



Report to Policy Committee

Author/Lead Officer of Report: *Jonathan South, Service Manager Accommodation and Support Service*

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Report of: Executive Director, Operational Services
Report to: *Housing Policy Committee*
Date of Decision: *10th March 2023*
Subject: *Gypsy and Traveller Site Pitch Fees 2023/24*

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, what EIA reference number has it been given? 239				
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				

Purpose of Report:

This report sets out the proposal for the 2023/24 increase in pitch fees relating to Sheffield City Council's Gypsy and Traveller sites at Longacre and Redmires.

There is no nationally recommended pitch fee level for Gypsy and Traveller pitches as there is for social housing rents. It is left to the discretion of the landlord, subject to the terms of a Written Statement of Agreement between the Council and occupiers of the sites.

Recommendations:

The Housing Policy Committee is recommended to:

Approve that from 15th May 2023 the fees for each pitch on the Council's Gypsy and Traveller sites at Longacre and Redmires will increase by 7%

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

Appendix 1 - Agreement to Occupy a Pitch on an Authorised Traveller Site In accordance with The Mobile Homes Act 1983

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Helen Damon
		Legal: Andrea Simpson
		Equalities & Consultation: Louise Nunn
		Climate: n/a
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	SLB member who approved submission:	Ajman Ali
3	Committee Chair consulted:	Cllr Douglas Johnson
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>Jonathan South</i>	Job Title: <i>Service Manager – Accommodation and Support Services</i>
	Date: 28/02/2023	

1. PROPOSAL

- 1.1 Sheffield City Council owns two operational Gypsy and Traveller sites: Longacre (14 plots) in the south east of the city and Redmires (17 plots) in the west. The pitch fees are a contribution to the services and amenities provided on the sites by the Council. These include:
- The day-to-day management of the site including paying for drainage, clearance and green work as the roads within the sites are unadopted.
 - A dedicated service
 - Electric hook-up points, connection to the electricity and water supply and drainage systems
 - Amenities including bathroom and/or shower facilities, a WC, a kitchen sink, space for kitchen equipment and heating.
 - A day room where residents can sit and eat if they wish.
- 1.2 The mechanism for an annual increase or decrease of pitch fees and the presumption that the increase will be by a percentage which is no more than any percentage increase or decrease in the retail prices index (RPI) since the last review date are set out in a Written Statement of Agreement for residents, which was approved by the Cabinet Member for Homes and Regeneration on 23 May 2011. The Written Statement of Agreement must be in a form prescribed by the Mobile Homes Act 1983, setting out certain information including the implied terms as set out in a Schedule to the Act and any other express terms agreed with the occupiers. The Council has no discretion about the wording of the implied terms. The Written Statement of Agreement is attached to this report as Appendix 1. The Written Statement of Agreement sets out matters to which the Council must have regard when setting a fee, as well as a process for challenging that fee.
- 1.3 In previous years the pitch fees for Redmires and Longacre have been different because of historic site conditions which have since changed. In February 2012, the Cabinet Member for Homes and Regeneration agreed a local convergence policy in order to make pitch fees on both sites the same by 2014/15. The 2014/15 annual increase was the last under the convergence policy as pitch fees across both sites are now equal.
- 1.4 In accordance with the convergence policy pitch fees have uplifted by RPI each year from 2015/16 and at the review date each year a September RPI figure has been used to uplift pitch fees because the Government's National Social Rent Policy for calculating social rent increases is based on the inflation figure for the previous September. Last year 2022/23 there was an increase in pitch fees of 4.9% in line with RPI in September 2021. The RPI in September 2022 was 12.6%. Central government has capped social rent increases at 7%, therefore it is recommended each weekly pitch fee on the Council's Gypsy and Traveller sites at Longacre and Redmires is increased by £7.11 (7%) to £108.66 per week.

- 1.5 There is a risk that any resident might not agree to the increase, which would lead to delays in implementing the increase. This risk was mitigated through discussions with the residents in 2011 and 2012 regarding the principle of convergence and what impact this would have on pitch fees for both sites. The site staff will hand-deliver letters giving notice of the increased fee and will discuss any concerns with residents and assist any tenants who may have literacy issues. Residents must sign to say they have understood the letter.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The pitch fees are a contribution to the services and amenities provided on the sites by the Council.
- 2.2 The annual increase in pitch fees helps increase income into the account and to keep pace with cost inflation.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 There is no requirement to carry out consultation before setting the pitch fee each year but as stated above at paragraph 1.2 the presumption that the increase will be by a percentage which is no more than any percentage increase or decrease in the retail prices index (RPI) since the last review date is set out in a Written Statement of Agreement with residents
- 3.2 The Accommodation and Support Service has a dedicated Site Officer who supports residents with issues and concerns. Residents are aware of annual increases in fees.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 Employment rates for gypsies and travellers nationally are low, and poverty is high.
- 4.1.2 The proposed pitch fee increase will be met by Housing Benefit, Universal Credit for residents who are eligible.
- 4.1.3 The proposed average increase (7%) is below the Retail Price Index figures and in line with the proposed increase for social housing tenants.
- 4.1.4 Since 2010, the Council have explained to residents the rent convergence principle, and the differential rent increase to make fees at both sites the same. The Council explained in detail how fees at one site were being increased more than the other until both sites pay the same fees. As a result, residents have been made aware of the annual fee increase and have had the opportunity to express their opinions on the proposals.

4.2 Financial and Commercial Implications

- 4.2.1 The proposed increase in charges will increase income into the account in 2023/24 by around £11,461. This increase (7%) is below RPI this year in line with the governments social rent cap. Income will not keep pace with the cost of inflation this year however we appreciate the difficulty customers will be facing with the rising cost of living.
- 4.2.2 The increase is comparable to the rise in charges for other services.
- 4.2.3 The Gypsy & Traveller Site budget will be £ 252,860 for 2023/24
- 4.2.4 As part of the Government's welfare reform proposals, the roll out of Universal Credit commenced in Sheffield in November 2018 for new benefit claimants. Migration of existing claimants is expected to take place by 2024. A number of Gypsy and Traveller site residents have remained on Housing Benefit due to there having been no changes in their circumstances, but a few residents have claimed Universal Credit whilst living on site. Universal Credit is paid to the claimants rather than the housing element being paid directly to the landlord account. Benefits are also capped. This has increased levels of arrears in some cases. To mitigate this we are working with our Income Management and Financial Inclusion Team to make alternative payment arrangements using direct payments from the occupant's income to ensure any arrears are kept to a minimum. We will continue to work to minimise the impact of Welfare Reform to residents on site.
- 4.2.5 Currently there are just under £8,000 in site fee arrears. Staff have supported residents who have arrears and repayment plans are in place for all arrears with the total amount reducing month to month.

4.3 Legal Implications

- 4.3.1 Residents of the Council's Gypsy and Traveller sites occupy them by agreement under the Mobile Homes Act 1983 (MHA). A Schedule to the MHA sets out a number of terms which are implied into the agreement and specifies those terms which apply to permanent pitches on local authority Gypsy and Traveller sites. These have been incorporated into the Council's Written Statement of Agreement.
- 4.3.2 The implied terms include provisions about amending the pitch fee and include a presumption that the annual increase or decrease of pitch fees is by a percentage which is no more than any percentage increase or decrease in the retail prices index (RPI) since the last review date.
- 4.3.3 Occupiers of the sites must be given a written statement of the terms of the agreement setting out certain information including the terms implied by the MHA and the express terms, which are based on the licence formerly granted before the MHA was amended to cover local authority Gypsy and Traveller sites. The pitch fee can only be changed in

accordance with the procedure set out in paragraphs 14-18 of the prescribed written statement.

- 4.3.4 The Council must give each occupier written notice of the new pitch fee at least 28 days before the review date. If the occupier agrees then the new fee takes effect on the review date. If the occupier does not agree then the Council must make an application to the court to determine the amount of the new fee.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 No increase in pitch fees in 2023/24 – this option would mean that income into the account will not keep pace with cost inflation.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The proposed increase is in accordance with the completion of the local convergence policy agreed by the Cabinet Member for Homes and Regeneration in February 2012 and the terms of the Written Statement in relation to the Mobile Homes Act 1983 agreed by him in May 2011 and issued to each occupier of both sites.