

Decision maker:	Acting Director of Economy and Place
Decision date:	6 August 2019
Title of report:	Development of three traveller site pitches (project 1 of 3)
Report by:	Licensing, travellers and technical support service manager

Classification

Open

Decision type

Non-key

Wards affected

Bromyard West and Wormside

Purpose and summary

To seek approval to begin works to develop three additional traveller pitches following the awarded capital bid funding.

The pitches consist of two at the Bromyard Site and one at the Grafton Site. Both sites are owned and managed by Herefordshire Council.

The development of the new pitches will attract an annual income of £11,700 and there is a waiting list of potential residents to take up tenancies for all these pitches.

Recommendation(s)

That:

- (a) the development of two traveller site pitches at Bromyard and one at Grafton traveller sites be approved at a cost of £420,000.**

Alternative options

1. If approval is not given, then the council will not fulfil its obligations with regard to its obligations under the Gypsy Traveller Accommodation Assessment (GTAA) and the mandate to spend this by Full Council will not be fulfilled.

Key considerations

2. The capital bid was necessary in order to comply with the requirements of the council's Core Strategy (Local Plan) 2011 – 2031, as it seeks to ensure compliance with the Council's duty in relation to the Travellers Sites Development Plan, which forms part of the Local Plan.
3. Results of the Gypsy Traveller Accommodation Assessment (GTAA) indicated that there would be a requirement to provide nine additional pitches. The latest review from the Inspector recommends that a further five pitches will be required in the county before 2022/23 and a further 11 pitches between 2023 and 2031, these are in addition to the previously identified nine.
4. The increase in pitch numbers would assist to reduce the pressure on the availability of pitches within the Gypsy Traveller community.
5. Developing the two pitches at Bromyard will reduce further opportunity for the residents to accumulate waste materials. The proposed pitches will be located at the rear of the site where previous problems have occurred. The shell of a brick building containing two potential units was left undeveloped during the re-instatement of Bromyard as a Traveller Site, and were left boarded up. The units require fitting out with windows, doors, kitchen and bathroom facilities, utility services re-instated to allow them to be used as lettable units. This area of the site will also benefit from refurbishment to prevent open areas which can attract accumulations of rubbish.
6. The Grafton site will benefit from the old manager's office being instated as a residential pitch. The brick unit which is on site but not used as a residential pitch will be converted to include a bathroom, kitchen, new windows and both internal and external doors. This building currently houses the main electricity supply for the site, so this will need to be relocated.
7. The above works will be procured in accordance with the council's contract procedure rules; this is likely to be through BBLP, a suitable framework, or an open procurement process. The specific route will be determined in consultation with Property Services and the Commercial Services team.

Community impact

8. This project also supports residents of council owned sites to live safe, healthy and independent lives, and supports the choices available for persons not wishing to live in 'bricks and mortar'.
9. Better provision of accommodation and an increase in plots available will enhance traveller children's lives. Stability in accommodation enables facilities to be accessed more easily.
10. Development of good quality accommodation supports the secure better services, quality of life and value for money element within the corporate plan. Herefordshire Council's

Property Services and Traveller Service will develop and implement the plans and materials used in this project, using past experience to improve quality standards.

11. If the council were to seek alternative management/ownership of its council managed sites in the future, the properties would benefit from being in an improved condition, so seeking this type of change would be more feasible.

Equality duty

12. This decision provides additional opportunity for persons from the gypsy traveller community to have more accommodation choice, and demonstrates that the council is proactive in discharging its equality duty

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
13. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of our traveller sites.

Resource implications

14. There is an approved provision of £910,000 in the capital programme in 19/20 for Gypsy and Traveller Pitch development so the budget for these additional pitches of £420,000 is in place to progress this project. The balance of £490k is to be used on a programme of works to modernise current sites and is subject to a separate decision.
15. Table below details the spend required to build the new pitches in 19/20, this work is mainly funded by the revenue income that will be generated in the future, with the balance funded corporately. The additional revenue income will be used to refund the principle and interest borrowing costs.

Capital cost of project – 3 additional pitches	2019/20 £000	Total £000
Two pitches at Bromyard Traveller Site	225	225
One pitch at Grafton Traveller Site	135	135
Property Service charge @ 10% total spend	42	42
Contingency	18	18

TOTAL	420	420
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Funding streams	2019/20 £000	Total £000
<i>PWLB – HC Funded</i>	89	89
<i>PWLB – Return on Investment</i>	331	331
TOTAL	420	420

Revenue budget implications	2019/20 £000	2020/21 £000	2021/22 £000	Future Years £000	Total £000
<i>Income from increased pitches x 3 @ 100% occupancy for 40 years to repay loan and interest</i>	12	12	12	12	480
TOTAL	12	12	12	12	480

16. A business case that informed the capital programme funding request is attached as Appendix 1

Legal implications

17. This is an executive function and a non-key decision. Such decisions under the Constitution are delegated to the Chief Executive under Part 3 Section 3, on to officers in exercise of its functions in Part 3 Section 7 (officer functions) and subsequently to named officers under the Directorate Scheme of Delegation Economy and Place. The Acting Director Economy and Place has the authority to act on behalf of Herefordshire Council in respect of all regulatory, environment and waste services.
18. As with other forms of social housing, councils have statutory responsibilities to ensure that their traveller sites are maintained in good repair. Maintaining good standards will assist to ensure the continued viability of the site. Council duties as site owners are contained in the Mobile Homes Act 1983. Herefordshire Council as the site owner is required to ensure that its sites are kept in a good condition by maintaining pitch bases, utilities, amenity blocks and shared amenities. Paragraph 22 (e) and (f) of the Mobile Homes Act 1983 requires the site owner to consult with pitch occupiers and/or residents groups about any proposed improvements to the site. Care must be taken to ensure when undertaking improvement works to ensure that the needs of disabled persons are prioritised, in accordance with duties under the Equality Act 2010.
19. There are no other legal considerations

Risk management

20. In summary the main risks are as follows:

- a. Non compliance with the Travellers Sites Development Plan
- b. Reduction in income from rent from the three pitches if they are not developed
- c. Increased pressure on the maintenance budget
- d. Continued challenge from the traveller community regarding the condition and availability of the sites

21. Any risks concerning a potential overspend will be managed by the Service Manager and the Assistant Director, through the council's project management procedures.

Consultees

22 Consultation has taken place during the Travellers Sites Development Plan over a two year period. The location of these sites for pitch development was selected from the results of that process. Ward Members where the sites are being located have been consulted as part of this process and no objections have been received.

Appendices

Appendix 1 – Business case for capital bid which formed the basis of the capital approved at Full Council on 15 February 2019.

Background papers

None identified