

**MAIDSTONE BOROUGH COUNCIL**

**CABINET MEMBER FOR REGENERATION**

**REPORT OF THE ASSISTANT DIRECTOR FOR  
DEVELOPMENT & COMMUNITY STRATEGY**

**Report prepared by Stuart White**

**Date Issued: 11 March 2010**

**1. Management of Gypsy sites**

1.1 Issue for Decision

- 1.1.1 To approve the transfer of the day to day management of the 2 council owned gypsy sites to the Kent County Council for an initial period of 3 years, subject to satisfactory performance. The agreement will commence on 5<sup>th</sup> April 2010. A management fee of £37,500 will be payable annually to the Kent County Council and this will be subject to an annual review.

1.2 Recommendation of The Assistant Director for Development & Community Strategy

- 1.2.1 That the Cabinet Member approves the proposed transfer of the day to day management of Stilebridge Lane, Marden and Water Lane, Ulcombe gypsy sites to Kent County Council under an agreement for a period of 3 years, subject to annual review and satisfactory performance. The transfer of responsibility to commence on 5<sup>th</sup> April 2010.
- 1.2.2 That the Cabinet Member for Regeneration gives authority to the Assistant Director for Development & Community Strategy to complete negotiations with KCC and enter into a signed agreement as outlined in Appendix A of this report.

1.3 Reasons for Recommendation

- 1.3.1 The day to day management of the 2 council owned sites has caused capacity issues for the council since the management was handed back from the KCC to the Borough Council in 2004. The function was initially assigned to Housing; it passed to the planning enforcement team in 2006 but has since been passed back to Housing in 2009.
- 1.3.2 This function is primarily a site management role and the expertise the council once had in housing management moved across to Maidstone

Housing Trust with the housing stock transfer. Since the return of the function for the second time to Housing we have been looking into a better solution for the site management. This has included discussions with Kent County Council Gypsy and Travellers unit who are willing to take on the management of the sites on behalf of the Borough Council for a fee equivalent to the vacant site manager post and is less than the fees currently paid to the agency staff member.

1.3.3 The Kent County Council Gypsy unit already manages a number of sites throughout Kent and it is logical for our sites to once again be included in their management portfolio. It will give greater flexibility in providing cover during staff holidays or illness, will provide a 5 day a week specialist service as opposed to the current 3 days, and KCC will be able to manage site vacancies across several sites in Kent which may in turn reduce waiting lists through greater mobility.

1.3.4 The agreement with the KCC will involve their team managing rent collection, administration of electricity cards and water charges, day to day repairs and maintenance and dealing with tenancy issues such as arrears and evictions. The Borough council will remain responsible for major improvements to the sites and overall provision for Gypsy within the Borough. A copy of the proposed agreement is at appendix A

#### 1.4 Impact on Corporate Objectives

1.4.1 The two council owned Gypsy sites in the Borough provide much needed accommodation for the Gypsy community. They need to be well managed and have experienced staff dealing with sometimes sensitive issues. The Kent County Council has such staff and can readily manage the sites on a behalf in a manner in which is conducive to the residents.

#### 1.5 Risk Management

1.5.1 There is a risk that the KCC will not manage the sites as well as the Borough Council has over the last 6 years. However officers from the Borough Council have held a series of meetings with the KCC Gypsy unit staff and are satisfied that they have the skills necessary to carry out the management of the sites. Indeed offering a full service will improve on the regime that exists at present. It is thought that the risk therefore has a low likelihood of occurring and the arrangements put in place will provide an early warning of any difficulties that may arise.

1.5.2 Your officers are minded that when the management of the sites was previously managed externally they were returned in a less than satisfactory condition. To reduce the risk of this situation happening again the agreement drafted this time is more robust and contains

mechanisms for regular monitoring by the council and early warning procedures.

#### 1.6 Other Implications

1.	Financial	x
2.	Staffing	x
3.	Legal	x
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	
6.	Community Safety	
7.	Human Rights Act	
8.	Procurement	
9.	Asset Management	

##### 1.6.1 Financial

1.6.2 The transfer of the management of the sites is expected to have no cost implication. The management fee due under the agreement equates to the existing staff budget within Housing. Officers have shared with their counterparts at KCC the council's budgets set for day to day repairs, electricity usage etc and KCC are confident that they can manage the sites within these constraints. Early warning mechanisms have been built into the agreement to ensure that unexpected surges in expenditure can be monitored and brought to the council's attention at the earliest opportunity to allow corrective action to be taken.

##### 1.6.3 Staff

1.6.4 The role of Gypsy Site Manager has been vacant for a period in excess of two years. The function has been dealt with through an agency arrangement on a fixed term contract, the detail of which is covered in the Pt II Appendix. As the function of the post is not transferring to KCC there are no TUPE arrangements to be considered.

##### 1.6.5 Legal

1.6.6 The ownership of the sites will remain with the council. Legal services have drafted the management agreement to ensure it is legally compliant and does not prejudice the council's position.

#### 1.7 Conclusion

1.7.1 Officers believe that the KCC option to manage the two sites within the Borough will benefit the Borough Council financially and free up other officer time currently engaged in supervising and assisting the temporary Gypsy and traveller liaison Officer. It will also provide a full time management service to the residents on both sites.

**NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED**

Is this a Key Decision?      Yes      ☐      No      ☒

If yes, when did it appear in the Forward Plan? November 2009

Is this an Urgent Key Decision?      Yes      ☐      No      ☒

Reason for Urgency

#### **How to Comment**

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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