

GYPSIES AND TRAVELLERS POLICY REVIEW

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Portfolio: Regeneration and Development

Ward(s) affected: All

Purpose of the Report

To outline that the current Gypsies and Travellers Policy has been reviewed and consulted upon. To provide an update to the Cabinet on the outcome of this open consultation.

Recommendations

To adopt the Gypsies and Travellers Policy.

Reasons

In line with the existing policy, which was adopted in 2010 there was a requirement to review the policy. A review was to be done by representatives from various internal departments. Subsequently, a consultation was undertaken from Monday 23rd January 2012 to the Monday 9th April 2012.

1. Background

- 1.1 The existing policy was formulated by a special task and finish group and views of stakeholders were sought. Based on the views obtained, the Gypsies and Travellers Policy was approved by Cabinet in January 2010.
- 1.2 The existing policy was publicised to internal departments and stakeholders. It has been made available on the website of Newcastle-under-Lyme Borough Council.
- 1.3 The requirements within the existing policy; the Code of Conduct and the Welfare Assessments have been followed by the internal departments since 2010.
- 1.4 It is recognised as best practice, that policies and strategies be reviewed. As policies are predicated on circumstances and realities, they should be reviewed regularly so as to incorporate any changes in circumstances.
- 1.5 An internal grouping consisting of representatives from Housing, Planning and Operational Services was convened in September 2011. This group was responsible for reviewing the Gypsies and Travellers Policy.
- 1.6 The changes that have been made to the policy have been made to reflect the internal working practices of the Council and to ensure that the policy is an accurate reflection of the services that are and will be given to the Gypsies and Travellers communities.
- 1.7 The revised policy was sent out for consultation. The views of the stakeholders who work with the Gypsies and Travellers were sought by e-mail and by placing the new draft policy on the website.

2. **Issues**

- 2.1 The consultation was placed on the Newcastle under Lyme Borough Council's website. An email was circulated to stakeholders, organisations and individuals that work with the Gypsies and Travellers Community to inform them of the draft policy and the consultation.
- 2.2 The consultation was from the period of Monday 23rd January 2012 to the Monday 9th April 2012.
- 2.3 Three responses to the consultation from the website were received. These were from i) Thistleberry Residents Association ii) The Gypsy Council and iii) Staffordshire Fire Service.
- 2.4 A number of points were raised, which have been responded to and a reply sent to each of the consultees. The issues raised within the consultations did not necessitate that any changes be made to the draft policy.
- 2.5 On the 2nd April 2012, a site visit was made to Cemetery Road, Silverdale Site and a notice was displayed on the site notice board to alert the residents to the Policy with contact details, allowing residents wishing to comments on the policy to do so.
- 2.6 On the 1st May 2012, a further consultation was undertaken. Officers from the Borough Council accompanying the Site Manager approached the residents of the Silverdale Site to seek their views on the Gypsies and Travellers Policy. A total of eight residents were spoken to and the outline of the policy was explained to them. However, no residents had any comments about the Policy and no further changes were recommended.

3. **Options Considered**

- 3.1 To adopt the Gypsies and Travellers Policy.

4. **Proposal and Reasons for this Preferred Solution**

- 4.1 It is proposed that the policy be adopted. The adoption of a policy will ensure that the Council could not be criticised for the way it deals with Gypsies and Travellers, and will also show to the resident communities that the Council is adopting a balanced approach.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 5.1 This policy fits within the corporate priorities of Creating a Cleaner, Greener and Safer Borough and Creating a Healthy and Active Community.

6. **Legal and Statutory Implications**

- 6.1 Section 71 of the Race Relations Act 1976 confers a legal duty upon Public Authorities, which is highlighted by the Code of Practice on Racial Equality in Housing. There is a general duty to have 'due regard' to eliminate unlawful discrimination, and to promote equality of opportunity and good relations between people from different racial groups.

7. **Equality Impact Assessment**

- 7.1 Gypsies and Travellers are regarded as a distinct BME group and the Equality Impact Assessment has been undertaken on this policy and any negative impacts have been justified. This is being updated in line with the suggested changes to the policy.

8. **Financial and Resource Implications**

- 8.1 There is no financial and resource implications at this stage, as the policy is an expression of the current working practices of the Council and the services conferred on the Gypsies and Travellers Communities. However, it is envisaged that the approach within this policy framework could reduce overall financial costs, for example by avoiding the need for legal eviction processes and clear up operations.

9. **Major Risks**

- 9.1 Without the adoption of a policy, the Council risks being criticised strongly from a number of perspectives, for their treatment of Gypsies and Travellers.

10. **Key Decision Information**

- 10.1 The adoption and the implementation of this policy affect all wards within the borough.

11. **Earlier Cabinet/Committee Resolutions**

- 11.1 Gypsies and Travellers Policy - 25 March 2009
11.2 Gypsies and Travellers Policy – 13th January 2010

12. **Recommendations**

- 12.1 **To adopt the Gypsies and Travellers Policy.**

13. **List of Appendices**

- 13.1 None.

14. **Background Papers**

- 14.1 Draft Gypsies and Travellers Policy November 2011