

## HAMPSHIRE COUNTY COUNCIL

<b>Committee/Panel:</b>	Buildings Land and Procurement Panel
<b>Date:</b>	18 December 2012
<b>Title:</b>	Permanent Gypsy and Traveller Residential Sites - Update on Disposal Proposals
<b>Decision Reference:</b>	4369
<b>Report From:</b>	Director of Culture, Communities and Business Services

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### 1. Executive Summary

- 1.1. The purpose of this report is to outline progress with the disposal of the permanent gypsy and traveller residential sites and recommend revised proposals towards achieving the County Council's objectives.
- 1.2. The Buildings Land and Procurement Panel is recommended to approve the report and refer the decision to the Executive Member for Policy and Resources for endorsement at his meeting on 13 January 2013.

### 2. Contextual information

- 2.1. The County Council owns three permanent residential sites and leases one site for gypsy and traveller residential use which allows for 78 families to have accommodation.
- 2.2. In January 2010, as part of the review of the Gypsy and Traveller Service provided by the County Council, it was agreed by Executive Member Policy and Resources that the responsibility of running these four sites should be transferred to another body by 31 March 2013. Under the 2004 Housing Act such a responsibility lies usually with the appropriate Local Housing Authority. The preferred solution was that the service should be transferred to the local housing authority namely New Forest District (Bury Brickfields), Winchester City (Tynefield) and Hart District (Penny Hill and Star Hill).
- 2.3. Officers from HCC Property Services have been working intensively with these local authorities to find a solution to enable them to take on this role; but, despite those Councils showing some initial interest in moving forward on this basis, there have been no firm offers to take on this service. Unfortunately, it would appear that this position is unlikely to change in the

short term and the County Council is in no position to force the issue unilaterally.

- 2.4. Meanwhile, the Star Hill site is currently leased from the Calthorpe Estate and this lease is due to expire as at 31 March 2013. The lease is protected under the Landlord and Tenant Act 1954 thereby enabling the County Council to apply to the Court for a new lease. It is proposed that the County Council should continue working with Legal Services to facilitate a new lease on the site capable of being transferred to any new managing body.

### **3. Finance**

- 3.1. The Service has undergone major financial restructuring over the last three years and has been working towards reducing the historical over-spends. Last year's 2011/12 accounts were able to show an under-spend by £6,000 linked also to a reduced corporate supporting payment.
- 3.2. This is mainly due to work carried out by Officers on the sites in programming repairs and improvements, including the recent introduction of smart electric meters to reduce the risk of loss of revenues for electricity consumed at the sites, thereby reducing liabilities to the County Council.

### **4. Outline of options**

- 4.1. The confirmed objective for the County Council and the Service was to hand management of these sites to another local authority. Unfortunately, despite concerted effort on the part of the Gypsy and Traveller Service, this has not come to fruition and therefore other options have recently been considered.
- 4.2. One option, bearing in mind current improved budgetary performance, was that the County Council continues to provide this service for a further period of time during which every effort is made to encourage the District Councils to change their stance or for central government to make it a statutory obligation for them to manage the sites.
- 4.3. The difficulty here is that the County Council is not in control of timescales to deliver the changes. In the medium term, there would also be some negative financial implications for the County Council in terms of staff costs and the need for future capital improvements to the sites in the event that transfer of the sites was to be deferred. On this basis, this option is not recommended.
- 4.4. Alternatively, the sites could be passed to a suitably experienced third party for them to run and manage. This may include the market sale of the freehold and leasehold interest of the sites to a Registered Social Landlord (RSL) with experience in this area, a commercial operator or to a community interest company. Informal discussions with Somerset and West Sussex County Councils and with some operator companies (Somerset Travellers Ltd, Homespace and the Rockstone Group) has highlighted that there are suitable bodies to take on this role and that they are often prepared to purchase the freehold of the sites rather than just lease them.

### **5. Future direction**

- 5.1. In order to engage with potential operators in preparation for fully marketing the properties and achieve best value for the County Council (whilst also seeking to avoid prejudicing the rights of the residents), it is recommended that the deadline for disposal is extended until 31 March 2014.

## **6. Recommendations**

**That the Panel advises the Executive Member for Policy and Resources that:**

- a) The deadline for disposal of the permanent residential sites to a third party is extended to 31 March 2014 and that the County Council now explores the potential of transfer to a Registered Social Landlord, Commercial Operator or Community Interest Company;
- b) The County Council enters into negotiations with the Calthorpe Estate to secure the grant of a new 30 year lease on the Star Hill site;
- c) The Director of Culture, Communities and Business Services (Strategic Manager - Assets and Development) is authorised to settle detailed terms and conditions in respect of these transactions.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	Yes
Corporate Improvement Plan link number (if appropriate):	
<b>Maximising well-being:</b>	Yes
Corporate Improvement Plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	Yes
Corporate Improvement Plan link number (if appropriate):	

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u> Review of Gypsy and Traveller Service	<u>Reference</u> 935	<u>Date</u> 21 January 2010
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equalities Impact Assessment:**

- 1.1. An equalities impact assessment has been considered in the development of this report and, whilst no adverse impact has been identified in terms of the principle of continuing to progress the disposals proposed, an additional EIA will be considered as part of any formal marketing process to ensure that the rights of the residents will not be prejudiced.

### **2. Impact on Crime and Disorder:**

- 2.1. The County Council has a legal obligation under Section 17 of the Crime and Disorder Act 1998 to consider the impact of all the decisions it makes on the prevention of crime. The proposals in this report have no impact on the prevention of crime.

### **3. Climate Change:**

- 3.1. The proposals in this report do not have any impact on the County Council's carbon footprint or energy consumption.
- 3.2. The proposals in this report do not have any impact on climate change.