

Housing

Permanent Residential Traveller Site: Allocations Policy

Key Contacts:

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Key Documents:

- This procedure should be read in conjunction with the following Council policies, procedures or guidance:
 - BHCC Traveller Commissioning Strategy 2012

Key Points:

- This Policy aims to fairly and equitably allocate pitches on the Permanent Traveller Site.
- Eligible applicants can make an application to the Traveller Liaison Team
- Allocations will be made using a points-based system, where the applicant with the most points will be allocated a pitch first and so on.
- Where two applicants have the same amount of points, any available pitch will be allocated to the person who has been waiting the longest.
- Points will be allocated in the following categories; Location, Health & Disability, Education, Family and References.
- Applications with exclusions from the Transit Site will not be eligible to apply until any exclusion has expired or been lifted.

1.0 Introduction:

The Brighton and Hove City Council permanent site pitch allocations policy aims to:

- Allocate pitches on BHCC Gypsy and Traveller sites fairly and equitably.
- Ensure effective management of sites.
- Create and maintain a pleasant environment for residents, visitors and staff.

2.0 Legal Position:

This policy is informed by and gives due regard to

The Human Rights Act 1998, the Equality Act 2010, the Housing Act 2004, the Housing and Regeneration Act 2008, the Mobile Homes Act 2013

3.0 Who is eligible to apply for a pitch

Applications for a pitch on a Brighton and Hove City Council Site will be taken if;

- The applicant is over 18
- The Applicant can provide identification for each adult member of their household

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- Pitch allocations will be limited to those with a provable ethnic Traveller status save in exceptional circumstances.

4.0 Who is not eligible to apply

Applicants **will not** be accepted onto the waiting list if:

- They are subject to immigration control within the meaning of the Asylum and Immigration Act 1996 unless that person falls within an exemption specified by the Secretary of State.
- They have outstanding arrears or other debts owed to BHCC. Once arrears are repaid an applicant can be placed on the waiting list.
- They have an outstanding exclusion from BHCC Traveller sites.
- They are subject to an injunction barring them from any BHCC site.
- They have knowingly given false or misleading information or withheld information that was reasonably requested.
- They deliberately did (or didn't do) something that led to giving up a permanent pitch elsewhere, where they could reasonably have been expected to have stayed
- They have a conviction for an arrestable offence committed in the locality relating to violence or threats of violence
- They have been evicted from social housing for nuisance or harassment where this behaviour is still apparent at the time of application

- 4.1 All exclusions will be considered on an individual basis for any applicant who has demonstrated 'unacceptable behaviour' in the previous three years.

5.0 Procedure for application

An applicant can contact a member of the Traveller Liaison Team in writing, via email or via a referral from a third party.

- 5.1 An application form should be completed and an interview with the applicant may be undertaken by a member of the Traveller Liaison Team
- 5.2 If an applicant has difficulties completing the form, this can be completed at interview with a member of the team or they can seek help from an independent advice service. If applicants would like to bring a representative or someone to help during the interview, they should inform a member of the team in advance.

6.0 Waiting List

- 6.1 The applicant must contact the council to renew their place on the waiting list every 12 months. It is their responsibility to do this and if they fail to renew their name will be removed from the list.

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- 6.2 There is no right of succession for a place on the waiting list. If an applicant dies their name will be removed from the list.

7.0 How pitches are allocated

- 7.1 Pitches will be allocated to those in greatest need, and when 2 applicants have the same need, the applicant who has been waiting the longest will be considered first. Need will be assessed by assigning points in 5 categories

Location
Health and Disability
Education
Family
References

The applicant with the most points will be allocated a pitch first and so on.

Points

7.2 Location

- +25 Currently on the roadside*
- +35 Locally known** in City of Brighton and Hove **OR**
- +25 Locally known** in Counties of East Sussex and/or West Sussex
- 25 Not locally known to City of Brighton & Hove **OR**
- 35 Not locally known to Counties of East Sussex and/or West Sussex
- 35 Currently has a permanent pitch on an authorised site
- 15 Currently housed in permanent housing

**Roadside includes unauthorised encampments, tolerated sites, unauthorised developments, temporary licence on any Transit Site and any site where temporary planning permission is scheduled to end within 28 days.*

***Locally known means regularly and frequently living in the area during the previous 36 out of 60 months and being able to provide evidence for this. This includes residence on the Horsdean Transit Site when eligible. Registration with a GP is not on its own sufficient evidence since people often keep the same GP even when they move out of the area. It will be considered if it is provided along with other evidence.*

7.3 Health and disability

Points in this category can be awarded *once* in total for *each* member of the household. In the case of multiple health issues, individuals will score points only once, for the highest scoring condition.

- +25 Confirmation from GP, Health Visitor or consultant of serious permanent medical condition (Maximum 75 points)

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- +15 Confirmation from GP, Health Visitor or consultant of serious medical condition requiring treatment of more than 12 months (Maximum 45 points)
- +10 Confirmation from GP, Health Visitor or consultant of serious medical condition requiring treatment of between 6 and 12 months (Maximum 30 points)
- +5 Confirmation from GP, Health Visitor or consultant of medical condition requiring treatment of less than 6 months (Maximum 15 points)

7.4 Education

- +5 For every child enrolled in school in Brighton and Hove (Maximum 25 points)
- +3 For every child enrolled in school in East Sussex or West Sussex (Maximum 15 points)
- +10 For every person (16+ years) enrolled in a post-compulsory academic, vocational, literacy or numeracy course lasting longer than 12 weeks (Maximum 30 points)

7.5 Family

- +10 Confirmed pregnancy
- +10 Each child under 18 (maximum 50 points)
- +30 Family member over 60 (Maximum 90 points)

7.6 References

- 50 No references provided **OR**
- 50 Poor references in relation to Criminal or Anti-social behaviour or outstanding monies owed to BHCC
- 25 Very poor record of rent/licence fee payments **OR**
- 10 Poor record of rent/licence fee payments **OR**
- +10 Good record of rent/licence fee payments
- +10 Fair reference from landlord **OR**
- +25 Good reference from landlord

8.0 Exclusions

There may be circumstances in which an applicant is excluded from the BHCC Sites. Examples of behaviour which may result in exclusions include but are not limited to; breaches of the site rules, rent arrears, anti-social behaviour, failure to leave on expiry of a licence on the transit site.

During any period of exclusion applicants will not be allocated a pitch. Exclusions from the site/s may be temporary for a fixed period, or conditional upon meeting certain criteria.

8.1 Temporary Exclusions

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As far as is practical, applicants will be informed of any temporary exclusion both verbally and in writing. They will be given details of the reason for and length of time of and exclusion. Once the exclusion is lifted they may apply for a pitch in the normal way.

8.2 Conditional Exclusions

A conditional exclusion may be given in certain circumstances, for example an applicant may be excluded from the site until they have paid off rent arrears. As far as is practical, applicants will be informed of any conditional exclusion both verbally and in writing. They will be given the reason for exclusion and details of the conditions that need to be met in order to lift it.

9.0 Change of circumstances

Applicants must contact Brighton & Hove City Council if their circumstances change.

10.0 Offer

When a pitch becomes available it will be allocated to the applicant with the highest points score. Where there are two applicants with the same score, the applicant who has been waiting the longest will be considered first.

10.1 Before an offer is made, the Traveller Liaison Team will make checks to ensure all points and evidence are still up-to-date and relevant.

10.2 Once an offer of a pitch is made, the applicant must take up the offer within one week or the pitch will be offered to the next eligible applicant.

10.3 **Applicants must ensure that their contact information is kept up-to-date so that the Council can make the offer and it can be taken up within the deadline.**

11.0 Appeals and Reviews

The Council aims to treat all applicants and applications fairly. Any complaints regarding pitch allocations or exclusions can be handled via Brighton & Hove City Council's Complaints procedure. Information about this can be obtained from the Traveller Liaison Team or from the Council's Standards and Complaints Service.

You should receive an acknowledgment from the Standards and Complaints Service in 2 working days and a response to the complaint within 10 working days.

If you are unsatisfied with the response, you can move forward to the second stage of the complaints procedure. You can get more details of this from the Traveller Liaison Team or the Standards and Complaints Service.

Contact details

Standards and Complaints
FREEPOST SEA2560

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Brighton
BN1 1ZW

Email: complaints@brighton-hove.gov.uk

Traveller Liaison Team
1st Floor
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Email: travellers@brighton-hove.gov.uk