

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet
AUTHOR: Strategic Officer Group on Traveller Issues

13 April 2006

TRAVELLER ISSUES: UPDATE ON SPENDING

Purpose

1. To advise Cabinet of the provisional figures for the Council's spending on Traveller Issues between April 2005 – March 2006.

Effect on Corporate Objectives

2.	Quality, Accessible Services	Traveller issues have implications for all four corporate objectives, especially 'Quality Village Life'. The Council's policy on Traveller Issues includes a commitment to: help to meet Travellers' needs; carry out fair and consistent planning enforcement of unauthorised sites; and strengthen relations between the settled and travelling communities.
	Village Life	
	Sustainability	
	Partnership	

Background

3. This is the latest monitoring report on the Council's spending on Traveller issues, which have been produced since the Cabinet requested regular updates in May 2004.
4. The Council's Traveller issues budget for 2005/06 includes £100,000 for legal costs and £450,000 for any form of appropriate planning enforcement action - including injunctive action - on any unauthorised Traveller site in the District.
5. Whilst these amounts were included in 2005/06 budget, expectations have been that spending would take place over a longer period given the unavoidable timescales involved in enforcing planning control and taking out injunctions through the courts. Indeed, Cabinet received a report on 12 January 2006, which estimated that around £350,000 might be unspent at the end of the current financial year.
6. This should not detract from the significant progress made in 2005/6, which includes:
 - a. applying for, and obtaining, injunctions against those persistently breaching enforcement notices and against anticipated unauthorised development;
 - b. responding to decisions made by planning inspectors and the Secretary of State;
 - c. working with neighbouring councils and the researchers to finalise the results of the Travellers' Housing Needs Survey;
 - d. making SCDC's case in planning inquiries and the Regional Spatial Strategy examination in public relating to Traveller sites;
 - e. carrying out initial searches of Council-owned (and other) land in terms of possible suitability for future Traveller site provision (as reported to Cabinet in January);
 - f. making preparations for a Development Plan Document on future Traveller site provision, as part of the Local Development Framework;

- g. raising awareness both amongst the public and within the Council of Travellers' needs and culture, including support for a play by the Romany Theatre Company and a tour for councillors of Traveller sites in the district;
- h. setting up a Traveller Liaison Forum and maintaining a dialogue with parish councils, the Travelling community, the Government Office for the East, the Commission for Racial Equality and other partners;
- i. producing an updated Race Equality Scheme, which places priority on Travellers' needs, as the largest ethnic minority in the district;
- j. running a second workshop for councillors on the way forward (this will be covered by a report to Cabinet in the next few months).

Considerations

7. The following table sets out spending on Traveller Issues in 2005/06. These figures are provisional - the accounts for 2005/06 will be finalised by the end of June 2006.

	2004/05 (£)	2005/06 (£)
Barrister costs	38,325	44,630
Solicitors costs	165,057	73,796
Bailiff costs	9,490	3,061
Hire of premises	2,770	0
Contractors	1,580	0
Cambs Travellers Initiative contribution	1,500	0
Miscellaneous costs	4,134	594
County-wide Travellers Survey	20,000	0
Foul Water Survey, Smithy Fen	0	1,185
Total costs	242,856	123,266

8. This table does not take account of staffing costs, projected to be £192,000 in 2005/06, because the actual allocations will not be known until after the financial year-end. Even so, it is worth noting - in the context of council tax capping – that more legal work has been carried out in-house this year.

Financial Implications

9. Of the £550,000 in the original budget for 2005/06, it now seems that around £425,000 has been unspent. The Council agreed in January 2006 that:
- a. "money from the 2005/06 Traveller Issues budget that is not spent in the current year be transferred into a specific ear-marked reserve for spending on any aspect of addressing Traveller issues in the District.
 - b. use of the £550,000 allocated in the Medium Term Financial Strategy for planning enforcement on any unauthorised Traveller site in the District in 2006/07 may be extended to all forms of enforcement action on such sites; and
 - c. use of the funding allocations in the Medium Term Financial Strategy for Traveller Issues for 2007/08 onwards be extended to cover all types of activity reflected in the Council's policy on Traveller issues."

Legal implications

10. The Council has powers pursuant to section 187b of the Town and Country Planning Act 1990 to seek injunctions from the courts to restrain breaches of planning control. It is a powerful tool in a local authority's armour as it enables the Council to seek an injunction against apprehended as well as actual breaches of planning control. However, it should be noted that, although the provisions enable such applications to be made to the grant of an injunction, it is entirely at the courts' discretion. That discretion is exercised taking into account all the factors relevant to the application (including human rights issues) and in accordance with the principle of proportionality.

Equal Opportunities implications

11. In line with duties under the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000, the Council operates a Race Equality Scheme (RES) in order to eliminate unlawful discrimination and to promote race equality and good race relations. The Scheme gives priority to actions relating to Travellers as the biggest ethnic minority in the district (around 1.7% of the district's population).

Staffing Implications

12. There are no particular staffing implications arising from this report, although Traveller issues themselves take up a considerable amount of officer time across a range of Council services. This is co-ordinated by the Strategic Officer Group on Traveller Issues, which is currently chaired by the Director of Development Services.

Risk Management Implications

13. Risks associated with Traveller Issues are rated on the latest Strategic Register as 'High impact', with a '71% - 90% probability' of occurring in the next twelve months.

Consultations

14. None.

Conclusions

15. The Council is making good progress, albeit that taking planning enforcement and legal action and identifying future site provision to meet Travellers' needs takes time and is very expensive. In the context of equal opportunities requirements, it is important to make sure that, where money is spent on tackling unauthorised development by Travellers, the Council applies an equitable approach to breaches of control by anyone else, making appropriate provision for the associated financial implications. The Traveller issues encountered in South Cambridgeshire are a local example of a national problem. The Council continues to call on the Government to provide more practical and financial support to local authorities, like SCDC, which are already having to do more than their fair share to help meet Travellers' needs.

Recommendations

16. Members are asked to note this report.

Background Papers:

- Cabinet report on Traveller Issues and Future Site Provision, SCDC, 12 January 2006
- IBS Financial Management System Report
- Invoices awaiting payment

Contact Officer: Strategic Officer Group on Traveller Issues. Telephone: (01954) 713297