Gypsy and Traveller Pitch Allocation Policy
Consultation Report: Final v1.0
1 Executive summary

1.1 This report details the responses to the public consultation undertaken by the Kent County Council (KCC) Gypsy and Traveller Service (GTS) on the proposed introduction of a service charge for site pitches, introduction of a deposit scheme for new residents and improvements to the application process for new applicants. The consultation was open from 14 November to 20 December 2017.

1.2 Concerns regarding affordability and the justification for DBS vetting were raised by respondents.

1.3 The most significant concern noted was that the proposed charges may lead the poorest in the community into further poverty.

1.4 KCC has analysed the comments submitted by respondents to the consultation and these will be considered alongside the second consultation comments and the Equality Impact Assessments before a decision is taken by the Cabinet Member for Community and Regulatory Services.

2 Introduction

2.1 Kent County Council (KCC) owns and manages eight gypsy and traveller sites and is keen to promote the health and wellbeing of the residents on site. Improving the current site provision and service efficiency whilst planning for future demographic pressures within the Gypsy and Traveller community will ensure a quality service is delivered county wide.

2.2 The proposed changes to the Pitch Allocation Policy will aid site improvement works by accruing essential funds to be spent on communal areas benefiting the site residents directly.

2.3 KCC does not have a legal duty to provide Gypsy and Traveller sites as this falls to the District Councils. However, Romany Gypsy and Irish Travellers are protected against race discrimination as they are considered an ethnic group under the Equality Act and in 1967 KCC took the decision to manage several sites on behalf six District Councils across Kent. There are 131 pitches with a total of 373 residents of which 233 are adults, many pitches housing four to six individuals on a plot. Weekly rent is paid to KCC increased annually based on Retail Price Index (RPI).

2.4 In October 2017 a review of the Gypsy and Traveller Service identified activities necessary to update and improve processes, policies and practices enabling the service to improve financial and social sustainability. Service priorities include: improving service efficiency including planning for demographic pressures, developing an asset management plan, managing the growing financial challenge, improving licensee vetting and enforcement policies. Not being able to recover the full cost of running the sites adds financial burden and has led to the development of the proposed introduction of a service charge and changes to the allocation policy.
2.5 The proposed changes:

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Introduction of a new service charge of £25 a week, per plot to start from 1 April 2018</strong></td>
<td>The proposed service charge is to reflect costs incurred for communal areas and site management. This includes items such as communal area management issues e.g. floods, rubbish and abandoned vehicles.</td>
</tr>
<tr>
<td><strong>2. Introduction of a £500 refundable deposit for all new applicants</strong></td>
<td>The proposed deposit scheme would affect new residents signing rental agreements. Deposits will be refunded when an applicant leaves or moves on, subject to the pitch being left in the same condition it was at the start of the rental period.</td>
</tr>
<tr>
<td><strong>3. Changes to the application process and updating vetting and enforcement processes</strong></td>
<td>The proposed changes to the application process include an online pitch availability scheme, a robust and safer system of vetting, and clearer enforcement processes enabling KCC to act effectively against those who breach the terms of their residence licence.</td>
</tr>
</tbody>
</table>

Further detail can be obtained in the consultation document (Appendix 1).

3 Consultation process

3.1 Consultation for the proposed changes ran from 14 November to 20 December. The consultation was hosted on the [KCC Consultation directory](#), with a questionnaire available online and in paper format. Alternative formats were also available on request and details of how to request these were included on the consultation material.

3.2 The following stakeholders were identified:
- Residents living on a KCC owned or managed Gypsy and Traveller sites
- District and Borough Council Housing Benefit departments in site area
- Parish Councils
- KCC Members
- Charity, voluntary or community sector organisation (VCS)
- Friends, Families and Traveller Advocate Groups
- Members of the public

3.3 Site residents received paper copies of the consultation material with a cover letter summarising the proposals. Elected County Members, VCS organisations and other agencies received emailed copies of the information. In addition, the Head of the Gypsy and Traveller Service met with the District and Borough Council managers to explain the proposals.
3.4 The District and Borough Councils were visited on an individual basis to discuss the proposals and housing benefit eligibility. Feedback has been incorporated in the result analysis. Further information was provided as requested by the councils, regarding the breakdown of service charge costs.

3.5 All site residents were contacted individually, visited on site and were offered support with completing the questionnaire. Some site residents chose to give verbal feedback which has been recorded and analysed within the consultation results. Opportunities to discuss queries such as charges / costs were given on site during the consultation period.

3.6 KCC’s Community Warden team and Community Liaison Officers were made aware of the consultation to field any questions raised at local public or partner meetings. The Equalities and Human Rights Commission sent a written response requesting further detail on the proposals to which the GTS sent additional information.

4 Respondents

4.1 Responses from the questionnaire, verbal comments and written correspondence were recorded. There were 23 questionnaire responses in total, 17 of which were completed online. Six District and Borough Councils responded by email or verbally. 4 responses were from the VCS: Gypsy and Traveller welfare organisations, Friends, Families and Travellers, No fixed Abode Residents and Liberty. A written response was received from the Human Rights Commission and 19 verbal comments were recorded from site residents.

The majority of responses were from the Gypsy and Traveller community, making up a combined total of 58% of all responses received. The remaining responses were representatives of various councils, residents’ associations, general public and charities. Figure 1 shows all responses including questionnaire, verbal and written.

Q1. are you responding as...?

![Figure 1: The capacity in which consultees would be responding to the consultation.](image)
4.2 Responses were received from most areas within the county, in addition there were responses from London and Brighton. Several responses were received from each of the KCC managed sites and are included in Figure 2 – postcode data. Figure 2 shows all respondents including questionnaire, verbal and written responses. It excludes 3 VCS respondents from outside Kent – 1 London, 2 Brighton.

![Figure 2: Postcode data for Kent](image)

4.3 Equalities data was collected voluntarily from respondents, using KCC’s standard Equality Monitoring ‘About You’ questions in the consultation questionnaire. The below reports those responses or any other responding on behalf of an organisation; *This data does not include the six District Councils.* 29% of respondents stated they were male and 48% of all responses were from the female gender (Figure 3).

Q8. Are you male, female, prefer not to say...?

![Figure 3: Gender of respondents](image)
4.4 The age profile of respondents varied. 57% were aged between 50 and 74 (Figure 4).

Q9. Which of these age groups applies to you?

![Age of respondent](image)

**Figure 4: Age of respondent**

4.5 The majority of respondents were White, Gypsy / Roma – 57%. 22% did not answer the question and 5% preferred not to say. (Figure 5) *This data does not include the six District Councils.*

Q10. To which of these ethnic groups do you feel you belong?

![Ethnic Group](image)

**Figure 5: Ethnic Group**

4.6 Respondents were asked if they considered themselves to be disabled (as set out in the Equality Act 2010) to which only one respondent stated yes (Q11).

4.7 Question 12 asked whether respondents were Carers, 46 (96%) responded with No or left the question blank and two respondents preferred not to say.
5 Consultation responses

The consultation asked (Appendix 2) whether respondents had comments on:

- The proposed service charge
- The proposed deposit scheme
- The proposed changes to the application process
- The draft Equality Impact Assessments

Responses received were analysed (Figure 6) and organised into the following themes:

5.1 Costings and Affordability of the service charge and deposit scheme

11 respondents (22% of all respondents) asked for a breakdown of costs to be provided and a list of services that were included in the rent and service charge. Gypsy and Traveller site officers were available to discuss this further with individuals on site where many stated they were unable to afford the proposed charges. One questionnaire respondent asked how the figures were calculated? Another respondent suggested that the costs should be “assessed from historical” expenditure especially in relation to the costs incurred after occupiers vacate their pitches. Four respondents (8%) stated that expenses such as staffing, training and pensions should not be paid for by residents. Councils were concerned that some costs were not eligible to be claimed through housing benefit payment.

27 respondents (56%) wondered if residents were likely to be able to afford the charges with some respondents wondering if KCC would spend more trying to retrieve the additional charges than were to be raised. 4 (8%) were concerned about the impact of the new charges on residents suggesting that additional costs would increase the financial pressure on individuals “putting the most vulnerable residents into poverty…. the welfare reform has left many families struggling to pay for the necessities”.

The charge was felt to be unfair by 10 respondents (21%) arguing that “Most people can’t afford to live” and “(the charge) is a lot of money for most people”. Many stated that they felt the deposit was unobtainable and impractical with 46% stating the charges were unaffordable / unrealistic therefore being “an obstacle” to the residents and potential residents.

5 Respondents (10%) were ‘concerned’ and 2 respondents (4%) asked how the council would support residents to adjust to any adverse effects brought about by the proposals. Two pensioner respondents were concerned that they would not be able to pay the additional charges. One respondent remarked that as they would not be able to afford the charges “you will be making a lot of us homeless”.

The exploration of other payment routes for those who found the charges unaffordable was suggested, ensuring that the poorest and most vulnerable
families would be able to access site pitches. One respondent asked whether the deposit could be paid under a guarantee scheme for those who could not afford to pay. Young people were highlighted as having issues raising the amount necessary for a deposit. It was suggested by another respondent that deposits should be non-returnable should any breach of licence take place. It was also suggested that deposits would “prevent damage” giving a sense of pride.

Two respondents suggested that the Gypsy and Traveller service should be a ‘not for profit organisation’ “not making money from us”. It was also questioned whether the proposed deposit would be “held in a deposit scheme as in law for all other forms of housing?”.

Charges made to residents on non-KCC sites were compared and the question “what amount if any would be used on upkeep of the sites?” was asked. One respondent suggested that if there were “notable visible changes to the site” they would not mind paying the charges. One respondent suggested that the charges were “a very good idea. It is important to maintain these sites as healthy and safe places to be and this is not a free thing to do”.

Removal of rubbish and animal welfare costs, as detailed in the consultation information – Service Charge Guide, were considered to be underestimated and it was questioned whether the proposed charges would cover such expenditures.

5.2 Site Expectations

It was noted that respondents had varying site management expectations for when the proposed charges took effect. This included receiving services such as road sweepers once a week, grass cutters, winter salt spreading. One respondent commented that “it is important to maintain these sites as healthy and safe places to be and this is not a free thing to do”. Another resident thought that the service was already being paid for as part of the council tax and asked, “why should I have to pay even more?”.

10 respondents (21%) felt that the sites had not had adequate investment “(we) wait for months for things to be done” One member of the public said that the sites “should be of a high standard... consideration given to those that use the plots and those visiting”. One respondent suggested that if sites were not improved in parallel with the introduction of charges then unintended consequences may occur such as pressure on planning departments in relation to unauthorised developments. One resident stated that they had taken it upon themselves to maintain some of the communal areas as it was not being looked after.

It was noted that the sites should also be free of anti-social behaviour. One Parish Council suggested the promotion of engagement and integration by evenly distributed sites across the county reducing the pressure of inappropriate unauthorised development.
5.3 Comparisons with alternative accommodation

9 respondents (18%) made comparisons with social housing with some suggesting that people in council houses were not asked to pay for such costs as staffing, rubbish collection etc. nor a deposit and felt that the proposal was discriminatory. 5 respondents (10%) felt the proposals may be unlawful, discriminatory towards Gypsy and Travellers and that KCC had a duty to provide sites for the community. Two respondents suggested that the proposals were more suited to private housing not for council pitch provision. One organisation requested confirmation of similar charges made to residents living in social housing, asking what circumstances the charges would be applied? and what they would be used for? One member of the public felt that the charges brought the service in line with other types of housing and was fair.

6 respondents (12%) were concerned about housing benefit eligibility regarding the charges and one respondent felt that councils could recover the additional charges through the housing benefit. One respondent stated that some types of potential tenants such as the homeless or immigrants were not asked for a deposit for social housing.

One respondent felt that additional vetting already took place within social and private renting, whereas 7 respondents (14%) felt the proposal was not in line with social housing. One organisation requested confirmation of the same vetting system being used for applicants applying for social housing. One VCS organisation stated that “no other traveller site requires this (DBS vetting), nor council housing”. Another VCS sector respondent stated that “DBS vetting should not be used for the purposes of vetting for housing of any kind”.

5.4 Allocation Process

VCS sector respondents felt that the DBS check could present difficulties or barriers for applicants such as the affordability of the check and one asked “on what basis KCC would have the power to submit applicant’s details”? It was also noted that KCC “do not consider the potential impact of KCC’s decision to carry out unspecified checks on applicants”.

One respondent desired a “rigorous assessment of whether the applicant is legitimately a traveller” to ensure the pitches were available to solely the Gypsy and Traveller community. One respondent suggested that the new allocation process should prioritise current site families providing they meet the necessary requirements.

Whilst an online allocation process may be more efficient and may accelerate the process of allocating pitches it was noted that 8 respondents (16%) were concerned that a single allocation route could have a negative impact on some applicants and suggested alternative support be offered to those unable to use this method to apply. One respondent from the charity sector suggested that an alternative route could be offered to “cater for circumstances where this cannot be achieved through incapacity, handicap or lack of computer skills”.

Page 9 of 38
8 respondents (16%) were concerned that Gypsy and Travellers would be disadvantaged as many were not computer literate, “some...families do not have computers, and some cannot read and would not know what to do” which would make it difficult for some applicants, “…some people won’t be able to apply” or may apply too late. One resident stated that “not everyone knows how to use a computer or had access to someone who has one”. A VCS respondent highlighted that “Highly mobile and homeless families often do not have access to the internet.”

Concerns were noted from one respondent regarding the requirement to have lived three out of the five years within the district/borough, “it would be difficult for members of the Gypsy and Traveller communities who are practicing their nomadic way of life to meet this requirement”. The respondent also asked what the aim of this requirement was and the justification for it.

5.5 Consultation process

The consultation information had been distributed in paper form and comments were made by respondents both verbally and via questionnaire feedback suggesting that KCC had not provided a fair opportunity for all to respond.

90% of respondents made no comment on the consolation process however, 11 respondents (22%) stated that the Gypsy and Traveller community often had low levels of literacy and ICT skills which may have made the consultation information hard to read and understand. One individual wrote “…you should realise .... most don’t read or write and don’t know how to use a computer yet alone be able to give their views”. 8 respondents (16%) found that the information did not clearly explain the proposals, and many asked for support to complete the questionnaire, one respondent stated that “like many of my generation, reading and writing is a struggle.”

5.6 Implementation of proposals

One respondent believed that the proposed date for the charges to be implemented was too soon saying it was “unfair that this change will be so quick”. A residents’ association felt that more time was needed “to give the Gypsy and Travellers a chance to understand the changes”. One resident asked for “the council to call a meeting” for all affected to discuss further.

5.7 Equality Impact Assessment (EqIA)

Overall 75% made no comment on the Equality Impact Assessment.

3 VCS respondents (6% of the overall response) felt that KCC had not fully considered the potential impact of the proposed decision. 6 Respondents (18%) felt that not enough detail had been provided for the proposals and that it may be unlawful to ask for DBS vetting, with one respondent stating that “it may amount to unlawful interference with applicants right to privacy and family life, protected by the Human Rights Act 1998, but there may also be adverse impacts on applicants with respect to protected characteristics”. Several respondents asked, “how this was in line with the Local Authorities Public
**Sector Equality Duty**. The Equality and Human Rights Commission asks for assurance that before formulating and implementing any proposals, KCC has “properly performed the public sector and equality duty which requires it to have ‘due regard’ to statutory equality needs”.

It was remarked by a quarter of those respondents who had made comments about the EqIA, that the EqIA document had not recorded the true impact of the proposals and quoted from the EqIA ‘that changes could lead to families getting into debt or being evicted’ to which respondents felt that these families were “likely to be the most vulnerable people” and asked how this could be mitigated? It was also noted that the EqIA did not take into consideration literacy and accessibility issues regarding the online pitch allocations form.

### 5.8 Summary of results

Comments made by respondents detailed in Figure 6:

<table>
<thead>
<tr>
<th>Gypsy and Traveller Allocation Policy Consultation Results</th>
<th>Question 3</th>
<th>Question 4</th>
<th>Question 5</th>
<th>Question 6</th>
<th>Question 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gypsy and traveller community have literacy and ICT issues which would be a barrier to the consultation and/or the online application</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Proposals not clearly explained/changes still to be understood</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Requests for a breakdown of costs</td>
<td>10</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Unable to afford changes/negative financial impact</td>
<td>23</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Adverse impact/disadvantage</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Unfair/unacceptable/discriminatory</td>
<td>4</td>
<td>5</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Deposit unrealistic/impractical/unaffordable</td>
<td>0</td>
<td>22</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Concerned/how will negative impact be mitigated</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Service should be run ‘not for profit’</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Sites thought to be neglected</td>
<td>4</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Felt proposals were unlawful/discriminatory</td>
<td>0</td>
<td>4</td>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Felt the proposals were not in line with the council’s duty</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Charges compared to social housing</td>
<td>0</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Vetting is not the same as in social housing</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Gypsy and Traveller community have ICT skill issues which could impact the consultation and/or the online application</td>
<td>0</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Negative impact of online site allocation process</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Felt EqIA was not fully completed</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
</tbody>
</table>

*Figure 6: Summarised Result Table*

**Feedback**

The following pages (page 13:17) show examples of feedback from the various stakeholders grouped according to Question 1 of the questionnaire “Are you responding as…” Feedback includes respondents who competed the questionnaire and those who gave verbal or written responses.

*Figure 7: Examples of Stakeholder Feedback*
RESIDENTS FEEDBACK

We are pensioners and do not have enough money to find an extra £1300 a year to pay for this.

I think it is disgusting to increase the rent by this amount. Does this mean that we are having a road sweeper to sweep the site once a week and someone to come and cut our grass to help maintain the site?

Cannot afford to pay £25 a week...I can only have electric heating on in evening because I cannot afford it you will be making a lot of us homeless.

...not everyone can use a computer and making it an online process means some people (new applicants) won’t be able to apply.

If there are notable visible changes of improvements to the site, then I don’t mind paying for the services.

Just because we are Travellers we should not be expected to go through a vetting process that no one else in social housing is expected to do.

It feels like this policy is just taking advantage of us because we are not that well educated and can’t read or write, but we know right from wrong – and this policy is discriminating against us.

I feel that just by living on the KCC sites we are treated differently to other council residents...

These proposals feel discriminatory towards Travellers. The KCC has a duty to provide sites for Travellers like ourselves and not to be making

I do not know any other Traveller sites that ask for such a charge (deposit) neither council flat residents and how can young people be expected to afford

It’s a huge cost to our monthly expenses that we simply cannot afford...we already pay council tax. My husband has taken it upon himself to cut hedges, grass, clear rubbish...at our end of the site because the council NEVER does it.

What about the ones that cannot afford the deposit?

Where are people supposed to this £500 (deposit) from? I have a big extended family, if each niece and nephew had to pay this, we’d be broke!

This charge is not in line with current inflation, it is hard enough living these days without finding this extra each week.

These proposals sound like something for private housing not for a council provision.
It is still unclear how the service charge will affect residents... (the EqIA) states that implementation is expected to negate any adverse issues... it is unclear how residents will adjust to the financial effect of the proposed service charge should it not be covered by benefits.

I believe this is highly discriminatory to expect G&Ts to have a ... (criminal record check) check in order to live on a Traveller site. This is not something that is expected for people moving into

Your own EqIA states that the changes could lead to families getting into debt and being evicted, these are most likely to be the most vulnerable families.

This service charge will put the most vulnerable residents into poverty... many of our residents now use food banks and are unable to heat their home. This service charge is of great concern... the poorest and most vulnerable families may not be able to access accommodation.

the consultation does not clearly explain why the deposit scheme is needed, nor how the figure of £500 was decided. It seems a relatively large sum of money for applicants who are unlikely to have significant financial resources and may therefore be an obstacle to them securing a plot. This does not seem to have been considered as part of the EqIA.

The service charge breakdown includes the removal of fly-tipping. This is a fineable offence and it should not be a charge for all residents.

Many Gypsies and Travellers are not computer literate. Highly mobile and homeless families often do not have access to the internet.

Will a deposit guarantee scheme be available for residents who cannot afford to pay the £500? This is not in line with the equality duty because you do not have to pay a deposit in any other form of social housing.

It is unclear why and on what basis KCC would have the power to submit applicants' details for police and third-party checks separately and in addition to the basic DBS check.

Can you confirm if similar charges are made to residents who are living in social housing?

If someone was going into social housing, a deposit would not be required. Therefore, I do not see how this is in line with your Public-Sector Equality Duty.
MEMBERS OF THE PUBLIC

I suggest this amount is insufficient to allow the Council to deal effectively with many of the issues that arise as a direct result of the travellers’ sites...

Although I agree that a service charge /deposit should be introduced, I am concerned that this may increase pressure on other less regulated sites...

The deposit should not be refunded if residents are required to move because of breaches in the site rules or tenancy agreement...

I think this (the service charge) is a very good idea. It is important to maintain these sites as healthy and safe places to be and tis is not a free thing to do.

The sites should be of a high standard and consideration given to those that se the plots and those visiting.

...additional vetting should be introduced, as already operating generally in any social or other rented housing.

The provision of sites within areas of Kent MUST be improved. If these charges are introduced on existing sites, but no increase in provision is delivered in parallel, then the situation where further inappropriate development of private sites...could be encouraged as an unintended consequence...

What amount if any will be used on upkeep on sites? What do (others) charge for their sites?

Will it be paid? Or incur more expenses trying to retrieve the charge?

Apply the same rules and markers as to ordinary people in Kent.

It (deposit) brings in line with rental for other types of tenant and stops travellers being unfairly advantaged.

Online is quicker and cheaper and this is a good idea.
...I think it should cover the costs.

I have some concerns about online availability. One family may not have instant access to a computer and they could be disadvantaged by being too late to apply.

(the deposit) helped to prevent damage and give a greater sense of being...

...I think it should cover the costs.

some residents may respond negatively to the proposed changes as some may not be able to afford the increases.

what is the service charge breakdown?

Whilst it is understood that an online process is the desired route there should also be an alternative to cater for circumstances where this cannot be achieved through incapacity, handicap, or lack of computer skills.

Is this (deposit) realistic to expect this to be paid by the applicant (relating to housing benefit claims)

Whilst (the deposit) seems reasonable it should be assessed from historical costs of clearing an average site after occupiers vacate.

Accepted (service charge) but note that this is expected to be covered by housing benefits and welfare support for the majority of claimants

Agree (to charges)

We support the concept of a dynamic on-line registration system, which should accelerate the process of allocation pitches

This should be light touch and not a serious bias towards G&T. Equality should work for all communities.
I feel that the service charge is unfair and not acceptable.

People don’t have to give that much to get a house or flat.

Please provide evidence of cost and all services you provide to all sites.

What do you expect people to do when they don’t have enough money to live let alone give £500 (deposit) to be eligible to have a pitch?

...you should realise the Gypsy and Travellers that live in the sites most don’t read or write and don’t know how to use a computer let alone be able to give their views on this.

I feel you need to give the Gypsies and Travellers a chance to understand the changes.

People don’t have to give that much to get a house or flat.

...you should go to the gypsies and get their feedback and views.

I fell that the service charge is unfair and not acceptable.

...it’s not fair that this change will be so quick and in December on top of Christmas...
6.0 Next Steps

6.1 The consultation report will be published and sent to all stakeholders. The consultation highlighted a number of issues and concerns which will be addressed through a second round of consultation with affected stakeholders including site residents.

6.2 All feedback from the first and second consultation will contribute to the development of the proposals and will be used to update the equality analysis (EqIA).

6.3 Findings will be reported to the Cabinet Committee for Growth, Economic Development and Communities and considered by the Cabinet Member for Community and Regulatory Services before any decision is taken.

Appendices

<table>
<thead>
<tr>
<th>Appendix 1</th>
<th>Consultation Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appendix 2</td>
<td>Consultation Questionnaire</td>
</tr>
</tbody>
</table>
## Contents

1. Introduction  
2. Background and Context  
3. The Proposal  
4. Equality Impact Assessment  
5. Timescales  
6. Have your Say  
7. Support Available for Site Residents  
8. Appendix 1 – Service Charge Guide  
9. Appendix 2 – Draft Allocation Policy  
10. Appendix 3 – Application form
1. Introduction

This document outlines the proposal to revise and update Kent County Council’s (KCC) Gypsy and Traveller Service Allocations Policy to meet the needs and changing demands on the service and to develop a sustainable service fit for the future of Gypsy and Traveller site provision.

This review includes the proposed introduction of a service fee for all plots on KCC managed sites, which will be used to maintain and support reasonable living standards for site residents.

This consultation will run from 13 November to 20 December 2017, during which time site residents and stakeholders will have the opportunity to provide feedback on the revised Allocations Policy. Following consultation, KCC will consider the feedback collected prior to making a decision on implementation.

2. Background and Context

This review work is part of ongoing, council-wide activity to update and improve our processes, policies and practices. KCC regularly reviews how it delivers services and has had to make changes in order to sustain services in the face of reductions in funding from central government as well as increased costs as demand for services has increased.

The priorities for the Gypsy and Traveller service are to:

- Improve current service efficiency whilst also planning for future demographic pressures within the Gypsy and Traveller community through better planning and countywide coordination on the provision of good quality sites.
- Complement the current ‘find and fix’ site maintenance policy with an asset management approach following best practice in KCC’s Highways and Public Rights of Way teams.
- Manage the growing financial challenge and its impact on future site development and asset management requirements, providing pleasant sites for our licensees that meet modern day standards.
- Improve licensee vetting, licence agreements and enforcement policies to ensure our sites do not house disruptive and anti-social families.

These priorities have led to the development of the proposed changes in the updated Allocations Policy.

Reviews and service changes are conducted in line with council policies focused on how KCC will consider getting best value for money on important services for the people of Kent.
3. The Proposals
KCC has developed a new Allocations Policy to replace the existing one. The proposed policy includes the following changes and new elements:

- New Service Charge
- New Deposit Scheme
- Updated application process (including a new application form and updated vetting and enforcement processes)

Details of the changes are outlined below:

**Service Charge**

It is important to be clear how the service charge will work, what it will be used for and what support may be available.

The proposed service charge will involve a flat service charge of £25 per week, per pitch, to be introduced from April 2018. This would apply at all KCC Gypsy and Traveller sites and would be reviewed each financial year. To be as fair as possible across all sites, the £25 a week charge has been proposed based on an average of KCC costs across all sites.

At £25 per week, the charge would not fully cover all of KCC’s costs but it is recognised that passing the full cost onto residents across all sites could present significant challenges and have a negative impact on their quality of life.

With this in mind, we have identified £25 per week for each plot as a reasonable amount to charge. KCC would expect housing benefits and other relevant welfare support will extend to cover the service charge for the majority of site residents. Consideration of the financial impact of a service charge on residents has been a key part of identifying the proposed charge.

With the proposed charge, the total costs for residents living on KCC sites would still remain well below the average rental market.

The service charge will mean that other funds can be reserved for use on refurbishment and larger repairs which may be required in the near future. As with the current rental charge, the service charge will follow the same annual increase in line with the Retail Price Index (RPI). This would happen at the beginning of each financial year with 28 days’ notice given to each site licence holder. Any increase in RPI is likely to be less than inflation, meaning that future annual increases in the service charge are likely to be small.

The service charge will contribute toward costs such as upkeep of drains, water pipes, electric cabling, emptying of petrol interceptors, perimeter fencing, rubbish and abandoned vehicle removal, site condition surveys, staffing, administration, legal costs and improvements to sites including refurbishments and help towards major build projects.
The total cost of running the service is just over £253,000. The proposed service charge would raise £170,000. Existing rent payments cover KCC’s outstanding costs but at present do not leave any funding for necessary repairs, as outlined above, to maintain high site standards.

A copy of each year’s annual accounts on service charges will be made available at the start of each financial year for inspection.

See appendix 1 to read the guide to the service charge.

**Deposit Scheme**

A new deposit scheme is proposed for all new applicants when they sign the rental agreement. Deposits will be refunded when an applicant leaves or moves on, subject to the pitch being left in the same condition it was at the start of the rental period.

The proposed deposit is £500. This amount will be subject to annual review.

**Application Process**

The application process is being updated to make sure pitches are allocated to gypsy and travellers who meet KCC’s policy on eligibility and who are deemed most in need at the time of their application. Applicants will be deemed most in need based on the information provided to questions 8 to 20 on the application form.

KCC will take into consideration the following:

- If the applicant has lived 3 out of the 5 years within the district/borough of the site they have applied for
- If the applicant has family members living for at least 12 months within the district/borough go the site they have applied for
- If the applicant has family members they would like to live with them who are children in school, pregnant and/or relatives over 60
- If the applicant has to leave their home for any of the reasons listed in question 16 on the application
- If the applicant is a registered carer for a family member who has a medical condition which requires their help
- If the applicant has a medical condition that means they need help

If there is only one applicant who is eligible and satisfied all the checks they will be offered the pitch.

If there is more than one applicant who is eligible and has satisfied all the checks KCC will consider their needs and if a decision cannot be made their applications will be passed to a panel to make a final decision.

The waiting list system is being removed, in favour of an online pitch availability scheme. When a pitch becomes available, it will be advertised on the KCC website and applicants can apply by filling in an online form.
This will mean that plots can be applied for as soon as they become available. The old waiting list system meant that potentially, a large number of applicants were on the list for a year or more without any possibility of a pitch because they did not have enough points.

No new applications are being accepted at present but people currently on the waiting list will be asked to complete the new application process, should it be introduced.

Those on the waiting list will be offered a text notification when new plots become available to prompt them to complete the online application form. This will allow their applications to be considered more effectively – as time spent on the waiting list had no influence on allocation of a plot.

The new online application system sets out the requirements to meet the criteria for allocation of a plot on a KCC site. These requirements are detailed in the draft policy (see Appendix 2).

The proposed process includes a more robust system of vetting, which involves applicants giving permission to KCC to carry out checks with partner agencies, such as the Police and District or Borough Councils. This will include asking permission to share the information provided with these relevant organisations. It will be made clear to applicants that where they do not meet the criteria for housing, their application cannot be progressed.

As part of the application process, the licence conditions and enforcement processes have been reviewed and made clearer and more explicit in the contracts signed by residents. This approach has been taken to protect site residents from anti-social and criminal activity, as KCC will be able to act faster and more effectively against those who breach the terms of their residence.

See Appendix 3 to view the updated application form.

4. Alternative Options Considered

The majority of proposed changes to the policy, such as improved application processes and clearer terms and conditions form part of ongoing development and improvements to the service.

However, consideration was given to not proposing a service charge. However, based on KCC’s current financial situation, the year on year increases in costs to the service and the need to prepare for growing demand and expensive refurbishment and site improvements, such an option was not viable.

Providing residential sites for use by the Gypsy & Traveller communities is not a statutory duty, meaning that KCC does not have to do this. KCC has considered ceasing all provision for these sites but it recognises that the negative impact would be significant. If KCC stopped providing this service, residents could be evicted and would have to seek housing support from District or Borough Councils which may not meet their cultural needs.
In summary, not implementing the service charge would lead to either the deterioration or closure of existing sites. So despite considering alternative approaches, it was clear that charging a service charge would be the best approach to protect the service and continue to deliver for residents and KCC has endeavoured to keep this charge well below rental market costs.

5. Equality Impact Assessment

Initial Equality Impact Assessments (EqIA) have been undertaken on the proposals outlined above, to assess the impact of proposed changes on our service users based on the protected characteristics. These are: age, disability, gender, gender identity, race, religion or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership and carers’ responsibilities.

The responses to this consultation will be used to review and finalise our EqIA, which will be considered before a final decision is reached. You can review the current EqIA online at www.kent.gov.uk/gypsyandtravellersitepolicy or in hardcopy on request.

6. Have your Say

We invite feedback and questions on the changes outlined in this document by midnight 20th December 2017.

You can view all the documents and respond to the consultation using the online questionnaire at www.kent.gov.uk/gypsyandtravellersitepolicy

Alternatively fill in the questionnaire, which accompanies this document and return to Gypsy and Traveller Service, 1st Floor, Invicta House, Maidstone, Kent. ME14 1XX.

Residents are welcome to return completed questionnaires via their lead site managers on request.

If you require any of the consultation material in an alternative format or language, please email or call 03000 421553 (text relay service number: 18001 03000 421553). This number goes to an answering machine, which is monitored during office hours.

Support Available for Site Residents

We recognise that any change process can cause uncertainty and be unsettling for site resident. To help residents through the process the following support is available.

Lead Site Manager – Please speak with your site manager who will be able to discuss this with you and help manage your concerns in a sympathetic and inclusive manner. Telephone 03000 41 41 41 and ask to be put through to your designated lead site manager or alternatively please email gypsy.traveller@kent.gov.uk

Alternative Formats - If you require any of the consultation material in an alternative format or language, please email alternativeformats@kent.gov.uk or call 03000 421553 (text relay service number: 18001 03000 421553). This number goes to an answering machine, which is monitored during office hours.
Help responding to the consultation - If you need any help please contact the alternative formats email address or phone number.

District or Borough Council - Your local Housing Benefit Department will be able to advise on the support available to you. We recommend you contact them directly so they can do a recalculation if you are in receipt of housing benefit or on a low income.

Further support is available on the “entitledto” and Shelter’s webpages using the links below.

https://www.entitledto.co.uk/help/Eligible-rent-for-Housing-Benefit-and-service-charges

https://england.shelter.org.uk/housing_advice/housing_benefit/how_housing_benefit_is_calculated

These pages contain links to other pages and documents which may be of interest.

7. Next steps
After the consultation has taken place and the feedback has been considered by the relevant KCC committee and elected Members, a formal decision will be taken.

It is expected that the decision will be taken in February 2018 – if the changes are agreed; they would be implemented on 1 April 2018.

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation opens</td>
<td>13 November 2017</td>
</tr>
<tr>
<td>Consultation closes</td>
<td>20 December 2017</td>
</tr>
<tr>
<td>Feedback and relevant data analysed</td>
<td>January and early February 2018</td>
</tr>
<tr>
<td>Decision taken by relevant KCC Member</td>
<td>Late February 2018</td>
</tr>
<tr>
<td>Residents notified of Service Charge implementation (if agreed)</td>
<td>March 2018</td>
</tr>
<tr>
<td>Implementation of all changes (if agreed)</td>
<td>1st April 2018</td>
</tr>
</tbody>
</table>

The details of this decision, including how the consultation feedback was taken into account, will then be shared with site residents, District and Borough Councils and other stakeholders.

If the changes are agreed, residents will be notified of the service charge implementation at the beginning of March 2018.
Appendix 2

Review of Gypsy & Traveller Service Allocation Policy

Consultation Questionnaire

This questionnaire can be completed at:
www.kent.gov.uk/gypsyand traveller sitepolicy

Alternatively, fill in this paper form and return to:

Gypsy & Traveller Unit
Kent County Council
Invicta House
Maidstone ME14 1XX

You may also hand completed questionnaires to your site manager on request.

If you need the questions in an alternative format, please email alternativeformats@kent.gov.uk or call 03000 421553 (text relay service number: 18001 03000 421553). This number goes to an answering machine, which is monitored during office hours.

Please ensure your response reaches us by 20 December 2017.
Section 1 – About You

Q1. Are you responding as…?

Please select the option from the list below that most closely represents how you will be responding to this consultation.

Please select one only.

- A resident of a KCC owned or managed Gypsy and Traveller site
- A member of the public not living on a Gypsy and Traveller site
- A representative of a local community group or residents’ association
- On behalf of a Parish / Borough / District Council in an official capacity
- On behalf of a charity, voluntary or community sector organisation (VCS)
- Other

If you are responding on behalf of an organisation please tell us the name of the organisation:

[Space for name]

If you have selected ‘other’, please specify:

[Space for other details]

Q1a. If you are responding as a resident of a KCC owned or managed site, please tell us which site you live on:

- Aylesham Caravan Park
- Barnfield Park
- Coldharbour Caravan Site
- Greenbridge Park
- Heartenoak Caravan Site
- Polhill Caravan Site
- Three Lakes Park
- Windmill Lane Caravan Park

Q2. Please tell us your postcode: _____________________________________

We use this to help us to analyse our data. It will not be used to identify who you are.
Section 2 – Our Proposal

It is proposed that a £25 per week, per plot charge will be applied to all plots on KCC owned or managed sites (except sites managed on behalf of Maidstone Borough Council) from 1st April 2018. For more information on this charge please read section 3 in the consultation document.

Q3. Do you have any comments on the proposed service charge?
It is proposed that a £500 deposit will be required from all new applicants when they sign the rental agreement. This would be from 1 April 2018. For more information on the deposit scheme please read section 3 in the consultation document.

Q4. Do you have any comments on the proposed deposit scheme?
It is proposed that additional vetting and enforcement requirements will be added to the application process and that the waiting list system be replaced by an online application system. For more information on the application process please read section 3 in the consultation document.

Q5. Do you have any comments on the proposed changes to the application process?
Q6. Do you have any other comments about our proposals?
Equality Impact Assessment (EqIA)

We have completed an initial EqIAs on the draft Policy, the introduction of a service charge and the proposed changes to the application process. An EqIA is a tool to assess the impact any service change, policy or strategies would have on age, disability, gender, gender identity, race, religion or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership and carers’ responsibilities. The EqIA is available online at www.kent.gov.uk/gypsyandtravellersitepolicy or on request.

Q7. If you have any comments about the Equality Impact Assessments, please provide them here:
Section 3 - More About You

We want to make sure that everyone is treated fairly and equally, and that no one gets left out. That's why we are asking you these questions. We won't share the information you give us with anyone else. We'll use it only to help us make decisions and improve our services.

If you would rather not answer any of these questions, you don't have to.

It is not necessary to answer these questions if you are responding on behalf of an organisation.

Q8. Are you......? Please select one only.

- Male
- Female
- I prefer not to say

Q9. Which of these age groups applies to you? Please select one only.

- 0-15
- 16-24
- 25-34
- 35-49
- 50-59
- 60-64
- 65-74
- 75-84
- 85 + over
- I prefer not to say
Q10. To which of these ethnic groups do you feel you belong?  
(Source: 2011 Census)

Please select one only.

<table>
<thead>
<tr>
<th>Ethnic Group</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>White English</td>
<td>Mixed White &amp; Black Caribbean</td>
</tr>
<tr>
<td>White Scottish</td>
<td>Mixed White &amp; Black African</td>
</tr>
<tr>
<td>White Welsh</td>
<td>Mixed White &amp; Asian</td>
</tr>
<tr>
<td>White Northern Irish</td>
<td>Mixed Other*</td>
</tr>
<tr>
<td>White Irish</td>
<td>Black or Black British Caribbean</td>
</tr>
<tr>
<td>White Gypsy/Roma</td>
<td>Black or Black British African</td>
</tr>
<tr>
<td>White Irish Traveller</td>
<td>Black or Black British Other*</td>
</tr>
<tr>
<td>White Other*</td>
<td>Arab</td>
</tr>
<tr>
<td>Asian or Asian British Indian</td>
<td>Chinese</td>
</tr>
<tr>
<td>Asian or Asian British Pakistani</td>
<td>I prefer not to say</td>
</tr>
<tr>
<td>Asian or Asian British Bangladeshi</td>
<td></td>
</tr>
</tbody>
</table>

*Other Ethnic Group - If your ethnic group is not specified on the list, please describe it here

The Equality Act 2010 describes a person as disabled if they have a longstanding physical or mental condition that has lasted, or is likely to last, at least 12 months; and this condition has a
substantial adverse effect on their ability to carry out normal day-to-day activities. People with some conditions (cancer, multiple sclerosis and HIV/AIDS, for example), are considered to be disabled from the point that they are diagnosed.

Q11. Do you consider yourself to be disabled as set out in the Equality Act 2010?

Please select one only.

☐ Yes  ☐ No  ☐ I prefer not to say

Q11a. If you answered ‘Yes’ to Q11, please tell us the type of impairment that applies to you.

You may have more than one type of impairment, so please tick all that apply. If none of these applies to you, please select ‘Other’, and give brief details of the impairment you have.

☐ Physical impairment
☐ Sensory impairment (hearing, sight or both)
☐ Longstanding illness or health condition, or epilepsy
☐ Mental health condition
☐ Learning disability
☐ I prefer not to say
☐ Other

If other, please specify:

A Carer is anyone who cares, unpaid, for a friend or family member who due to illness, disability, a mental health problem or an addiction cannot cope without their support. Both children and adults can be carers.
Q12. Are you a Carer?  *Please select one only.*

- Yes
- No
- I prefer not to say

Q13. Do you regard yourself as belonging to a particular religion or holding a belief?  *Please select one only.*

- Yes
- No
- I prefer not to say

Q13a If you answered ‘Yes’ to Q13, which of the following applies to you?  *Please tick one only.*

- Christian
- Buddhist
- Hindu
- Jewish
- Muslim
- Sikh
- Other
- I prefer not to say

If other, please specify:

Q14. Are you…?  *Please select one only.*

- Heterosexual/Straight
- Bi/Bisexual
Gay woman/Lesbian
Gay man
Other
I prefer not to say

Thank you for taking the time to complete this questionnaire.

Privacy: Kent County Council collects and processes personal information in order to provide a range of public services. Kent County Council respects the privacy of individuals and endeavours to ensure personal information is collected fairly, lawfully, and in compliance with the Data Protection Act 1998.