

## Individual Decision

---

<b>Title of Report:</b>	<b>Gypsy &amp; Traveller Policy</b>		
<b>Report to be considered by:</b>	<b>Geoff Findlay, Portfolio Member for Environment &amp; Public Protection</b>	<b>on:</b>	<b>1<sup>st</sup> February 2007</b>
<b>Forward Plan Ref:</b>	ID1291		

---

**Purpose of Report:**

To approve the Draft Gypsy & Traveller Policy for West Berkshire.

---

**Recommended Action:**

To approve:

- i. the Draft Gypsy & Traveller Policy for West Berkshire
- ii. the external consultation and implementation as a draft Policy, pending its adoption by the Executive.

**Reason for decision to be taken:**

For the Council to have in place a relevant Gypsy & Traveller Policy.

**List of other options considered:**

None

**Key background documentation:**

Draft Gypsy & Traveller Policy

<b>Portfolio Member:</b>	Councillor Geoff Findlay
<b>Tel. No.:</b>	01635 871992
<b>E-mail Address:</b>	<a href="mailto:gfindlay@westberks.gov.uk">gfindlay@westberks.gov.uk</a>

**Contact Officer Details**

<b>Name:</b>	Bill Jennison
<b>Job Title:</b>	Head of Countryside & Waste Management
<b>Tel. No.:</b>	01635 519560
<b>E-mail Address:</b>	<a href="mailto:bjennison@westberks.gov.uk">bjennison@westberks.gov.uk</a>

## Supporting Information

### 1. Background

- 1.1 There were many issues arising, particularly from the incident of Travellers at Pangbourne during 2005, which had affected almost every Council service. This prompted a need for a different and more strategic approach to traveller issues, where all strands of work undertaken by the Council could be brought together and co-ordinated under one Head of Service. It was decided that Gypsy & Traveller issues would now be co-ordinated by the Head of Countryside & Waste Management.
- 1.2 A Traveller Core Officer Group, with representatives from the key services involved and led by the Head of Countryside & Waste Management was created and has met regularly over the last 11 months with two fold agenda:
- (1) To produce a programme and develop a new and relevant Gypsy & Traveller Policy for the Council, taking on board new government legislation and guidance for local authorities with responsibility for Gypsies & Travellers.
  - (2) To co-ordinate current Gypsy & Traveller issues and encourage engagement of Council services to ensure that relevant outcomes are managed and included in the new Policy.
- 1.3 The Traveller Core Group has purposefully sought to meet with external groups and organisations involved with Gypsy & Travellers to seek and develop closer partnership working. The Core Group is supported by a Wider Service Group of officers within the Council.

### 2. Draft Gypsy & Traveller Policy

- 2.1 The Core Group, in consultation with the relevant Council services, has finalised the Draft Policy and is seeking approval, through an Individual Portfolio Member Decision, of the draft Policy and to undertake an external consultation with interested groups and organisations. A consultation plan is being developed to take place in February and March. A list of suggested consultees is shown below. An approved Draft Policy that meets current responsibilities and legislation will help the development of the Policy and assist the Council until adoption of the Policy is achieved following external consultation and evaluation in June 2007.

External Organisations and Interested Groups	
<ul style="list-style-type: none"><li>• Community Council for Berkshire</li><li>• The Government's Rural Advocate</li><li>• The Countryside Agency</li><li>• Association of Councils of the Thames Valley (ACTVaR)</li><li>• Government Office of the South East (GOSE)</li><li>• Local Government Association (LGA)</li><li>• The Gypsy Council</li><li>• The Gypsy Law Society</li><li>• Housing Associations in West Berkshire</li><li>• Hampshire County Council</li><li>• Wiltshire County Council</li></ul>	<ul style="list-style-type: none"><li>• Oxfordshire County Council</li><li>• Basingstoke and Deane District</li><li>• Test Valley District Council</li><li>• Kennet District Council</li><li>• Swindon District Council</li><li>• Vale of the White Horse District</li><li>• South Oxfordshire District Council</li><li>• Reading Borough Council</li><li>• Primary Care Trust</li><li>• Pangbourne Parish Council</li><li>• Thatcham Parish Council</li><li>• Theale Parish Council</li><li>• Police</li><li>• Fire Authority</li></ul>

2.2 Recent government legislation and guidance on Gypsies & Travellers has been extensive and complex, particularly over the last year and an emphasis has been made within the Policy to clarify responsibilities and priorities for the Council. The timing of the Policy has made it possible to include the partnership working with Thames Valley local authorities and ACTVaR to produce, ahead of many other authorities, a Gypsy & Traveller Accommodation Assessment (GTAA). It is now a requirement of local authorities, under the Housing Act 2004, to include Gypsies & Travellers in their accommodation assessments. This new work will particularly involve Planning and Housing working closely together to develop the necessary strategies for future pitch provision through the Planning process.

### **3. Summary**

3.1 No one local authority alone can resolve all the issues raised in the Policy. The key to success will be in the opportunities of partnership working with other neighbouring local authorities and relevant groups and organisations. This will greatly help to achieve improved provision for Gypsies & Travellers and provide a service that is consistent and fair.

3.2 The specific policies detailed individually at the end of the Policy document have been prepared to meet the Council's responsibilities in terms of government guidance and legislation, legal requirements and procedures, equality and access to Council services for Gypsies and Travellers.

## **Appendices**

---

Appendix A - Draft Gypsy & Traveller Policy for West Berkshire

## **Implications**

---

<b>Policy:</b>	There is a need to establish a current and relevant Council Policy for Gypsies & Travellers to ensure that West Berkshire can meet its responsibilities, government guidance and legislation when managing gypsy and traveller issues.
<b>Financial:</b>	None at this point in time. Any future provision for additional or improved pitches for Gypsies and Travellers will, however, require future budget consideration.  Grant aid towards pitch provision or improvement may be available through the Government Office of the South East (GOSE)
<b>Personnel:</b>	None at this point in time.
<b>Legal:</b>	Participation in assisting preparing the Draft Gypsy & Traveller Policy has been essential.
<b>Property:</b>	Assistance in identification and any necessary procurement of land for any future pitch provision may be required.
<b>Risk Management:</b>	The absence of a relevant Policy for Gypsies and Travellers could lead to a potential high risk of legal challenge. The development of an effective Gypsy and Traveller Policy is fundamental to the Council's Equality Strategy and in addressing social inclusion issues.

## Consultation Responses

---

### Members:

**Leader of Council:** Graham Jones is supportive of the Policy.

**Overview & Scrutiny Commission Chairman:** Jeff Brooks

**Policy Development Commission Chairman:** Quentin Webb - "I welcome the report and its approach to co-ordinate an accommodation and service strategy across the region."

**Ward Members:** District wide

**Opposition Spokesperson:** Royce Longton - "I am happy with the general thrust of the document. However, am not convinced that sufficient provision is made in 9.3 in terms of additional pitches required for families at present in unauthorised encampments." He also suggested some alternative wording in some sections, and these have been incorporated into the Policy.

**Additional Member Comments:** Sally Hannon – "The Gypsy and Traveller Policy isn't the easiest of documents to read especially because of the necessity to refer to legislation.

On page 13 there is a list of consultees, Only one RSL is mentioned - Sovereign, but as we have more than one general needs RSL's in the District should they be included? There is not mention of the police as consultees - have they been involved in all parts of the policy? If not should they be included. I am also surprised that there is not mention of Parish Councils as consultees or in the policy as unauthorised encampments can be a challenge for them as well.

Page 15 refers to Health - this is not a direct responsibility for the Council but in view of our Partnership working - should we be more proactive in addressing some of these issues? And again should the PCT be included on the list of consultees?

The guidance on the fact sheet on page 35 is extremely helpful - but should we include somewhere a reference to actions that landowners can take to avoid illegal encampments? We ensure that as far as possible council land has appropriate "barriers". Is there a role for planners to give guidance when we grant planning permission? We had an instance when the college first opened of an unauthorised encampment that could have been avoided."

**Advisory Members:** N/A

**Local Stakeholders:** N/A

**Officers Consulted:** Corporate Board, David Holling, Dawn Reid, Tim Slaney, Mel Brain, Helen Walters, Tandra Forster, Moyra Blake, Caroline Simmonds, John Priest, Paul Hendry, Sarah Winter, Jean Pimley , Pam Chomicz, Sean Anderson, Joanna Richardson and Mark Abinger.

**Trade Union:** N/A

<b>Is this item subject to call-in.</b>	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
<p>If not subject to call-in please put a cross in the appropriate box:</p> <p>The item is due to be referred to Council for final approval <input type="checkbox"/></p> <p>Delays in implementation could have serious financial implications for the Council <input type="checkbox"/></p> <p>Delays in implementation could compromise the Council's position <input type="checkbox"/></p> <p>Considered or reviewed by OSC or associated Task Groups within preceding 6 months <input type="checkbox"/></p> <p>Item is Urgent Key Decision <input type="checkbox"/></p>		