

**CABINET – 7 APRIL 2009**

**REPORT OF THE DIRECTOR OF CORPORATE RESOURCES**

**ESTABLISHMENT OF MULTI AGENCY TRAVELLERS' UNIT**

**PART A**

**Purpose of Report**

1. To seek the approval of the Cabinet to the detailed arrangements for the establishment of a Multi-Agency Travellers' Unit to work throughout Leicestershire, Leicester and Rutland.

**Recommendations**

2. It is recommended that the Cabinet:
  - (a) confirms its agreement to the establishment of a Multi-Agency Unit to be hosted by the County Council to act on behalf of the County Council, Leicester City Council, Rutland Council and participating District Councils in Leicestershire, together with the Leicestershire Constabulary and the City and County PCTs (NHS Leicester City and NHS Leicestershire County and Rutland), to manage unauthorised encampments and other Traveller related issues, in line with the Code of Practice for Travellers adopted by the local authorities concerned, and to authorise the Director of Corporate Resources to undertake all actions necessary to give effect to this decision;
  - (b) approves the budgetary arrangements set out in paragraphs 7 and 15-18 of this report;
  - (c) agrees to the transfer under the provisions of the Transfer of Undertakings (Protection of Employment ) Regulations of two members of staff from the Leicester City Council;
  - (d) recommends to the County Council that the Council accepts pursuant to the Local Government Acts 1972 and 2000 the delegation of functions from Leicester City Council in relation to unauthorised encampments within the area of Leicester City Council and from Rutland Council in relation to unauthorised encampments within the area of Rutland.

**Reasons for Recommendations**

3. To provide a unified approach towards the management of unauthorised encampments across Leicestershire, Leicester and Rutland and to provide consistency of services to the Traveller and settled communities.

### **Timetable for Decisions (including Scrutiny)**

4. An early decision is required in order that the Unit might be operational from April 2009.

### **Policy Framework and Previous Decisions**

5. The County Council is currently party to an agreement with the Leicester City Council, the Rutland Council, the seven District Councils in Leicestershire and Leicestershire Constabulary aimed at managing unauthorised encampments by Travellers in line with guidelines issued by the Government.
6. On 14 November 2008 the Cabinet resolved:
  - (a) That approval, in principle, be given to:-
    - (i) the establishment of a Multi-Agency Team to act on behalf of the Authority, Leicester City Council, the Rutland Council and all seven District Councils in Leicestershire together with the Police and PCTs to manage unauthorised encampments and other traveller related issues in line with the Code of Practice for Travellers adopted by the local authorities concerned;
    - (ii) the establishment of an appropriate body comprising representatives of all of the authorities concerned, to advise on the operation of the Multi-Agency Team and generally act as a sounding board on traveller related issues;
  - (b) That the officers be requested to take all necessary steps to develop the detailed arrangements to give effect to these proposals, in consultation with the bodies concerned, including the funding proposals, governance arrangements and the drawing up of any necessary legal agreement, with a view to reporting to the Cabinet on these matters in due course.

### **Resource Implications**

7. The existing Traveller Service provided by the County Council currently costs approximately £70,000 per annum to operate. Discussions have taken, and continue to take, place with the other councils concerned with a view to reaching agreement on the division of the costs of a proposed Multi-Agency Team. The costs are likely to be in the order of £200,000, with the County Council's contribution unlikely to exceed £70,000 being met from current resources, with the remainder being split between the City Council and other participating local authorities.

### **Circulation under the Local Issues Alert Procedure**

8. A copy of this report has been circulated to all members of the County Council under the Local Issues Alert procedure.

### **Officers to Contact**

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## **PART B**

### **Background**

9. Unauthorised encampments by Gypsies and Travellers continue to create problems for the people of Leicestershire and are one of the main causes of public anxiety towards Gypsies and Travellers. It is recognised that there is a shortage of sites and this shortage contributes to the increased level of unauthorised encampments. Continued public opposition is one of the main reasons that new sites are not developed. Even with adequate site provision Travellers will move around the country to find work, visit relatives and attend funerals as they have done for hundreds of years and this will inevitably result in the need to address unauthorised encampments.
10. Currently the procedure for dealing with unauthorised encampments is informed by the Code of Practice for Travellers in Leicestershire, Leicester City and Rutland. This is an agreement between the County Council, Leicester City Council, Rutland Council, Leicestershire Constabulary and all Leicestershire District Councils.
11. The itinerant nature of Gypsy and Traveller lifestyles, often moving between local authority boundaries and/or from site-based to roadside locations, means that they often encounter inconsistencies of approach between local authorities, other agencies and settled populations. Access to public services is often problematic and discrimination is still an everyday occurrence.

### **The Multi-Agency Traveller Unit**

12. Providing a more effective means of managing unauthorised encampments is one of the principal reasons for establishing a Multi Agency Traveller Unit. It is anticipated that as a consequence of the work of the Unit, Travellers can be encouraged to park in more appropriate locations and to minimise any nuisance caused to local settled communities. By adhering to the standards promoted by the Unit, Travellers are more likely to be tolerated by the settled community. The Unit will also help to ensure a consistency of approach between Travellers and relevant public services and will act as a single point of contact for advice and information on Traveller related issues, as well as promoting long term solutions to some of these issues.
13. The broad aims of the Unit will therefore be to:
  - a) Deal speedily and effectively with unauthorised encampments and inappropriate behaviour;
  - b) Act as a single point of contact;
  - c) Make savings through economies of scale;
  - d) Improve services to the Traveller and settled communities;
  - e) Reduce friction between the Travellers and settled communities;
  - f) Build a common data base;
  - g) Act in a consistent manner – firm but fair across Leicestershire, Leicester and Rutland.

14. The Unit will bring together specialist staff currently engaged in work associated with Gypsies and Travellers, namely 2 (1.5fte) employees from the County Council and 2 (1.5fte) employees from the City Council, with the latter transferring in due course to the County Council (as host authority) under TUPE. They will work alongside three NHS staff, together with a dedicated officer from the Leicestershire Constabulary.
15. Excluding the costs associated with the NHS and Police posts, the total cost of the new unit is estimated to be approximately £200,000 per annum. The existing budgeted costs of the City and County Council officer posts account for a major portion of these costs, with the only significant new costs being those associated with the Unit's office base and administrative support, details of which have yet to be finalised. It is envisaged that the final local authority-related operating costs of the Unit will ultimately be met jointly by all participating local authorities.
16. It is proposed that, from 1 July 2009, the Unit will be managed and executive functions carried out by the County Council as the host authority. A Compact Agreement would provide for the County Council to be authorised to instigate possession proceedings over County, District and Borough land, with the associated legal work being undertaken by staff in the County Council's Legal Services Unit. It would also set out how the power (once delegated) to exercise the City Council's functions under s.77 and 78 of the Criminal Justice and Public Order Act 1994 would operate.
17. A meeting of stakeholders, comprising representatives of each of the participating local authorities, will be held on a regular basis and act as a general sounding board to help oversee the workings of the Unit. Regular meetings will also be held with local authority link officers.
18. These proposals have been the subject of detailed discussions involving officers of all local authorities, the Police and the NHS and these will continue as further detailed arrangements are clarified and put in place. All authorities are supportive of the principle of establishing the new Unit and the County Council, Leicester City Council, Melton Borough Council, North West Leicestershire District Council and Oadby & Wigston Borough Council have committed themselves to providing funding for the unit as set out above. The other local authorities have not been able to provide such a budgetary commitment at the present stage, but are willing to support the Unit in all other ways in 2009/10 and may engage the services of the Unit on a paid consultancy basis where necessary. Some have indicated that they will monitor the situation and the work of the Unit in 2009/10, with a view to giving consideration to making a budgetary commitment in 2010/11.

### **Implementation Timetable**

19. All parties are full supportive of the proposal to establish a new Multi Agency Travellers Unit from April 2009. However, there are operational, management, legal and financial issues that need to be addressed over the coming months. It is therefore proposed that implementation take place over a number of phases:

20. **Phase 1:** From April 2009, the relevant staff from the City and County Councils, the Police and the NHS will be co-located and work collaboratively in dealing with Traveller issues throughout the area. Working arrangements during this phase will be broadly in accordance with existing arrangements, though the Unit will be working on a “single point of contact” basis. Detailed working arrangements, service level agreements and the details of any required delegation of powers and formal transfer of City Council staff will be clarified and agreed during this phase.
21. **Phase 2:** From 1 July 2009, it is envisaged that the Unit will be fully operational as a single entity, with staff transfers completed and with all necessary formal agreements and delegation of powers in place. From this date the Unit will be operating in accordance with the Compact Agreement in place between participating authorities.
22. **Phase 3:** This phase relates to the on-going work of the Unit from 2010/11 onwards, and provides an opportunity to review the work of the Unit in its first year of operation. Interim financial arrangements have been made to enable the Unit to be operational from April 2009, but more sustainable arrangements will need to be established for 2010/11 onwards. The scope of work of the Unit, e.g. in relation to site management and education matters, can also be reviewed in the period leading up to this phase.
23. From 1 July 2009, the Unit will be underpinned by a Compact Agreement entered into by the parties involved. This will be an ongoing agreement with the option for parties to withdraw on 12 months’ notice, it will define the basis upon which the parties will work together, and it will provide for any additional and/or extraordinary costs not anticipated in the Unit’s budget to be spread among the parties in the proportions set out therein.

### **Summary**

24. The proposed Multi-Agency Unit will centralise services and act as a “one stop shop” for all Traveller related issues including complaints, media enquiries, access to services, advice and training.
25. The proposed Unit will address the broader issues with regard to the Gypsy and Traveller population in order to promote community cohesion.

### **Relevant Impact Assessments**

(i) **Equal Opportunities Implications**

Travellers are recognised as an under-provided for section of society.

(ii) **Crime and Disorder Implications**

An operational Police officer will be part of the Multi-Agency Unit and will be able to offer advice on any such matters.

(iii) **Partnership Working and Associated Issues**

The report relates to the establishment of an innovative new arrangement which will deliver clear benefits to all concerned.

**Background Papers**

Countywide Code of Practice for Travellers.

Report to the Cabinet on 14 November 2008 on proposed establishment of Multi-Agency Travellers' Unit.