

Report of Head of Housing Support

Report to Director of Environment and Housing

Date: 17th March 2015

Subject: Kidacre Street Gypsy and Traveller Site/Capital Scheme Number

Scheme Number : 32266/000/000

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):City and Hunslet	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1 The city has experienced significant challenges in recent years relating to the cycle of unauthorised encampment and eviction by a group of Leeds based 'roadside' Gypsies and Travellers. The cycle of unauthorised encampments and eviction has resulted in the Council incurring costs, principally relating to possession action and site clear up, of £3.06m between 2002/03 and 2013/14.

2 The group has been permitted by the Council to live at a site on Kidacre Street, Leeds 10, since the beginning of May 2014. The site is Council owned and had been unused since the mid-1980s. The site was significantly overgrown with trees and other vegetation and work was carried out by the Parks and Countryside Service to clear the site so that it was ready for residential use by the Gypsies and Travellers. The cost of the works is £34,925.

Recommendations

1 Approve the expenditure of £34,925 to cover the cost of the work carried out by Parks and Countryside Services.

1. Purpose of the Report

1.1 Approve the expenditure of £34,925 to cover the cost of site works carried out by Parks and Countryside Services to prepare a site on Kidacre Street for use as residential accommodation for Gypsies and Travellers.

2. Background Information

2.1 The Council has experienced significant challenges in recent years relating to the cycle of unauthorised encampments by a group of Leeds based 'roadside' Gypsies and Travellers. The Council has incurred costs, principally relating to possession action and site clean- up, of approximately £3.06m between 2002/03 and 2013/14. The average cost per year was £255k; with costs peaking at £324k in 2010/11. The cycle of unauthorised encampment and eviction also failed to meet the housing needs of the Gypsies and Travellers and adversely affected local settled communities who lived in close proximity to where the unauthorised encampments took place.

2.2 A Scrutiny Inquiry was carried out in 2010/11 concerning better meeting the housing needs of Gypsies and Travellers. The inquiry report was published in January 2011 and made 12 service improvement recommendations. The first two recommendations related to increasing the provision of both permanent and temporary pitch (parcel of land on which a Gypsy and Traveller household can station their caravans and vehicles) provision.

2.3 The Council has calculated, as part of the Leeds Core Strategy, that there is a need for 62 additional (comprising 28 private/25 public/9 temporary stopping) pitches by 2028. It is expected that suitable sites will be identified through the Site Allocations process and through the submission of planning applications.

2.4 The Council has also sought to address the immediate unmet housing need and specifically that relating to the group of Leeds based 'roadside' Gypsies and Travellers that invariably would be encamped, without the consent of the Council, on Council owned land pending legal action taken by the authority to have them evicted.

2.5 The Council has looked at temporary sites for the group of Gypsies and Travellers and in April 2014 a Council owned site on Kidacre Street, Leeds 10 was identified as a potential temporary accommodation site.

2.6 A three year planning consent, to use the Kidacre Street site as Gypsy and Traveller accommodation, was granted by the City Plans Panel on 30 October 2014: Application Number 14/03263/FU.

3. Main Issues

3.1 The site had remained un-used since the mid-1980s and had become overgrown with trees, other vegetation and soil.

3.2 Officers from Parks and Countryside were asked to carry out a programme of works to prepare the site for use as residential accommodation for Gypsies and Travellers. This involved clearing the site of trees/vegetation/soil and laying tarmac on which the Gypsies and Travellers would station their caravans and vehicles.

3.3 The cost of the works was as follows:

- Vehicle and machinery - £9750
- Tarmacking – £10550
- Tarmacking ground preparation - £2050
- Laying of top soil - £4900
- Wood and grass seed - £650
- Labour - £7025
- Total - £34,925

3.4 In October 2014, the City Plans Approval conditionally approved (subject to an appropriate programme of services and a management plan) a three year permission to use the site as a Gypsy and Traveller accommodation site.

3.5 An investment plan, including a funding bid to the Homes and Community Agency, is being drawn up.

3.6 It is forecast that the costs of unauthorised encampments will be approximately £150k in 2014/15: a reduction of £105k on the annual average cost between 2002/03 and 2013/14 and a reduction of £174k on the cost incurred in 2010/11. This can be largely attributed to the agreed site at Kidacre Street with the Council having to respond to only one unauthorised encampment since September 2014.

4. Corporate Considerations

4.1. Consultation and Engagement

4.1.1 Significant consultation was carried out with the group of Leeds based 'roadside' Gypsies and Travellers prior to the decision being taken to permit them to encamp at the Kidacre Street site. The discussions centred on the required physical lay- out of the site: and specifically the need to clear trees/vegetation/soil and provide sufficient hard standing on which the group could station their caravans and other vehicles.

4.1.2 Significant consultation was also carried out with statutory stakeholders, local business and local residents as part of the planning application.

4.2. Equality Diversity Cohesion and Integration

4.2.1 Gypsies and Travellers often have distinct housing needs and preference to people who live in settled housing – namely that living a nomadic lifestyle can be part of a Gypsy and Traveller's cultural expression. There is also a need to ensure that the housing offer made to Gypsies and Travellers is commensurate to that enjoyed by social housing tenants and this will necessitate an appropriate level of investment at sites such as Kidacre Street. It is also important that relationships between Gypsies and Travellers and the settled community, both residential communities and business, is promoted and this has been an important consideration in respect of the management at Kidacre Street. The residents at

Kidacre Street have both been asked to sign a toleration agreement setting out behaviour conditions.

4.3. Council Policies and City Priorities

4.3.1 Action to address the housing needs of Gypsies and Travellers specifically contributes to two of the aims of the Vision for Leeds: 'Leeds will be fair open and welcoming' and 'All Leeds communities will be successful'. The provision at Kidacre Street also contributes to the City Priority Plan 'Best City for Communities' priority 'Increasing a sense of belonging that builds cohesive and harmonious communities'.

4.4. Resources and Value for Money

4.4.1. Capital Funding and Cashflow

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2014 £000's	FORECAST		
			2014/15 £000's	2015/16 £000's	2016/17 £000's
LAND (1)	0.0				
CONSTRUCTION (3)	35.0		35.0		
FURN & EQPT (5)	0.0				
DESIGN FEES (6)	0.0		0.0		
OTHER COSTS (7)	0.0				
TOTALS	35.0	0.0	35.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2014 £000's	FORECAST		
			2014/15 £000's	2015/16 £000's	2016/17 £000's
LCC Supported Borrowing	35.0		35.0		
	0.0				
Total Funding	35.0	0.0	35.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0

4.5. Legal Implications, Access to Information and Call In

4.5.1 There is no legal duty on the part of the Council to provide accommodation sites for Gypsies and Travellers; rather there is a duty to assess the housing needs of Gypsies and Travellers and make reasonable provision thereafter. The Council was obliged to carry out an assessment of pitch need, which was considered reasonable by a Planning Inspector, for inclusion in the Core Strategy.

4.6. Risk Management

4.6.1 The failure on the part of the Council to make reasonable provision to meet Gypsy and Traveller housing need could result in legal challenges and have implications in respect of future planning applications.

5. Conclusion

5.1 The Council has a duty to make reasonable provision to meet Gypsy and Traveller housing need and has submitted a Core Strategy pitch need calculation of 62 pitches, including 9 temporary stopping pitches, up to 2028. The city has experienced significant challenges relating to the cycle of encampment and eviction of the Leeds 'roadside' Gypsy and Travellers. The provision at Kidacre Street contributes to the Core Strategy temporary stopping pitch need and has significantly reduced the scale and cost of unauthorised encampment in the city.

6. Recommendations

6.1 Approve the expenditure of £34,925 into the capital programme to cover the costs incurred by Parks and Countryside Services in respect of preparing a temporary site at Kidacre Street site for residential use by Gypsies and Travellers in accordance with the Planning permission given on 30th October 2014.

7. Background

7.1 None

The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.