

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Leader and Cabinet  
**AUTHOR/S:** Executive Director

9 July 2007

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### TRAVELLER ISSUES RESOURCES

#### Purpose

1. To advise Members of the resources available for Traveller issues.

#### Executive Summary

2. The Council is currently responding to a number of challenges, including the CGI inspection, the growth agenda, considering future housing options and meeting the needs of Gypsies and Travellers. There are limited resources within the council to meet these challenges and there will be areas of work that cannot be completed in the short-term, possibly even long-term. Members are asked to note the actions being proposed and those for which there are no resources to meet. A financial update is also provided should members wish to allocate funds for specific projects that they consider to be priorities.

#### Background

3. The Travelling community has been a traditional part of rural life in South Cambridgeshire for many years – involved in seasonal crop-picking, for example. Historically, Travellers have lived comparatively peacefully alongside local people.
4. Since 2003, the northern part of South Cambridgeshire has been particularly affected by the arrival of Travellers who have purchased their own land. There has been a significant (over 500%) increase in unauthorised Traveller caravans, which do not have planning permission. Whilst the largest unauthorised encampments in the district are at Smithy Fen, Cottenham, there are other illegal sites at Swavesey, Histon, Willingham and Chesterton Fen. The latest national statistics (ODPM caravan count July 2006) show that South Cambridgeshire has the highest number of Traveller caravans (authorised and unauthorised) in the country (528). It also has the highest number of authorised caravans (322) and unauthorised caravans (163).
5. Over the last few years, the problems caused by unplanned and unauthorised encampments have had a serious effect on the local environment, local communities and the quality of life. Local facilities (such as schools) have, at times, struggled to cope with increased and unpredictable levels of demand for services. These difficulties have been compounded by: a number of the Council's planning decisions in relation to unauthorised sites being overturned at appeal on Human Rights grounds; inadequacies in planning law which cannot cope with the new situation; a complex and lengthy legal process; community frustrations, tensions and suspicion; and considerable media coverage.
6. The Council has done far more than most local authorities to meet the needs of Travellers. In partnership with parish councils, SCDC has granted many planning permissions resulting in over 300 caravans on authorised pitches within the district. Since September 2006 nine temporary planning applications have been granted for sites in the district pending the Council agreeing its Gypsy and Traveller Development Plan Document which will identify sites for Gypsies and Travellers and will provide a

criteria based policy for planners to use when assessing such planning applications in the future.

### Corporate Resources

7. In April 2005 the Council's Corporate projects officer was appointed to coordinate amongst other tasks the council's approach to Traveller issues. Since then the Council has:
- (a) allocated more resources to enforce planning regulations at Traveller sites;
  - (b) obtained five pre-emptive injunctions on land within the district;
  - (c) been granted an injunction on Pine View, Smithy Fen, Cottenham and subsequently undertook a successful land clearance operation;
  - (d) obtained an injunction on land at Smithy Fen, Cottenham;
  - (e) fostered trust & understanding with Travellers by making regular visits to Traveller sites;
  - (f) set up a liaison forum between settled & Travelling communities;
  - (g) completed a joint survey (with other agencies) of Travellers' housing needs;
  - (h) represented the district's interests in a Select Committee inquiry and a major Government consultation exercise;
  - (i) lobbied the Government and made links with other councils facing similar issues;
  - (j) kept local communities (in particular, parish councils) informed on Traveller Issues;
  - (k) begun preparing a Gypsy and Traveller Development Plan Document (GTDPD).
8. Senior Management Team agreed in February 2007 that the role of the corporate project officer be broadened in order for resources to be made available for the Milton Country Park project and the growth agenda. The estimated staff costs for 2006/7 specific to the Gypsy/Traveller project were £247,630. Having made savings the actual cost at the end of 2006/7 was £207,521. The budget for 2007/8 is £217,210. The service plan at Appendix 1 shows the work that is planned for 2007/8. In order to prioritise resources, the following actions will be progressed as originally anticipated.

1	Produce at least every quarter a report for Cabinet on the current Traveller issues	This has not been possible, however following this report; the Traveller project budget will be reported on a quarterly basis along with all other budget reporting.
2	Investigate and implement gating orders at a number of locations within the district to reduce/prevent fly tipping.	This will be of benefit to the Council but at present there are not the resources to take the project forward.
3	Develop and have approved a Traveller Issues Strategy	The service plan contains actions to be completed and acts as a strategy document.
4	Arrange and hold a Member workshop on Traveller issues	No resources internally to do this at present, although it could be provided externally if resources allowed.
5	Persist with our targeted campaign on central Government, to deliver a fair policy for all Local Authorities	The Council will continue to be part of a number of cross authority groups looking at the Governments approach, but on a more limited basis than before
6	Investigate the possibility of submitting a bid for EEDA 'Investing in Communities' funding for community facilities for Travellers.	There were no resources to do this at the time, however a project led by Cambridgeshire County Council on lifelong learning is being delivered in South Cambs using this funding stream.

7	Work with the CRE ensuring all necessary steps are being taken to maintain a consistent approach to planning enforcement	The council cannot invest time beyond ensuring that it will take the necessary steps to comply with the Race Relations Act and the Council's Race Equality Scheme.
8	Produce a CD for Travellers, containing advice on planning from SCDC, to update that produced by Ormiston before the new circular 01/2006.	There have not been the resources to do this. The council could work with the Ormiston Trust to produce another version if funds were allocated.
9	Investigate the possibility of mains sewage supply to the Travellers at Chesterton Fen Road	There are no resources to do this at present other than signposting to potential sources of advice.
10	Smithy Fen - sub division of plots, drainage and sewage issues	The council can only respond to the emergency issues at present.

### Financial considerations

9. With a budget available for Traveller issues, there are funds available to pay for work/projects that the Council does not have the resources to complete internally. There would however need to be discussion over what was possible, since the actions outlined in the service plan currently require a significant proportion of the budget depending on what stage some of the legal proceedings are taken to. If funds were allocated to undertake some of the actions in paragraph eight there would be actions in the service plan at Appendix 1 that would have to be revised to take account of less resources.

10. The budget for the Traveller project can be summarised as follows:

2006/07	
Budget excluding recharges	£577,100.00
Expenditure	£169,247.16
Balance to add to reserves	£407,852.84
Less use of reserves	<u>£64,977.00</u>

**£342,875.84**

Reserve balance at 31/03/2006	£443,384.13
Added to reserve at 31/03/2007	£342,875.84
Total reserve fund at 31/03/2007 (capped at £1 million)	<u><b>£786,259.97</b></u>

2007/08	
Budget excluding recharges	£353,610.00

11. In 2007/08 £100,000 of new funds has been allocated towards the budget with the remaining £253,610 being taken from the reserve account should it be needed.

### Staffing considerations

12. In January 2007, Cabinet approved the extension of hours (to full time) for one of the planning enforcement officers. It was explained at the time that this was a fixed term post due to expire in October 2007. The current post holder works directly with legal services to take forward injunctions, prosecutions, and other legal proceedings, many

of which are detailed in the service plan at **Appendix 1**.

13. The post holder has been instrumental in achieving a number of the pre-emptive injunctions across the district and creates additional capacity within the enforcement team to respond to the increased number of cases, all of which the Council has a statutory obligation to investigate. It is without doubt that a number of actions outlined in the service plan at appendix 1 will not be achieved if this post is not retained. At present it is being funded from the Gypsy/Traveller project's reserve account and this could continue until the end of 2007/08 allowing time for the relevant service to revise staffing budgets to meet this cost from 2008/9 onwards.

### Implications

14. The implications of this report are far ranging. There is a commitment from the officers to deliver the best service within the resources available but this is unlikely to meet the expectations of members and the public. At a time when finances are constrained, tough decisions will need to be made on the priorities to deliver, and members will need to weigh up the competing pressures to decide if this project can continue to be sustained at previous levels, and whether expectations can be reduced to a level that is realistically achievable.

15. Financial	See Paragraphs 9-11 above.
Legal	Many of the actions in the service plan require significant legal assistance and it is important that the resources in this area are maintained if the Council is to deliver on its priorities.
Staffing	Many of the officers involved in this project are now involved in other Council priorities/projects. Those that remain continue to struggle with heavy workloads and some are not on permanent contracts, for example one enforcement officer post is due to come to an end in October 2007 and this will put the rest of the team under significant pressure if not resolved.
Risk Management	There is a risk that the focus and attention the Traveller issues project has received in the past will not continue due to the increased workload in other areas that officers are expected to meet.
Equal Opportunities	<p>In line with statutory duties under the Race Relations Acts and Disability Discrimination Acts, this Council's operates both a Race Equality Scheme and a Disability Equality Scheme (the latter considered by the Council on 23 November 2006). Travellers represent the biggest ethnic minority in the district (1% of the population) and suffer disproportionately high levels of ill-health and disability.</p> <p>a) The Council is committed to treating everyone fairly and justly, whatever their race or background.</p> <p>b) The Scheme gives priority to actions relating to Travellers as the biggest ethnic minority in the district (around 1.0% of the district's population).</p> <p>Planning is identified as being amongst the services most relevant to promoting race equality.</p>

### Consultations

16. The Strategic Officer Group on Traveller Issues has produced this report and will monitor/deliver the actions agreed in the service plan.
17. The relevant portfolio holder has given their approval to the service plan.

## Effect on Annual Priorities and Corporate Objectives

18.	Affordable Homes	The need to address Gypsy and Traveller issues has implications for all three Council priorities and all four corporate objectives. This is also reflected in the Council's policy on Traveller issues, agreed in July 2004 which includes a commitment to: "apply planning policy fairly and firmly in relation to Traveller sites" and "uphold the rights of all local residents and Travellers to live peacefully and safely, with mutual respect for the rights of others".
	Customer Service	
	Northstowe and other growth areas	
	Quality, Accessible Services	
	Village Life	
	Sustainability	
	Partnership	

### Conclusions/Summary

19. The report sets out the priority actions which the Council intend to take over 2007/08 in respect of traveller issues. The report also notes those actions assessed as low priority which will not be proposed unless specific funds are identified for their implementation.

### Recommendations

20. Cabinet are asked to:
- (a) note the Service Plan for Traveller issues attached as Appendix 1 and confirm that the actions identified at paragraph 8 of the report will not be proposed at this time, and
  - (b) Confirm the extension of the fixed term Enforcement Officer post D.2.32 from October 2007 to March 2008 (to be funded from the travellers issues account) with a view to making this post a permanent post from April 2008 as part of the 2007/08 service planning process.

**Background Papers:** the following background papers were used in the preparation of this report:

- Traveller Issues Service Plan
- Staff allocations
- Corporate Project Officer Report to Senior Management Team on 7 February 2007
- Extension to hours of post D.2.32 Report to Cabinet on 11 January 2007.

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