

**CABINET MEMBER FOR STRATEGIC PLANNING, DEVELOPMENT  
MANAGEMENT, STRATEGIC HOUSING, PROPERTY AND WASTE, Mr T  
Sturgis**

**NEW HOUSING**

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**REFERENCE: SDSWP-002-13**

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**Purpose of Report**

1. To seek authority to temporarily close Odstock Transit Site from 16<sup>th</sup> December 2013 for a period of 15-18 months to provide temporary housing for residents from two of the council's permanent sites which the council is seeking to refurbish.

**Relevance to the Council's Business Plan**

2. The council's business plan 2013-2017 has 3 priorities:
  - a. To protect those who are most vulnerable
  - b. To boost the local economy – creating and safeguarding jobs
  - c. To support and empower communities to do more for themselves
3. Approval of the proposals will enable the council to meet one of the 12 key actions to invest in the refurbishment of council housing and meet one of the 6 outcomes that everyone in Wiltshire lives in a high quality environment.

**Background**

4. The council owns and manages 90 permanent Gypsy and Traveller pitches and 12 transit pitches across the county.
5. The council was successful in securing funding from the Homes and Communities Agency in January 2012 to complete the refurbishment of 3 of the council owned and managed Traveller sites.
6. The council has recently been successful in securing additional funding from the Homes and Communities Agency to refurbish the remaining two permanent sites in Salisbury excluded from the original programme.
7. Due to the funding conditions both sites are required to be completed by March 2015.
8. To comply with this, construction on both sites, if the project proceeds, will need to run simultaneously starting in March 2014.

9. Due to the existing refurbishment programme there is no suitable space on the other permanent sites to accommodate the number of residents that will need to be relocated at one time.
10. Any site considered for potential relocation could have cost and timescales implications for the project, especially if this site was not within the council's ownership.
11. The transit site, already in the council's ownership, offers the space required to accommodate the residents on a rolling basis and enable the council to complete the project within the funding timescales.

### **Main Considerations for the Council**

1. The funding allocated by the Homes and Communities Agency to refurbish the remaining two permanent sites should be sufficient to deliver the project without requiring any further financial subsidy from the council.
2. Completing these two sites will bring them in line with the standards being applied to the other sites to improve quality of living and bring them up to an equitable standard with the settled community.
3. The transit site offers short term accommodation, up to 28 days, for Gypsies and Travellers moving through Wiltshire.
4. The purpose of the transit site is to offer a place to stay and enable the council to more effectively deal with unauthorised developments and unauthorised encampments.
5. Having a transit site available within the local authority area also allows the police to use additional powers to move people on.
6. Closing the transit site temporarily may have an impact on the number of unauthorised encampments within Wiltshire for the period it is closed.
7. Without an operational transit site, the Highways Enforcement team will continue to use alternative powers to manage instances of unauthorised encampments.
8. It is currently estimated that the site will need to be closed for a period of 15-18 months to enable the project to be completed.

### **Safeguarding Considerations**

9. The council's highways enforcement processes are enacted taking into account any safeguarding concerns for individuals and their families who may be part of an unauthorised encampment.
10. Approval of the proposal will allow the council to raise the standard of living on the permanent sites by replacing the water, electricity and drainage

infrastructure to rectify a number of historical issues on the sites included drains backing up and electricity tripping.

11. Approval of this process will allow the council work with the construction contractor to provide a safer environment for residents on a phased basis whilst the construction works are undertaken.

### **Public Health Implications**

12. Approval of this proposal will allow the council to proceed with undertaking the refurbishment work to the two permanent sites which will have a significant effect on the local environment and the quality of lives.
13. The audit report from 2011 set out a number of issues with the existing permanent council owned sites including trip hazards which presented a significant health and safety risk to the residents and their families.
14. The proposed programme of work is intended to replace out of date and not fit for purpose infrastructure including:
  - a. Electricity supplies upgraded to support modern appliance requirements and reduce/eliminate tripping occurrences which result in residents sometimes being without electricity and hot water overnight
  - b. Upgrade the drainage infrastructure as camera surveys from 2008 indicate substantial issues with the current drainage systems on all the sites. This should reduce the amount of blockages within the system and the health risks associated with backed up toilets.
  - c. Improved surface water drainage measure and levelling of pitches to ensure that risk of flooding on individual pitches is reduced
15. Design standards applied to the permanent sites and pitches will increase the benefits for residents on these sites by:
  - a. Increasing the standard of amenity facilities provided on each pitch, providing better insulated buildings, internal access between the kitchen area and the bathrooms rather than needing to go outside and reducing the amount of energy consumed in heating the buildings
  - b. Sites will no longer have gravel on the pitches reducing the potential for disease to be spread to children from the amount of animals, particularly dogs, kept on the sites
  - c. Pitches will be mainly tarmac and will be level eliminating historical trip hazards
  - d. Complete refurbishment of the sites, providing a clean environment for residents should reduce the attraction for rats which frequently visit the sites
  - e. Providing open green spaces away from roadways that are safe for children to play in

## **Environmental Impact of the Proposal**

16. Temporarily closing the transit site may increase the number of unauthorised encampments within Wiltshire for the period the site is closed which in turn may have an impact on the immediate environment in which these encampments occur.
17. Temporarily closing the transit site will enable the project to proceed which will contribute to the improvement of the local physical environment around the two sites to be refurbished by providing amenity building to BREEAM 'very good' standards and improving the standard of living.

## **Equalities Impact of the Proposals**

18. Closure of the transit site will enable the improvement of facilities for one of Wiltshire's minority groups. If the work does not proceed this will have an adverse impact on this minority group and will leave them with sub-standard facilities which are not equitable to the settled community and would have potential Human Rights implications.
19. The council has policies and procedures in place to manage unauthorised encampments and unauthorised developments which take into account any Human Rights implications and meet the council's statutory duties under the Public Sector Equality (Equality Act) Duty.
20. Any additional increases in either as a result of the transit site being closed will be managed following these usual processes.
21. An Equality Analysis of the project as a whole has been carried out in line with the council's approved template and is being monitored and updated on an ongoing basis by the project's Delivery Group.

## **Risk Assessment**

22. There is a risk that closing the transit site on a temporary basis may result in an increase in unauthorised encampments within Wiltshire which in turn could generate increased negative publicity for the council.
23. There is a risk that if permission is not given to close the transit site and an alternative option cannot be found the council will need to return the £4,419m funding allocated by the Homes and Communities Agency.
24. There is a risk that further resources dedicated to evaluating and developing the refurbishment proposals will lead to a decision that the project is not viable and/or deliverable. However, this is a low risk as substantial work has been undertaken to explore the potential barriers to delivery. In the event that this situation arises, approval of this proposal will not be acted upon.

## **Financial Implications**

25. The council has been allocated sufficient funding from the HCA for the refurbishment work on the Gypsy and Traveller sites to be carried out at with no additional subsidy from the council aside from the contribution of land.
26. If there was an increase in unauthorised encampments around the county during the period of the closure there may be an associated increase in enforcement cost within the Highways and Streetscene budgets, however, it is anticipated that this would be a minimal increase compared with the current spend.
27. Temporarily closing the transit site will result in a potential loss of rental income from the site; however, as use of the transit site varies and is unpredictable, this income usually only amounts to a few thousand pounds per year.
28. Temporarily closing the transit site should reduce the maintenance and management costs for the site which in most years exceeds the amount of rental income collected from the site. So overall it is not anticipated that this temporary closure will have any significant financial impacts.
29. If the proposal to close the transit site is not accepted and an alternative suitable site for rehousing was identified, it is likely that the new site would need to be rented or purchased. This could therefore have an impact on the capital project budget or the revenue budget.
30. If the project cannot proceed the council will need to return the funding allocation of £4.419m to the Homes and Communities Agency and it is unlikely that the same grant rate would be available in a future bidding round.

## **Legal Implications**

31. The council has no statutory duty to provide a transit site within the local authority area.
32. Having a transit site available within the local authority area makes it easier for the police to move people on who are in an unauthorised encampment. This additional power is given to the police under sections 62 A of Criminal Justice and Public Order Act 1994('CJPO').
33. Although this would be a reduction in the police's ability to move people on from unauthorised encampments it should be noted that since April 2012, the council's Highways Enforcement Team has only recorded 1 use by the police of the CJPO power to move on an unauthorised encampment.
34. If the CJPO power is not available then processes that are slower and that require more legal and other resource from the Council will have to be used to manage unauthorised encampments and unauthorised developments around the county.

## **Options Considered**

35. There is an option to look for an alternative site to relocate the residents.
36. This could cause delays to the proposed timescales for the project and could mean that the council will not be able to meet the funding timescales.
37. Depending on the site(s) available within the local area, there may be a requirement for planning permission for a temporary site which could have a potentially negative publicity and cause a significant delay to the project.
38. Either renting or potentially purchasing a suitable alternative site, if not within the council's ownership, could have significant cost implications for the project budget.
39. There is an option not to temporarily close the transit site.
40. This would likely result in the council needing to return the allocated funding to the Homes and Communities Agency if an alternative site was not identified.

## **Conclusions**

41. Approving the temporary closure of the transit site will allow the council to continue with the project to refurbish two permanent Traveller sites totalling 50 pitches.
42. This work will bring the standards in line with those being applied to the three sites included as part of the original programme and avoid a two tier standard of living on council owned sites.
43. Although the temporary closure of the transit site may result in an increase in the number of unauthorised encampments around the county there are sufficient processes in place to manage these in line with existing practices.

## **Proposal**

44. To temporarily close the transit site for a period of 15-18 months from 16<sup>th</sup> December 2013 to provide a suitable space to relocate residents from two of the council's permanent sites and enable refurbishment works to be completed to 50 pitches within the funding timescales agreed with the Homes and Communities Agency.
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## **Appendices**

Not applicable.