

EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER


Executive Decision Reference Number – L33 20/21

Decision	
1	Title of decision: Gypsy, Roma, Traveller Unauthorised Encampments Policy Amendment
2	Decision maker (Cabinet member name and portfolio title): Councillor Tudor Evans OBE (Leader)
3	Report author and contact details: Jessica Dann jessica.dann@plymouth.gov.uk
4	<p>Decision to be taken:</p> <p>Amendment to Gypsy, Roma, Traveller Unauthorised Encampments Policy to remove reference to Temporary Stopping Places.</p> <p>Alternative measures already provided for in the policy such as Negotiated Stopping, will continue to be considered by Community Connections Officers on any new Unauthorised Encampment within the City. Where sites are deemed unsuitable for Negotiated Stopping Officers will rely on designated Local Authority powers to take measures to remove the Unauthorised Encampments as soon as possible. Proactive Target Hardening measures will also be used to deter a community from entering a particular space or taking steps following the leave of an Unauthorised Encampment to prevent the group or additional groups from returning. This will aim to inhibit access through environmental changes to the land such as planting trees, development of green banks or through the use of gates and fences.</p>
5	<p>Reasons for decision:</p> <p>Policy adopted in 2017 and appropriate land to be designated as a Temporary Stopping Place not identified despite considerable officer resource to progress this</p> <p>Definitive conclusion of Temporary Stopping Places financial implications unknown with running costs and management resource required difficult to establish</p> <p>Negotiated Stopping Places are already included in the policy and are an adequate measure to support Unauthorised Encampments and the Gypsy, Roma, Traveller community whilst offering Community Connections officers more flexibility in management of the site</p> <p>Target Hardening will deter the Gypsy, Roma, Traveller community from using unsuitable locations and can be used either as proactive response on certain identified sites or as a preventative measure following the closure of an Unauthorised Encampment site. Natural Infrastructure has been engaged to support this.</p> <p>Devon and Cornwall Police policy is not to move the Gypsy, Roma, Traveller community unless they are causing significant impact in the surrounding area due to crime and anti-social behaviour and it is unclear whether they could operationally support direction to a Temporary</p>

	<p>Stopping Place without a county change to policy</p> <p>Intention to partner with neighbouring LA's to refresh the existing Gypsy, Roma, Traveller community needs assessment and establish whether there is a requirement for shared alternative site provision in line with the 2023 JLP review.</p>			
6	<p>Alternative options considered and rejected:</p> <p>Policy remains as stands and Temporary Stopping Places are sourced. In order to meet this policy significant additional officer resource has been put in play including member lead discussions across council departments. Multiple meetings have been undertaken between Community Connections officers and other departments including planning, waste, natural infrastructure, civil enforcement and public protection. Additional work has included development of a site specification to be shared with third party owners, site identification documents, maps and feasibility studies. Despite this appropriate sites have not been found to progress planning applications in readiness for the start of the travellers' season in 2021.</p> <p>Implement a new policy to provide a permanent transit site. At the current time no land has been identified that would be suitable for this use. Liskeard have recently opened a transit site and are experiencing some challenges with operation. A further needs assessment needs to be completed with the Gypsy, Roma, Traveller community to understand whether they would use a similar site in Plymouth. Not appropriate option for this time.</p>			
7	<p>Financial implications:</p> <p>This amendment has no further financial implications beyond what is currently being delivered when responding to Unauthorised Encampments which includes the costs of facilities (bins, toilets, water), legal costs, bailiffs (where required) and clearance of site. Delivery of Temporary Stopping Places would come at a considerable additional cost to PCC for preparation and submission of ongoing planning applications, third party leasing of land designated as a Temporary Stopping Place, additional facilities and site management. It is unlikely that charges for staying on the site would cover these costs.</p>			
8	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p>	<p>Yes</p>	<p>No</p>	<p>Per the Constitution, a key decision is one which:</p>
			x	<p>in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</p>
			x	<p>in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million</p>
			x	<p>is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.</p>
	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>			

9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	Corporate Plan – Welcoming City Plymouth Plan – INT8 – Celebrating Diverse Communities Community Connections Officers will undertake a Welfare Assessment and Community Impact Assessment when considering the most suitable course of action for any Unauthorised Encampment. Where the site is suitable Negotiated Stopping will be considered.		
10	Please specify any direct environmental implications of the decision (carbon impact)	No impact. Natural Infrastructure have been consulted for target hardening preventative measures and will undertake specified, approved work on identified sites.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	X	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:			Date
		Scrutiny Committee name:		
		Print Name:		
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	X	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Chris Penberthy, Housing and Co-operative Development		
13c	Date Cabinet member consulted	05/01/2020		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	
15	Which Corporate Management Team member has been consulted?	Name		Craig McArdle
		Job title		Strategic Director for People
		Date		06/01/21

		consulted						
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS82 20/21					
		Finance (mandatory)	djn.20.21.208					
		Legal (mandatory)	HM06/20/21					
		Human Resources (if applicable)						
		Corporate property (if applicable)						
		Procurement (if applicable)						
Appendices								
17	Ref.	Title of appendix						
	A	GRT UE Policy						
	B	Equalities Impact Assessment						
	C	GRT UE Policy Statement						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes						
		No	X					
		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)						
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							

Title of background paper(s)	Exemption Paragraph Number						
	1	2	3	4	5	6	7
Cabinet Member Signature							
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.						
Signature			Date of decision	06/01/21			
Print Name	Councillor Tudor Evans OBE (Leader)						