

WANDSWORTH BOROUGH COUNCILHOUSING OVERVIEW AND SCRUTINY COMMITTEE – 14TH NOVEMBER 2012EXECUTIVE – 19TH NOVEMBER 2012Report by the Director of Housing reviewing Gypsy and Traveller site chargesSUMMARY

This report reviews the pitch charges for the Gypsy and Traveller site at Trewint Street, SW18 (Earlsfield), in line with the Council's charging policy to regularly review charges for specific services, wherever possible, to recover the cost of the service provision as a minimum which for the General Fund minimises any indirect subsidy from the council tax payer.

The Director of Housing is proposing to increase the pitch fees by four per cent to ensure income is maintained at a sufficient level to avoid the site operating at a net financial loss. This would increase the weekly pitch charge from £116 to £120.64 with effect from the first Monday in January 2013.

With effect from 30th April 2011, local authority caravan sites were brought under the terms of the Mobile Homes Act 1983, which means that pitch fees can only be applied either with the joint agreement of both parties or by order of the Residential Property Tribunal (RPT). In the event that agreement to the increase is not obtained, the Director of Housing will proceed with an application to the RPT, subject to it being economically advantageous to do so.

The increase in charges from the first Monday in January 2013 will generate additional General Fund income of £660 in 2012/13 and £2,650 in 2013/14 and in a full year for which negative budget variations are, therefore, recommended. The additional General Fund income is equivalent to a reduction of £0.02 in Band D Council Tax.

GLOSSARY

EIA	Equalities Impact Assessment
RPI	Retail Price Index
RPT	Residential Property Tribunal

RECOMMENDATIONS

1. The Housing Overview and Scrutiny Committee are recommended to support the recommendations in paragraph 3.
2. If the Overview and Scrutiny Committee approve any views, comments or additional recommendations on this report these will be submitted to the Executive for consideration.
3. The Executive are recommended to: -

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- (a) to approve that, with effect from the first Monday in January 2013, the charges for Gypsy and Traveller site pitches be increased by four per cent, increasing the charge from £116 to £120.64 per week;
- (b) to note that, in the event that agreement to the increase is not obtained, the Director of Housing will make an application to the Residential Property Tribunal, subject to it being economically advantageous to do so; and
- (c) to approve negative General Fund budget variations of £660 in 2012/13 and £2,650 in 2013/14 and in a full year.

### **INTRODUCTION**

- 4. Management of the Gypsy and Traveller site at Trewint Street SW18 (Earlsfield) previously fell under the remit of the then Director of Technical Services. In October 2011, management of the site moved to the Director of Housing as part of the review of departmental structures (Paper No. 11-562 to the General Purposes Committee and Executive in June/July 2011).
- 5. The Trewint Street Gypsy and Travellers' site consists of 11 pitches with abutting amenity blocks. All plots are occupied and are covered by pitch agreements which enable the Council to review the pitch fees annually on 1st January. The Council's current charge of £116 per week is broadly comparable with charges applied by other local authorities.

### **REVIEW OF PITCH CHARGES**

- 6. The Council regularly reviews, usually on a yearly basis, the scale of charges for a wide range of services. It is the Council's charging policy to maximise charges for specific services, seeking wherever possible to recover the cost of the service provision as a minimum.
- 7. In past years, there was no statutory restriction on increasing pitch fees. However, with effect from 30th April 2011, local authority caravan sites were brought under the terms of the Mobile Homes Act 1983. As a result, increases in pitch fees can now only be applied either with the joint agreement of both parties or by order of the Residential Property Tribunal (RPT).
- 8. Gypsy and Traveller site pitch charges were last reviewed in November 2010 (Paper No. 10-826 to the Environment, Culture and Community Safety Overview and Scrutiny Committee), when an increase in the weekly charge per pitch from £110 to £116 was applied.
- 9. As explained in the Director of Finance's comments, the pitch agreements limit any increase/decrease in charges to a percentage that is no more than the Retail Price Index (RPI) increase/decrease since the last review date, unless this would be unreasonable. As such, the maximum increase that could be applied in this review would be 8.2 per cent. The Director of Housing considers that an attempt to apply an increase of this magnitude could result in opposition from the licensees, forcing the Council to seek an order determining the increase from the RPT or to forgo the additional income should it prove cost prohibitive to make an application. This could affect the Council's ability to apply increases in the future.

10. Therefore, the Director of Housing proposes an increase in the pitch fees by four per cent, in line with Council policy and in order to ensure income is maintained at a sufficient level to avoid the site operating at a net financial loss. The weekly pitch charge would increase from £116 to £120.64. As 28 days notice has to be given prior to the review date, authority is now being sought to the application of the increase from the first Monday in January 2013.
11. In the event that agreement to the increase is not obtained, the Director of Housing will proceed with an application to the RPT, subject to it being economically advantageous to do so.

### **EQUALITIES IMPACT ASSESSMENT**

12. The Equality Act 2010 requires that the Council, when exercising its functions, must have "due regard" to the need to eliminate discrimination to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. As such, an Equality Impact Assessment (EIA) has been undertaken on the proposal to increase pitch charges for the Gypsy and Traveller site at Trewint Street. This EIA is attached as Appendix 1 to this report. This EIA has found that the charges will impact on one specific group with protected characteristics. However, this is due to the nature of the service provided and the review of charges is part of an established Council policy to regularly review charges for specific services.

### **COMMENTS OF THE DIRECTOR OF FINANCE**

13. The Director of Finance comments that charges are reviewed regularly in line with the Council's charging policy which is to maximise charges for specific services, which for the General Fund minimises any indirect subsidy from the Council Tax payer, seeking where possible to recover the cost of the service provision as a minimum.
14. The terms of the pitch agreements state that 'there is a presumption that the pitch fee will increase or decrease by a percentage which is no more than any percentage increase or decrease in the retail prices index since the last review date, unless this would be unreasonable'. Since the last review in November 2010 the Retail Price Index (RPI) has increased by 8.2 per cent. This is the maximum increase that could, therefore, be considered.
15. The proposed four per cent increase in charges from the first Monday in January 2013 would generate additional General Fund income of £660 in 2012/13 and £2,650 in 2013/14 and in a full year for which negative budget variations are required. The additional General Fund income is equivalent to a reduction of £0.02 in the Band D Council Tax.

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The Town Hall,  
Wandsworth,  
SW18 2PU.

ROY EVANS  
Director of Housing

5th November 2012

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### **Background Papers**

There are no background papers to this report.

All reports to Overview and Scrutiny Committees, regulatory and other committees, the Executive and the full Council can be viewed on the Council's website ([www.wandsworth.gov.uk/moderngov](http://www.wandsworth.gov.uk/moderngov)) unless the report was published before May 2001, in which case the committee secretary (on 020 8871 6039) can supply if required.

### **Initial Equality Impact Assessment – Policy Change**

The initial equality impact assessment is a quick and easy screening process. It will help you to identify those changes to policies which require a full EIA by looking at:

- negative, positive or no impact on any of the equality groups
- opportunity to promote equality for the equality groups

Any questions at anytime please call Clare O'Connor on ext 7816.

Department	Housing
Policy	Gypsy and Traveller Site charges
People involved	Policy and Performance Officer and Head of Housing Management

#### **1. What are the aims of the policy and what changes are being proposed?**

The aim is to review the charges for pitches on the Gypsy and Traveller site at Trewint Street, SW18 (Earlsfield). This will ensure that the charges are in line with the Council's charging policy to regularly review charges for specific services. The charges ensure that the site can be maintained and prevents the site operating at a net financial loss.

#### **2. What is the rationale behind these changes?**

As stated above the rationale is to ensure that the charges are in line with the Council's charging policy.

#### **3. What information do you have on the policy and the potential impact of your policy change in relation to the following?**

	<b>List information you have. Do not put what the information shows you</b>
Race	According to current records there are 11 households on the Gypsy and Traveller Site at Trewint Street and (as far as the Council is aware 100% of households are 'Gypsy/ Romany/ Irish Traveller' ethnic origin.
Gender	According to current records there are 7 female tenants and 4 male tenants.
Disability	No data held
Age	No data held
Faith	No data held
Sexual Orientation	No data held

#### **4. Thinking about each group below please list the impact that the policy change will have.**

	<u>Positive</u> impacts of policy change	Possible <u>negative</u> impacts of policy change
Race	All households are subject to the increase in charges regardless of race, gender, disability age, faith or sexual orientation and will all be	Although households will see an increase in site charges they are in line with the Council's charging policy.  All 11 households are 'Gypsy/ Romany/ Irish

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	<p>notified of the change in the same way.</p> <p>The charges ensure that the site can be maintained and the review of charges for this site falls under the Council's policy to regularly review charges for specific services</p> <p>Notice will be given before the charges are introduced</p>	<p>Traveller' ethnic origin. This means that the charges will impact on one specific group with protected characteristics. However, it should be noted that this is due to the nature of the service provided i.e the site fees for a for pitches on a Gypsy and Traveller site</p>
Gender	<p>All households are subject to the increase in charges regardless of race, gender, disability age, faith or sexual orientation and will all be notified of the change in the same way.</p>	<p>Although households will see an increase in site charges they are in line with the Council's charging policy.</p>
Disability	n/a	n/a
Age	n/a	n/a
Faith	n/a	n/a
Sexual orientation	n/a	n/a

### 5. Is a full EIA required? No.

The following questions should help you decide if a full EIA is required. As a guide if you are a frontline service where the impact is unclear or negative you will need to conduct a full EIA. You are unsure call Clare O'Connor on ext 7816.

- Does the policy support a frontline service? **Yes.**
- Is it clear what impact the policy change will have on all the equality groups? **Yes.**
- Overall will the change have a negative impact on any of the equality groups? **No although due to the nature of the service it will only impact on one group with protected characteristics.**

### Comments - Please give the rationale here for not undertaking a full EIA

A full EIA is not required as the impact of the charges has been identified.

### 6. Through the initial EIA have you identified any actions that needed to be implemented to improve access or monitoring of the policy? (please list)

No actions have been identified that need to be implemented to improve access or monitoring of the policy.

Signed

Date

Approved by: **Clare O'Connor**

(all initial EIAs to be approved by Clare O'Connor)