

# People and Communities Policy Committee

## Agenda

### Members of the People and Communities Committee:

Cllr D Bills (Chairman)  
Cllr S Blundell  
Cllr J Easter  
Cllr T Holden  
Cllr J Wilby

Cllr J Hornby (Vice Chairman)  
Cllr V Clifford-Jackson  
Cllr F Ellis  
Cllr N Legg

### Date & Time:

Thursday 11 February 2021  
2.00pm

### Place:

To be hosted remotely at: South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE

### Contact:

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### PUBLIC ATTENDANCE:

**This meeting will be live streamed for public viewing via the following link:**

<https://www.youtube.com/channel/UCZciRgwo84-iPyRImsTCIng>

If a member of the public would like to attend to speak on an agenda item, please email your request to [democracy@s-norfolk.gov.uk](mailto:democracy@s-norfolk.gov.uk), no later than 5.00pm on Tuesday 9 February 2021.

### Large print version can be made available

If you have any special requirements in order to attend this meeting, please let us know in advance.

# **AGENDA**

- 1. To report apologies for absence and to identify substitute members;**
- 2. Any items of business which the Chairman decides should be considered as a matter of urgency pursuant to section 100B(4)(b) of the Local Government Act, 1972. Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency;**
- 3. To receive Declarations of Interest from Members;**  
(Please see guidance form and flow chart attached – page 3)
- 4. Minutes of the meeting of the People and Communities Policy Committee held 8 October 2020;**  
(attached – page 5)
- 5. Review of Bawburgh Temporary Stopping Place for Gypsies and Travellers;**  
(report attached – page 9)
- 6. Future Policy Discussion for Covid Recovery;** (report attached – page 19)

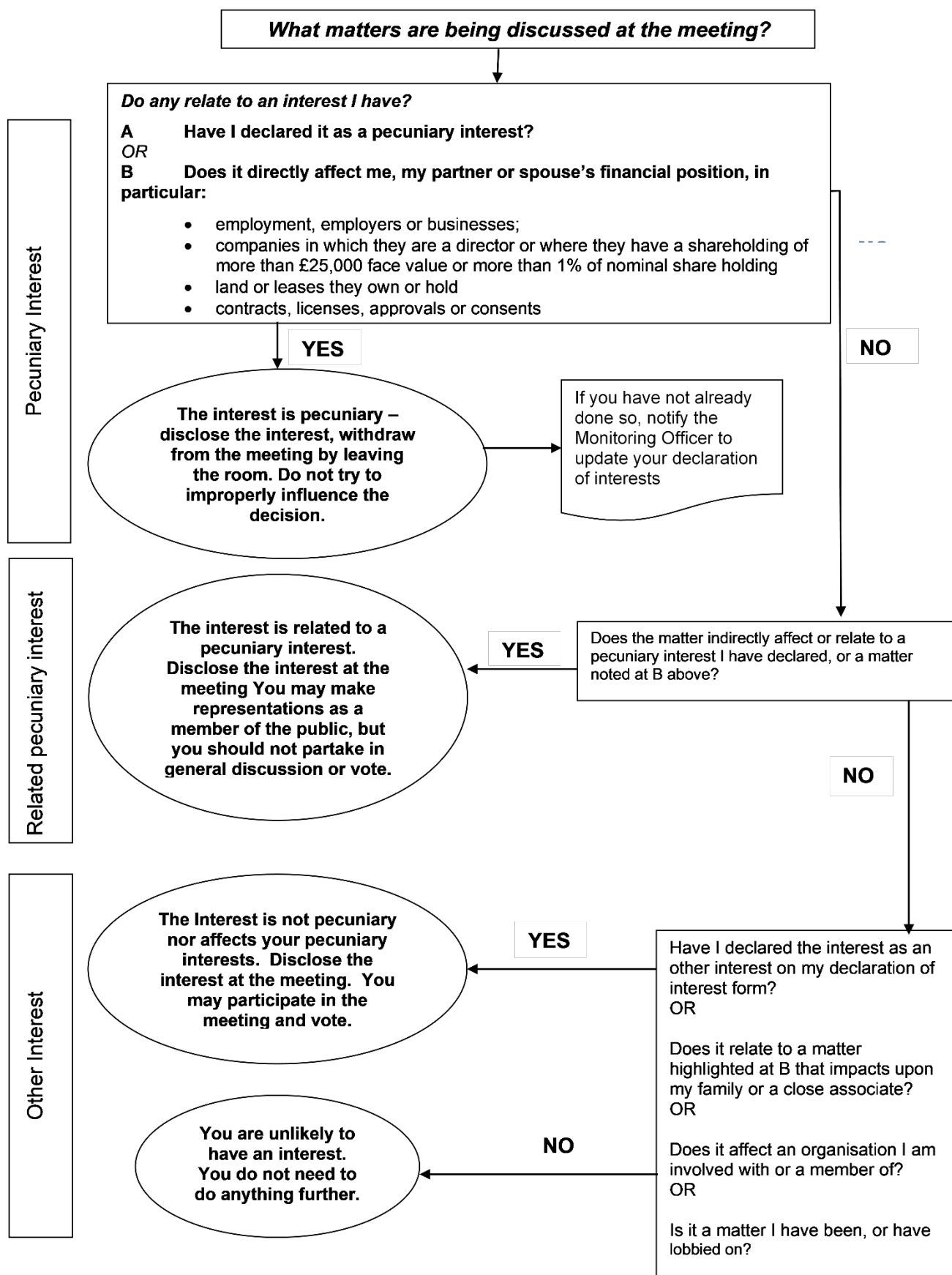
## DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

|   |
|---|
| <p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>   |
| <p>Does the interest directly:</p> <ol style="list-style-type: none"> <li>1. affect yours, or your spouse / partner's financial position?</li> <li>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</li> <li>3. Relate to a contract you, or your spouse / partner have with the Council</li> <li>4. Affect land you or your spouse / partner own</li> <li>5. Affect a company that you or your partner own, or have a shareholding in</li> </ol> <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p> |
| <p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>  |
| <p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>   |
| <p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>   |

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.  
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST  
INSTANCE**

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



## **People and Communities Policy Committee**

**Minutes of a remote meeting of the People and Communities Policy Committee of South Norfolk Council held on Thursday 8 October 2020 at 10.00 am.**

**Committee Members Present:** Councillors: D Bills (Chairman), V Clifford-Jackson, J Easter, F Ellis and J Wilby

**Apologies:** Councillors: S Blundell, J Hornby and N Legg

**Substitute:** S Nuri-Nixon (for S Blundell)  
**Cabinet Member Present:** Councillor: Y Bendle

**Other Members in Attendance:** Councillors: D Bills, J Easter and T Laidlaw

**Officers in Attendance:** The Director of People and Communities (J Sutterby), the Assistant Director of Individuals and Families (M Pursehouse), the Communities Senior Manager (K Gallagher), the Housing Standards Senior Manager (K Philcox), the Housing and Wellbeing Senior Manager (R Dunsire) and the Policy and Partnerships Officer (V Parsons)

### **15 DECLARATIONS OF INTEREST**

Cllr V Clifford-Jackson declared an 'other' interest by virtue of being a trustee of Voluntary Norfolk.

### **16 MINUTES**

The minutes of the meeting of the People and Communities Policy Committee held on 6 August 2020 were agreed as a correct record.

### **17 HOUSING STANDARDS ENFORCEMENT POLICY**

The Housing Standards Senior Manager outlined the report, which presented the new Housing Standards Enforcement Policy, for recommendation to Cabinet. He highlighted the importance of the Council having a legally compliant and legislatively up-to-date Enforcement Policy in place.

Members noted that the Policy was based on existing and new legislation, used to assist the Council in working with tenants, Housing Associations, and landlords, to improve the standard of homes.

The Portfolio Holder, Cllr Y Bendle, commended the report to the Committee, advising members that the issues around dealing with housing standards were often complex, and that setting out the relevant legislation and procedures in to one single document was helpful for all involved.

In response to a query, the Housing Standards Senior Manager explained that the proposed Policy would not directly increase officers' workloads as inspections were a statutory duty and were already taking place. However, it was planned to present members later in the year, with a wider policy, which would look at providing a more proactive service with discretionary procedures, and if approved, this could impact on officer workloads.

Concern was raised on how the Council could help people caught up in enforcement issues during the current Covid-19 pandemic, and protect those with mental health, illiteracy or other disadvantages. The Housing Standards Senior Manager advised that the majority of communications and contact was with the landlords of properties, and not those living in the properties, and he assured members that if the team come across vulnerable residents, or those that were experiencing issues with communication such as language barriers, then all necessary resources were used to support them.

The Committee was concerned that some tenants might not report issues with properties for fear that they would lose their home as a result. The Housing Standards Senior Manager advised that there was legislation and processes in place to protect tenants from eviction for a period of six months, following a complaint.

The Committee and the Portfolio Holder commended officers on their hard work and thanked the Housing Standards Senior Manager for his work in putting the Policy together.

A roll call vote was undertaken, and it was unanimously

**RESOLVED:**                **TO RECOMMEND THAT CABINET** approves the Council's new Housing Standards Enforcement Policy.

## **18      FUTURE OF COMMUNITY GRANTS**

Members considered the report of the Communities Senior Manager, which provided a review of the Council's Community Grants and suggested future changes.

The Communities Senior Manager presented her report and outlined the proposed changes to the member-led funding and Community Action Fund (CAF) schemes. She explained that the aim of the proposals was to make funding streams more accessible to those that needed it the most.

The Portfolio Holder, Cllr Y Bendle advised that the grants scheme supported a wide range of communities across the District, and she welcomed any suggestions on how the current schemes could be improved. She stressed that this was a "scoping

exercise” and member feedback would be taken into consideration, before any ideas were progressed.

In response to a query, the Communities Senior Manager explained that any budget underspend over £10k, arising from member-led grants, was currently allocated to the CAF, to support other projects, however, any underspends that totalled less than £10k, would be absorbed into Council reserves. Officers were confident that the proposed changes would significantly reduce any future underspends.

Discussion followed regarding the proposed jointly populated online forms, and the Communities Senior Manager advised that she hoped that this would allow community groups to become more proactive, and help members to feel more prepared, before conversations progressed. Some members did express concerns that this might dilute the need for members to connect with their local communities and community groups, however, officers hoped that the proposals would help to enhance the current scheme, whilst maintaining the need for member involvement.

Officers also referred to the opportunities for joint member grant applications, and suggested that the new on-line form proposals, would simplify this process.

Concern was raised that the grant application forms were, in part, not in plain English, and were not easy to understand, and that some groups might struggle if they had to complete them online without support. The Communities Senior Manager welcomed any feedback or comments from members on how the current forms could be improved.

One member suggested a points-based scoring system for the consideration of CAF applications, and officers agreed to look into this further, and concurred that it would be helpful for future applications, if the reasons why some applications failed, were made clear to all. Officers also suggested that the process would be improved by having quarterly CAF meetings, as opposed to one very long meeting, where a very high number of applications required consideration.

Members referred to the proposals for greater emphasis on utilising the Community Infrastructure Levy (CIL), and one member queried whether this might be affected in light of possible changes to the planning system, which could include changes to CIL. The Communities Senior Manager explained that she would be liaising with planning officers to explore the options further and to discuss any possible future changes, but the initial response from the planning team had been positive.

Turning to the recommendations of the report, Cllrs F Ellis and J Wilby did express their support to further consider the proposals, however, they stressed that they felt more consideration was required on the approach to member-led grants.

A roll call vote was undertaken, and it was unanimously

## **RESOLVED:**

To endorse officers to take proposals to Cabinet on a new approach to community grants, to include:

- Changes to the member-led Ward grant system
- Changes to the Community Action Fund
- Development of a whole council approach to community funding

## 19 THE VISION FOR A BEST IN CLASS HOUSING OFFER AND DRAFT ALLOCATIONS SCHEME

Members considered the report of the Housing and Wellbeing Senior Manager and the Policy and Partnerships Officer, which presented the findings of the work towards a Best in Class Housing Model, proposed an overall direction for the new housing service, and also recommended adoption of a revised Allocations Scheme.

The Policy and Partnerships Officer then provided an overview of her report, explaining that the vision sought to deliver a truly innovative and preventative service for residents, enabling the Council to provide the support needed to the more vulnerable residents.

The Policy and Partnerships Officer gave particular mention to the proposed Accommodation Pathway model, which would provide a universal service open to all those with a housing need, through the provision of a one-stop housing advice platform, and she outlined its four stages ; Market Place, Prevention, Stabilisation and Resolution. The Assistant Director Individuals and Families stressed the importance of the Stabilisation stage where the Council would work with and support individuals to ensure that there was no reoccurrence of rent arrears and/or anti-social behaviour.

The Policy and Partnerships Officer then drew attention to the proposed Allocations Scheme, outlining the aims of the Scheme, and how it would work. Members noted that this included a move to a four banded system and that there would be a single point of access across the two districts.

The Portfolio Holder, Cllr Y Bendle, commended the report to members, and she thanked officers for their hard work, also referring to the valued input from the consultants, Campbell Tickell, and colleagues at Broadland District Council. She referred to the implementation of a joint IT system with Broadland, explaining that it was hoped that this would be up and running by the Spring.

Members agreed that this was an excellent example of where the 'two Councils one team' approach was successful in making efficiencies whilst maintaining two autonomous councils.

The Committee expressed support for the proposals and thanked officers for their excellent and comprehensive work.

A roll call vote was undertaken, and it was unanimously

**RESOLVED:** To

1. Note the findings of the report produced by Campbell Tickell and **RECOMMEND THAT CABINET** endorse the Best in Class Housing Offer.
2. Note the draft Allocations Scheme prior to public consultation.

(The meeting concluded at 11.23am)

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Chairman



## **Review of Bawburgh Temporary Stopping Place for Gypsies and Travellers**

**Report Author(s):** Leigh Booth  
Internal Consultancy Lead Housing Standards,  
Communities and Help Hub  
01603 430119  
leigh.booth@broadland.gov.uk

**Portfolio:** Cllr Yvonne Bendle, Better Lives

**Ward(s) Affected:** All

### **Purpose of the Report:**

The purpose of this report is to review the utilisation of the Bawburgh Temporary Stopping Place (TSP) for Gypsies and Travellers and consider options for its future use.

### **Recommendations:**

1. The committee are asked to consider the issues relating to the closure of the Bawburgh TSP to recommend decision for Cabinet to improvements outlined in this paper as a precursor to the TSP re-opening as soon as operationally possible
2. Any other action deemed appropriate

## **1 SUMMARY**

- 1.1 The Temporary Stopping Place (TSP) for gypsies and travellers in Bawburgh opened in 2014. Since then there have been a number of issues with the TSP that culminated in the site being temporarily closed in July 2020. Closure of the site arose from reports of an out of control fire that occurred when waste was being burned, allegedly by residents. This report is designed to explore the history of the site; highlight the issues associated with the site and provide options for how the TSP might be used in the future.

## **2 BACKGROUND**

- 2.1 Local planning authorities are required by national planning policy in *Planning Policy for Traveller Sites* to prepare and maintain an up to date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their development plan. This work should be undertaken in collaboration with neighbouring local planning authorities.
- 2.2 Local planning authorities are also required to set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in their area. Such assessments must be undertaken working collaboratively with neighbouring local planning authorities and should include identifying sites to meet those targets.
- 2.3 In January 2020, the Council reported that there were 101 permanent pitches and six temporary pitches available in the district. This information is compiled as part of the National Gypsy and Traveller Count. The count included a number of private sites that have been developed by and for the use of specific gypsy and traveller families in the district. In addition, the count includes the eight pitches on the permanent site at Brookes Green, which is managed by Broadland Housing Group, the Bawburgh TSP and Roundwell Park in Costessey which is sited on Council owned land that is leased to Norfolk County Council.
- 2.4 The Bawburgh TSP was developed by the Council in 2014 in order to provide a safe temporary stopping place for members of the gypsy and traveller community who were passing through the area. Formal designation of the site as a TSP also recognised and sought to resolve the long-standing unauthorised encampments in the area.
- 2.5 The TSP provides six pitches for families in need of somewhere to stay for up to six weeks, although the period of stay can, in special circumstances, be extended to twelve weeks. The land on which the TSP is built was purchased from Norfolk County Council for £5,000. The cost of the land and the subsequent development costs were partially funded by a £250,000 Innovation Grant from the now defunct GO East. The balance of costs was met by South Norfolk Council.

### 3 CURRENT POSITION/FINDINGS

Since 2014 there have been ongoing issues relating to the operation and utilisation of the Bawburgh TSP. The issues are complex and interrelated and are explored in detail below.

#### Homelessness

- 3.1 The purpose of the TSP is to provide a short-term stopping place for the use of gypsy and traveller families who are staying in the area for a short period of time. However, it is widely recognised that a number of the extended families who have stayed on the site for periods of varying length in recent years, do so because they say they have no permanent place to stay. This is despite the fact that some own land and buildings elsewhere in the County, which for various reasons they are unable to occupy.
- 3.2 Over the last four years a few of the families in question have formed an attachment to the TSP and have come to identify with it as being theirs to use as and when they wish. Thus far it has proved impossible to break this link between the TSPs intended use and the past and more recent unauthorised encampments. As a result the site has rarely fulfilled the purpose for which it was designed. This is not uncommon, and it is often the case that temporary sites end up meeting much longer term needs rather than those who are passing through an area for work. This situation is reflected in the Greater Norwich Local Plan assessment that identifies a deficit of permanent sites available in the Greater Norwich area.
- 3.3 The Council has a statutory duty under Part seven of the Housing Act 1996 to assist Gypsies and Travellers and others if their accommodation 'consists of a movable structure, vehicle or vessel designed or adapted for human habitation and there is no where they are entitled or permitted both to place it and to reside in it'. This is a general homelessness duty as opposed to a specific duty to rehouse homeless gypsies and travellers in specified accommodation.
- 3.4 In order to meet this statutory duty the Council has made provision in its current Housing Allocations Scheme for gypsies and travellers (as defined in the Caravan Sites Act 1968) to be afforded a local connection and are therefore eligible to apply for a vacancy on the permanent site at Brookes Green or for bricks and mortar housing.
- 3.5 In an attempt to assist the households on the TSP with their housing situation, support workers from the Councils Housing Solutions Team visited the site in the months prior to its closure in order to work with them to secure an appropriate housing solution. One household on the TSP was been offered 'bricks and mortar' housing which they moved into in late June. That family continue to occupy their new home. Since the TSP closed two further family groups have also been re-housed into bricks and mortar by the Council.

#### Refusal by site residents to sign the relevant licences

- 3.6 Because the TSP is in effect emergency temporary accommodation it is often the case that people move onto the site before they have signed the relevant documentation. Although not always the case, it has in often proved difficult to then secure signatures retrospectively. Often the reasons for refusing to sign

agreements relate to the condition of the site including the amount of waste present. This is a situation that has most likely been created by residents and any unauthorised occupants on the site themselves.

#### Unsanctioned use of the site by others

- 3.7 It is understood that from the outset the TSP suffered frequent incursions by gypsies and travellers who have not been approved by the Council. These incursions are normally only identified when an officer has undertaken a routine visit to collect rent, check on the legitimate occupants and the condition of the site. Naturally such incursions have been challenged by officers and in the majority of cases the situation has been regularised by instructing the visitors to leave the site. However there have been occasions when the visitors have only left when they wish to do so or there has been either a threat of action by the Council or indeed when a notice has been served. At the point when the site was closed in 2020 there was only one authorised tenant (who was evicted) whilst others on the site were there illegally. This had been the pattern of usage at the site leading up to its closure.

#### Non-payment of Security Deposit and Rent

- 3.8 The site agreement which should be signed by all occupants on the site requires payment of £40 rent per week per pitch. This charge includes the cost of provision of a communal cold-water supply and portable toilets. The weekly rent is modest by comparison to that charged by some other authorities, although in those cases it may be that additional facilities such as bathing are also provided.
- 3.9 Collection of rent has been problematic at the TSP with periods of time when occupants have failed to pay any rent at all. Reasons given for non-payment of rent have included affordability and concerns about the condition of the site and the Councils alleged failure to improve those conditions. However, the Council for its part has challenged these allegations sighting the frequent accumulation of fly tipping on the site by the occupants, as being the primary reason for the poor conditions.

#### Fly-tipping and Burning of Waste

- 3.10 The nature of the business of some of the occupants of the TSP over the years has included waste clearance from residential homes and commercial premises. In addition, there is demonstrable evidence that cable stripping and other such activities to retrieve valuable metals for re-sale were common place on the site. Since opening, the site has had to be cleared of waste and toxic materials on several occasions. This has been at considerable cost to the Council. The clean-up of the site following its most recent closure resulted in 24 tonnes of material being removed at a cost of £4,910.

#### Provision of Toilet Facilities

- 3.11 When the TSP is occupied the Council provides rented portable toilet facilities at a cost of £20 per unit per week. Normally two portable toilets are provided however

since the time of the COVID 19 Pandemic the number of units on site was increased to three.

#### Alleged Criminal Activity -burning of Waste

- 3.12 The burning of waste on the site was ultimately the trigger for its closure in 2020. There is extensive evidence on the site that burning waste was a regular occurrence. These activities may have been a means of disposing the waste that had been fly tipped on the site and is likely to have been in contravention of the Environment Protection Act 1990 as the practice could constitute a statutory nuisance. Correspondence found on the site indicates that the waste had come from a number of addresses in Norfolk. This information may indicate that an unlicensed waste service was being operated from the site by person, or persons unknown.

#### Theft of on-site facilities

- 3.13 Two of the portable toilets were removed from the site at the point notices were issued in June 2020. When officers returned to the site to check that the residents and those illegally encamped had vacated, they discovered that the third portable toilet had been stolen at a cost of £936 to the Council. Four commercial waste bins supplied by the Council waste service had also been stolen. Each commercial waste bin is valued at £110 plus VAT. All thefts have been reported to the Police.

#### Oversight and Management of the TSP

- 3.14 The TSP was originally sited in Bawburgh in recognition of the long historic pattern of short-term visits by gypsies and travellers whilst working in the area. The actual site had also been a long-standing tolerated site whilst in the ownership of Norfolk County Council. At that time the primary use of the land was storage of highways materials. This meant that when the land was unavailable to gypsies and travellers, they would stop on the roadside on Long Lane instead.
- 3.15 Although the proposals for the TSP were not supported by all parties, it was accepted that the fact that the site was largely invisible from the road was considered a benefit in that it provided privacy to the occupants and is screened off from the surrounding community. However, this lack of natural surveillance of the site has likely added to the problems including incursions by unauthorised visitors and the accumulation and burning of waste.
- 3.16 The proximity of the TSP to Council offices means that site visits to check it have not been as frequent as would be liked. This reality has contributed to the fact that throughout its history the TSP has proved difficult to manage and it has been necessary to close the site on several occasions. This action is not unusual as the management of TSPs can be difficult as demonstrated by closures of sites elsewhere in Norfolk. Even though officers visited the site, when occupied, up to three times per week this level of resource proved insufficient to have a visible and effective presence to prevent some of the activities that have prevailed.

- 3.17 In addition there have been occasions when officers visiting the TSP have been threatened and indeed assaulted by individuals living on the site, causing understandable reticence and lone working issues.

#### Design of the TSP

- 3.18 The TSP is a large open concrete pad surrounded on three sides by gabions and on the fourth side by a low-level metal chain link fence. Individual pitches are not defined spaces and as a result it is impossible to hold individual residents to account for the collective accumulation of waste.
- 3.19 The size, orientation and planning restrictions previously applied to the site mean it is unlikely to ever be used as a permanent site without significantly reducing the number of pitches. Equally fewer pitches render the site less attractive to any partners interested in developing the site as this denies the critical mass required to justify the revenue costs associated with management. The most likely alternative use of the site would be to transfer ownership or lease to a Gypsy or Traveller family that is interested in having its only smaller site on which to permanently reside.

#### Costs associated with the TSP

- 3.20 The cost of developing the TSP including the purchase of the land from Norfolk County Council was £450,000. This is significantly higher than the original estimate of £210,000. The cost was subsidised by a £250,000 grant from the now defunct GO East. The original purpose of the grant was to provide a loan to enable gypsy and traveller families to develop land already in their ownership so that they could reside there. The Council met the remainder of the TSP development costs which were higher than originally thought due to land drainage issues that it had not been possible to identify as part of the feasibility study.
- 3.21 Based on the assumption of an average of 50% occupancy since 2014 income from rent for the TSP should be in the order of £37,440. However, the actual income realised over the six year period the TSP has been open is in fact considerably less at £3,240. This figure also includes the collection of the Security Deposit of £200.
- 3.22 The cost of managing the TSP is currently £20,000 per annum, this equates to 0.4fte of a Community Enforcement Officer and includes on costs. The cost of grounds maintenance of the site since it opened in 2014 amounts to £30,000. The majority of this cost arose from various site clearances over the years but also includes repairs to the infrastructure of the site. The cost of toilet facilities on the TSP has amounted to £7,086 since 2014. This cost is predominantly for the rental of the portable toilets but also includes the cost of flushing them out when they become blocked.

#### Impact of closing the TSP

- 3.23 Immediately following the closure of the TSP there were several attempts by persons unknown to gain access. It is suspected these attempts were to facilitate

further unauthorised encampments, but the size and location of the barriers that were installed immediately after the site was cleared, proved too difficult to move. However there has been some damage to the infrastructure of the site including the water supply.

- 3.24 Since the site was closed, three of the households previously resident (legally or illegally) have been re-housed into bricks and mortar and at the time of writing those tenancies are ongoing. In addition, the Council has been made aware that a fourth household has moved away from England, although that may be a temporary move and could be related to the ongoing pandemic.
- 3.25 There has been no ongoing displacement caused by the closure of the TSP. There has been no increase in illegal encampments elsewhere in the County and no additional demand on either of the two other open TSPs in Norfolk, both of which are in the North Norfolk District Council area. Equally there has been no overall increase in Fly-tipping in the district of the nature seen on the TSP in the years prior to its closure. The TSP has been closed during the Covid pandemic and therefore not in 'normal circumstances' compared to previous years.

## 4 PROPOSED ACTION

- 4.1 Based on the review of issues identified above the option for the future of the TSP at Bawburgh is summarised below and include the potential benefits and dis-benefits associated with this option as well as any associated costs. This option presented need to be considered in the context of current provision, temporary or permanent, the level of unmet need and the ongoing work for the Greater Norwich Local Plan.
- 4.2 Re-open the site in Bawburgh as a TSP having made the extensive improvements listed below.
- Improve the lay out of the site in order to clearly define the areas individual families are responsible for thus enabling more effective management
  - Improvements to site security including access arrangements, CCTV and effective site fencing and access barriers
  - Improved clothes washing, toilet and bathing facilitates in order to bring them up to modern TSP standards
  - Increase the level of resource available to manage the site, in order to more effectively address issues as they arise, including unauthorised encampments; taking enforcement action in a more timely manner; preventing unauthorised use of the site; maximising income and prioritising officer safety; additional support for those families who are in effect homeless and need a longer term housing solution

| Potential Benefits  | Potential Dis-benefits   |
|---|--|
| The Council will continue to deliver against its obligations to provide accommodation options for Gypsies | The Revenue costs associated with the improved on-site management could be between £20k to £40k per annum and needs to be explored |

|  |  |
|--|--|
| <p>and Travellers whilst improving the on-site facilities.</p> <p>The offer to gypsies and travellers on the TSP will be considerably improved. Income from the site will increase although it will never match the ongoing costs.</p> | <p>further. A key objective is to ensure that <u>when the site is occupied</u>, a robust management response can be made should further unauthorised encampments occur.</p> <p>Market testing of the limited potential external management options available to the Council, indicate that cost could be in the order of £1k per week.</p> <p>The estimated Capital cost of the improvements to security and on-site facilities are in excess of £125k but will be fully costed as part of the improvements.</p> |
|--|--|

## 5 OTHER OPTIONS

- 5.1 Permanently close the site and seek to sell it, or identify a suitable unrelated alternative use.

| Potential Benefits  | Potential Dis-benefits  |
|---|---|
| <p>This will give the opportunity to find a more appropriate use for the site going forward or indeed to sell it on.</p> <p>This action will reduce ongoing capital and revenue costs to the Council.</p> | <p>This option will reduce the Councils 'offer' to gypsies and travellers in the area who are in effect homeless and in need of a more permanent housing solution. This of course is not actually the purpose for which the TSP was designed.</p> <p>Loss of the site could compromise the Council's ability to contribute to delivery against the Greater Norwich Local Plan Needs Assessment to 2036.</p> |

## 6 ISSUES AND RISKS

- 6.1 There could be risks to the Councils reputation if it reopens the TSP at Bawburgh without investing capital and committing to additional recurring revenue costs in order to enable the improvements identified at 4.2 above. Equally if the Council decides to permanently close the TSP without ensuring the same level of overall provision that was provided up until mid-2020 this could be perceived as a retrograde step that limits the life chances of gypsies and travellers.

Resource Implications



- 6.2 The Council has invested a considerable amount of Capital funding in developing and delivering the Bawburgh TSP. Equally the Councils ongoing financial commitment to the site, should it re-open, is not insignificant and includes day to day management, provision of waste and toileting facilities and intermittent clean-up costs.
- 6.3 The proposed options for the future use of the TSP have financial implications for the Council. The capital resource to support improvements on the TSP have been put into the budget for 2021/22 pending the outcome of this review and any decision on the future of the site.

#### Legal Implications

- 6.4 The Council has a range of enforcement powers for dealing with illegal and unauthorised encampments that can be utilised in order to tackle illegal encampments. These powers include Section 77 of the Criminal Justice and Public Order Act 1994.

#### Equality Implications

- 6.5 Gypsies and travellers are protected from discrimination by the Equality Act 2010 together with other ethnic groups who have a particular culture, language and values. Romani Gypsies and Irish Travellers have been held to be separate 'ethnic groups' and therefore have protected characteristics under the legislation on the basis of their ethnic origin.
- 6.6 The Councils legal obligations in relation to the provision of suitable accommodation for gypsies and travellers are set out in Part 7 of the Housing Act 1996 as referenced elsewhere in this report. In recognition of those obligations the Council has, as part of its role on the Greater Norwich Growth Board, commissioned successive Gypsy and Traveller accommodation needs assessments and strived to meet those needs through the planning process.

Examples of how the Council has met its obligations include:

- Delivery of the permanent Brookes Green site in 2009, and development of the TSP in 2014
- Specific reference to Gypsies and Travellers in the Housing Allocations Scheme enabling the opportunity for those seeking 'bricks and mortar' accommodation, as well as those seeking a 'permanent' pitch on Brookes Green to realise their ambitions
- A number of sites granted planning permission for self-development by gypsy and traveller families including those in Bawburgh and Colton.
- Leasing land at Roundwell Park to Norfolk County Council to enable the delivery of an additional permanent site for gypsies and travellers in the district.

#### Environmental Impact

- 6.7 Under Sections 33 and 34 of the Environmental Protection Act 1990 all businesses have a duty of care to ensure that their waste is disposed of correctly and must be collected by registered waste carriers. The maximum fine for failing to comply with this duty of care is unlimited. It is also an offence to store or dispose of (including burning), trade waste without a waste management license, or in a manner likely

to cause pollution of the environment or harm to human health. This type of offence is dealt with by the Environment Agency.

- 6.8 Action can also be taken under Section 79 and 80 of the Environmental Protection Act 1990 where smoke from bonfires is deemed to be a statutory nuisance. For commercial premises the punishment upon successful prosecution in a Magistrates Court for this type of offence is a fine not exceeding £20,000 and/or imprisonment. In addition it is also an offence under the Clean Air Act 1993 to emit dark or black smoke from any industrial or trade premises. This is a separate offence from the waste disposal and nuisance laws described above and a person found guilty may be fined up to £20,000 and prosecution can be taken on a first offence.
- 6.9 There is evidence of commercial waste being fly tipped on the TSP and of that waste being burned. Undoubtedly these activities have had a detrimental impact on the environment at Bawburgh and have led to significant cost being incurred by the Council in order to clean up the site. A substantial amount of personal correspondence was found within the fly tipped waste on the TSP when the site was cleared, this indicates that householders were knowingly or otherwise paying for their waste to be disposed of illegally.

#### Crime and Disorder

- 6.10 Incidents of alleged criminal behaviour have been detailed in this report and reported to the Police.

#### Risks

- 6.11 In addition to the key reputational risks identified at 5.1 there are also concerns that the past history of unauthorised encampments in this location could mean this activity will recommence, if the site is reopened, thus impacting upon the wider settled community.

## **7 CONCLUSION**

- 7.1 The TSP at Bawburgh has not functioned as originally intended at the point at which it was approved in 2012. The reasons for the issues associated with the TSP are many and varied and have created a complex and difficult situation that needs to be addressed. This report explores the issues and options available to the Council in order to bring clarity to the future use of the site.

## **8 RECOMMENDATIONS**

- 8.1 The committee are asked to consider the issues relating to the closure of the Bawburgh TSP to recommend decision for Cabinet to improvements outlined in this paper as a precursor to the TSP re-opening as soon as operationally possible
- 8.2 Any other action deemed appropriate

## **Future policy discussion for Covid recovery**

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**Portfolio:** Better lives

**Ward(s) Affected:** All wards

### **Purpose of the Report:**

The purpose of this update is to provide information to members about the current operational work that is being completed to support the pandemic, to inform future policy discussion around emerging issues to our residents and communities.

### **Recommendations:**

1. The committee is asked to note the information presented, to inform discussion and future policy development.

## **1 SUMMARY**

- 1.1 The information presented will update members on the current work that is being completed to support residents during the pandemic and the issues and opportunities that raises for the future.

## **2 BACKGROUND**

- 2.1 The Council is working closely with our partners and community on a range of issues around Covid and the impact it has on residents, including building up community capacity, support Covid response, improving hospital discharge, changes to DFG delivery.
- 2.2 The Covid pandemic has highlighted an increasing number of new vulnerabilities linked to lockdown, furlough, and unemployment. This has caused wellbeing issues and will have longer term impacts on our communities and residents.

## **3 CURRENT POSITION/FINDINGS**

- 3.1 This will be provided via PowerPoint at the meeting to ensure up to date information is presented.

## **4 PROPOSED ACTION**

- 4.1 Based on the information and findings presented, the committee is asked to identify areas of policy development they would like to explore in the future.

## **5 ISSUES AND RISKS**

- 5.1 No specific risks or issues are identified as this is a discussion document.
- 5.2 **Resource Implications** – none
- 5.3 **Legal Implications** – none.
- 5.4 **Equality Implications** – Early indications are that those in lower paid job, young people and older people are being adversely affected by the pandemic in terms of jobs, isolation and accessing services.
- 5.5 **Environmental Impact** – none.
- 5.6 **Crime and Disorder** – community capacity building and cohesion contributes to safer communities.
- 5.7 **Risks** – none.

## **6 CONCLUSION**

- 6.1 When the Council moves forward to the recovery phase of the pandemic, we will need to ensure the Councils response to wellbeing is focused on reducing the

long-term impact of the pandemic. Ensuring that our communities are supported through our own resource and working closely with our partners and communities.

## **7 RECOMMENDATIONS**

1. The committee is asked to note the information presented, to inform discussion and future policy development