

**Meeting of the Cabinet – 20<sup>th</sup> March 2019**

**Report of the Strategic Director Place**

**Update on Travellers Transit Site Provision in Dudley Borough**

**Purpose**

1. The purpose of this report is to update Members as to the progress on provision of a permanent Travellers transit site within the Borough following a report to the Cabinet in February 2019.

**Recommendations**

2. It is recommended that:-
  - Cabinet authorises the Cabinet Member for Housing and Residents Welfare to progress delivery of a Travellers' transit site in line with powers already delegated within the constitution (namely functions relating to traveller sites).
  - Cabinet note the budget pressure as a result of the requirement for enhanced security measures and authorise the Leader following consultation with the Cabinet Member for Highways and Environment to work up the sites and costings for approval by Full Council in April.

**Background**

3. Members will recall that in February 2018 Cabinet agreed to proceed with the use of a site at Budden Road, Coseley as a temporary Travellers transit site for a period of three years. Following a change in the control of the Council, the new Administration determined on 26<sup>th</sup> September 2018, that it wished to review the decision in order to ascertain if it was the most appropriate site for the intended use and if it provided value for money for the Council Tax payers of Dudley.

As a result of the Administrations review, Cabinet agreed on 18<sup>th</sup> February 2019 that the project be discontinued and that Officers be directed to identify smaller scale sites suitable for provision of a permanent Travellers transit site and based on an assessment of each, make recommendations as to the preferred site and costs thereof, which were to be presented to a future meeting of the Cabinet.

A number of other recommendations were agreed in relation to operational issues such as further strategies to facilitate more effective means of dealing with unauthorised encampments and additional preventative and security measures.

This report provides a brief update on these agreed actions.

### **Update on Progress**

- 4 Taking each of the actions in turn:-
- I. Work on the project to develop a temporary transit site at Budden Road, Coseley, was discontinued with immediate effect following Cabinet in February 2019.
  - II. Officers have identified a number of smaller scale sites (of approx. 20 pitches) which are potentially suitable for provision of a permanent Travellers transit site and having undertaken an initial assessment of each, there is a clearly preferred site. Work is ongoing with regard to the more detailed feasibility (accessibility, land contamination) and initial conversations are being held with the landowner. In order to protect these negotiations and on the basis that the site may yet prove to be undeliverable, the site cannot be formally identified until the above due diligence is completed.
  - III. Having looked into the ongoing management and operation of the site post completion it has been concluded that this will be dealt with via Private Sector Housing and supported by Environmental Wardens to ensure out of hours cover. Officers are working through the detail of how this would operate in practice. Officers are progressing an Unauthorised Encampments Joint Protocol with the Police modelled on Sandwell's agreement. The use of any powers is of course reliant on support from the Police.
  - IV. As an interim measure, prior to the temporary transit site being completed, Cabinet in February approved that a programme of additional measures, including enhanced security, be developed and implemented on sites vulnerable to Unauthorised Encampments following engagement with the Communities concerned. This programme and costings are being developed for implementation on key sites vulnerable to Unauthorised Encampments following cross-party consultation. It is proposed that the Leader following consultation with the Cabinet Member for Highways and Environment be authorised to develop proposals to Council to approve the additional revenue budget required.
  - V. In relation to the recommendation to implement a Borough wide injunction against Unauthorised Encampments officers have engaged a barrister to progress this proposal and produce a plan of action. This stage of the work is due by the end of March 2019; the injunction itself is expected to take in the region of 12-18 months to secure.
  - VI. The Leader of the Council has written to the Mayor of West Midlands Combined Authority (WMCA) asking him to press the government to legislate to enable a WMCA wide and flexible use of transit sites.

## **Finance**

5. The cost of officer time to manage the operation of the site and to support the police will be met from within the existing General Fund revenue budget and medium term financial strategy.

The estimated cost of providing additional security at vulnerable sites across the Borough is being established. It is proposed that the Leader following consultation with the Cabinet Member for Highways and Environment be authorised to develop proposals to Council to approve the additional revenue budget required.

The capital cost of providing a permanent transit site will be assessed following identification of an appropriate site and an assessment of land value, site remediation and development costs. Any variation to the existing capital budget of £280,000 will need to be approved by Full Council or under urgency powers delegated to the Leader or the Cabinet.

## **Law**

6. The provision of a Transit site facilitates use of powers provided under Section 62a of the Criminal Justice and Public Order Act 1994, in addition to the other legal powers available in order to address unauthorised incursions.

## **Equality Impact**

7. The Equality Act 2010 prohibits discrimination, harassment and victimisation against persons with "protected characteristics". Race is a protected characteristic. Some Gypsy and Traveller groups are protected by the Act's prohibition against race discrimination.

## **Human Resources/Transformation**

8. The report and associated application of policies and practices comply with the equality act 2010.

## **Commercial Implications**

9. No impact as a result of this report.



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## **Background Documents**

None