

## Update on potential sites for a temporary stopping site

Cabinet	<b>30 July 2020</b>
Report Author	<b>Penny Button, Director of Safer Neighbourhoods</b>
Portfolio Holder	<b>Cllr Whitehead, Deputy Leader and Cabinet Member for Housing and Community Services</b>
Status	<b>For Decision</b>
Classification:	<b>Unrestricted</b>
Key Decision	<b>No</b>
Previously Considered by	<b>Traveller Working Party 6 November 2019 Overview &amp; Scrutiny Panel 19 November 2019 Cabinet 16 December 2019</b>
Ward:	<b>All</b>

### **Executive Summary:**

The establishment of a temporary tolerated stopping site within Thanet continues to be important but has been delayed due to COVID 19 activities. This report updates the situation following Cabinet's recommendations for 16 December.

Following the impact COVID 19 has had on the Council's overall position and further discussions with the Head of Asset Management a number of other sites have been brought forward for consideration. The assessment matrix has also been updated to reflect the importance of identifying limited Council assets that are capable of generating much needed income opportunities which has resulted in revised recommendations regarding some of the original sites.

### **Recommendation(s):**

1. Removal of Port of Ramsgate as an option for a temporary stopping site due to the ongoing port feasibility study regarding development opportunities for the Port of Ramsgate and existing revenue streams.
2. Removal of Tivoli Brooks as an option for a temporary stopping site due to the potential commercial development and the opportunity it creates for income generation and employment.
3. Take forward the development of Shottendane Road and Potten Street sites for establishment as temporary stopping sites.

### **CORPORATE IMPLICATIONS**

#### **Financial and Value for Money**

There are no direct financial implications arising from the approval of the recommendations contained within this report.

	<p>However, it should be noted that there is currently no budget for the provision of sites within the medium term financial plan. Budget approval will be subject to further approvals from Cabinet once the project plan has been finalised.</p>
<b>Legal</b>	<p>Section 124 of the Housing and Planning Act 2016 removes the duty on local authorities under the Housing Act 2004 to assess the accommodation needs of Gypsies and travellers in their area as a distinct category. Instead, it specifies that local housing authorities should consider the needs of people "residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored"</p>
<b>Corporate</b>	<p>Section 124 of the Housing and Planning Act 2016 removes the duty on local authorities under the Housing Act 2004 to assess the accommodation needs of Gypsies and travellers in their area as a distinct category. Instead, it specifies that local housing authorities should consider the needs of people "residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored".</p> <p>It is anticipated that there will be modifications, following the recent examination, to the draft Local Plan to recognise the Gypsy and Traveller accommodation needs identified. Draft Local Plan Policy HO22 would therefore state that "Pending the next review of the Plan the Council will take proactive steps to accommodate all emerging needs of Gypsy and Travelling communities within the District on temporary sites and, wherever possible, permanent sites which meet the [access and environmental criteria set out in the Plan]. The Council shall address the identified need and monitor need in three stages: to continue to work with families to identify suitable short term sites; to commence immediately to identify suitable long term sites and to grant permission for them; and, to identify additional sites required to meet total provision in the next Plan review."</p>
<b>Equality Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p>
	<p>Please indicate which aim is relevant to the report.</p>

	Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	
	Foster good relations between people who share a protected characteristic and people who do not share it.	
	The council has to ensure it meets the requirements set out within The Equality Act 2010, which makes it unlawful to treat someone less favourably because of a range of protected characteristics, including race, nationality or ethnic or national origins. The following of a nomadic lifestyle is lawful, indeed it is a culture that is recognised and protected through legislation.	

<b>CORPORATE PRIORITIES (tick those relevant) ✓</b>	
Growth	
Environment	
Communities	✓

## 1.0 Introduction and Background

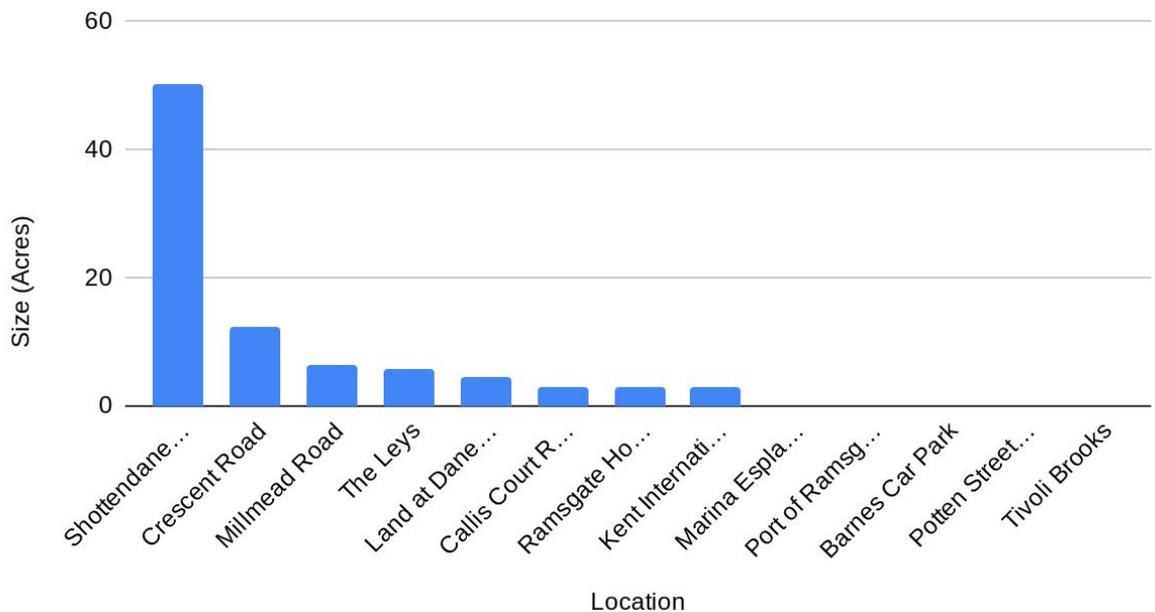
- 1.1 Historically unauthorised encampments have used TDC land, KCC land and private land; however there has been a growing tendency over the last couple of years to use TDC land.
- 1.2 The Travellers Review Group was set up at the Overview & Scrutiny Panel to review and report back to the Panel on understanding of and an approach to managing the impact of Traveller unauthorised encampments in the Thanet area.
- 1.3 The review group were asked to investigate the impact of Traveller incursions in Thanet and make recommendations to the Overview and Scrutiny Panel on what the Council could do to mitigate the impact of the incursion (if necessary) whilst still meeting its obligations to local residents and the Travellers.
- 1.4 This reviewed all sites owned by TDC with no current use and reported to the Overview and Scrutiny Panel and then Cabinet in December 2019 and recommended that three should be progressed. These were Potten Street, Tivoli Brooks and Ramsgate Port.

## 2.0 The Current Situation

- 2.1 Over the last six months, especially considering the impact of the global pandemic there has been a significant amount of change and as part of this the Council is reviewing how it delivers services in the future and how it can maximise the benefits of revenue opportunity from existing assets.
- 2.2 It was therefore agreed by Cabinet to further consider agricultural land in the ownership of the Council for the use as a temporary site, and that these would be

assessed against those already considered and a suitable scoring exercise undertaken. Taking these factors into consideration, officers have reviewed all land owned by the Council including space which is currently rented out. These sites are summarised as follows:

### Size (Acres) vs Location



The chart above summarises the sites looked at and their size in acres.

- 2.3 In order to reduce impact on any one site and maximise the ability to remove unauthorised encampments from unsuitable locations it is suggested that more than one site is required. Therefore the assessment matrix (which can be found here, [link](#) annex 1,) was used to assess the sites for income generation, potential environmental impact, accessibility to services, flood risk, proximity to settled community, proximity to high status tourist locations, previously subjected to unauthorised encampments, support to traveller communities, security and readiness for use.

### 3.0 Recommendations

- 3.1 The two sites with the highest score were Shottendane (141) and Potten Street (134) and it is therefore recommended that both these sites are taken forward as the most suitable locations subject to engagement with relevant Parish Council/Ward Members.
- 3.2 The previous sites proposed, the Port of Ramsgate (71) and Tivoli Brooks (117) are now removed.
- 3.3 The Port of Ramsgate is presently undergoing a feasibility study and the proposed area is in use for the storage of cars and is returning a revenue, it is also an industrialised area and not suited to families and young children.

3.4 Commercial opportunities for all Council owned sites are also being assessed and Tivoli Brooks has value as a commercial venture with the opportunity to generate future revenue and create employment opportunities.

#### 4.0 Next Steps

4.1 Create a project plan for bringing these sites forward for use including full costs, timescales, resident engagement and site operational plans. Further approval will be sought from members to agree the budget required to enable delivery of the project.

Contact Officer:	Penny Button Head of Safer Neighbourhoods
Reporting to:	Gavin Waite Director of Operational Services.

#### Annex List

Annex 1	Site Assessment Matrix
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#### Background Papers

Title	Details of where to access copy
Cabinet Paper from 16th December 2019	TDC Website <a href="https://democracy.thanet.gov.uk/documents/s66877/Report.pdf">https://democracy.thanet.gov.uk/documents/s66877/Report.pdf</a>
Risk assessment	<a href="#">link</a>

#### Corporate Consultation

Finance	Chris Blundell, Director of Finance
Legal	Estelle Culligan, Director of Law and Democracy