KCC suggested could be delegated, the formula by which the funding would be distributed was also set out. Additional initial information on the choices likely to be available to schools to either buy back the service from KCC via Edukent or make alternative arrangements was included. The implications of this approach included the effective “de ring fencing” of funds and the complete transfer of associated responsibilities to schools.

3.2 MCAS is currently funded from the DSG to the level of £2,381,000. The consultation proposed that £1,983,000 of this be delegated to schools by a formula based on Mosaic, prior attainment and Additional Educational Need. The balance was proposed to be retained centrally to continue to provide services which relate to Children Missing Education including unaccompanied asylum seekers. (This work also contributes to the safeguarding agenda).

3.3 157 schools responded to the consultation with 66% of those schools agreeing with the proposal to delegate resources for minority ethnic young people. Of that 66%, 37% indicated that they would ‘buy back’ a traded service. The decision confirmed by Cabinet on October 17th was therefore that the £1,983,000 funding MCAS will be delegated to schools with the option of purchasing support through the route of Edukent. There was agreement to retain the balance to support the Children Missing Education agenda.

3.4 Based on information provided about amounts to be delegated to individual schools and options as to what is available for purchase, schools are currently being asked to confirm which services they intend to buy back (including MCAS), December 16th. The level of confirmed buy back will dictate the level of resource available to staff MCAS within EduKent. A proposed structure for MCAS will then be issued, integral to and within the timescales for the ELS restructure consultation as a whole.

4. The Kent Challenge

4.1 The Kent Challenge is *‘the vehicle by which we will achieve significant improvements in educational outcomes for all children and young people in Kent’*. Its aims include:

- Improving outcomes for all pupils at a faster rate than is currently occurring;
- Providing support for schools to break the link between disadvantage and low attainment;
- Ensuring access to high quality learning experiences for all children and young people whilst raising aspirations and expectations for every child;
- Maximising achievement for all children and young people.

The Kent Challenge will also make a significant contribution to the Government’s aims to:

- raise the educational achievement of all children and young people
- narrow the gap in educational achievement between children from low income and disadvantaged backgrounds and their peers

Success will include significant improvements in educational outcomes for all, but particularly for disadvantaged children and young people. Whilst The Kent Challenge is at this stage primary and secondary focused, it will be supported by strategies for Early Years and 14 – 24.

4.2 The role for MCAS at the heart of The Kent Challenge and as a key partner in school improvement is evident. This academic year MCAS has supported the Kent Challenge by working alongside colleagues in schools where minority ethnic achievement is a factor. Gypsy Traveller Achievement continues to be a concern and in Kent this group are still the lowest attaining minority ethnic group at all key stages.

5. Going Forward

5.1 ELS Advocacy and Entitlement.

The proposed structure for ELS Advocacy and Entitlement includes the following provision for minority ethnic children and young people, clearly including GRT:

- Strategic responsibility, invested in the Head of Service;
- A minority community specialist and dedicated resource within the Children Missing Education Team;
- An team dedicated to and focussed on Attendance, which includes six Attendance Coordinators, each of whom has a countywide lead responsibility, of which three are as follows:
 - (i) Minority ethnic communities;
 - (ii) Unaccompanied Asylum Seekers;
 - (iii) Gypsy Roma Travellers.
- A team dedicated to and focused on Inclusion, particularly designed to respond to the issue of Permanent Exclusion from schools and with Inclusion Officers sharing the same countywide lead responsibilities as the Attendance Coordinators;
- An Advocacy and Entitlement Monitoring and Quality Assurance Officer, whose role it will be to monitor and quality assure the length and breadth of the Advocacy and Entitlement agenda.

5.2 Trading

Advocacy and Entitlement is currently developing a range of services which will be available to schools to buy. In addition to those offered by MCAS (paragraph 2.1), these will include support for working in partnership with parents (delivered by Kent's Parent Partnership Service) and the development of strategies and effective practices in relation to attendance. Flexible packages will be available, incorporating elements of the full range of this knowledge and expertise. It will be of paramount importance to ensure that awareness of and how to respond to and meet the needs of all minority ethnic groups (including GRT) is inextricably embedded.

5.3 Joint working with Standards and the Kent Challenge

Joint working between Advocacy and Entitlement and Standards and Kent Challenge is critical. Increasingly effective joint training and other collaborative working is already taking place and there are plans to further develop this in the near future. The specialist expertise which is integral to Advocacy and Entitlement is an acknowledged invaluable resource to

Kent Challenge Advisers. As Kent Challenge Advisers identify school based issues around minority community (and other) issues, they will have the potential to commission the relevant traded service(s) in order to respond to these.

6. Conclusion

Supporting the improvement of Gypsy Traveller progress and achievement remains a priority, as they continue to be the lowest attaining minority ethnic group in Kent at all key stages. As we move forward into a new way of working, it is essential that the needs of this group are kept at the heart of ELS's business.

6. Recommendation

The Board is recommended to note and discuss the report

Louise Simpson
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