



Pitch Allocations Policy for Gypsy and Traveller sites

Contents

Section one

Introduction

- 1.1 Scope of the policy
- 1.2 Objectives of the policy
- 1.3 Access to information
- 1.4 Equal opportunities
- 1.5 Service standards

Section two

Applying for a pitch

- 2.1 Access to the list
- 2.2 How applicants are queued
- 2.3 Exceptional circumstances
- 2.4 Allocations between the priority groups
- 2.5 Before we make an offer

Section three

Offers and penalties

Section four

Appeals and complaints

- 4.1 Allocations appeal
- 4.2 Appeals process
- 4.3 Removal of application
- 4.4 Monitoring and review of the policy

Section five

Useful contacts

Section one Introduction

1.1 Scope of the policy

We have three Gypsy and Traveller sites, these are in:

- Clifton (23 pitches)
- James Street (20 pitches)
- Osbaldwick (12 pitches) soon to be 18

This policy sets out the way in which vacant pitches will be allocated and was approved by the Cabinet Member for Health Housing and Adult Social Services on ??

1.2 Objectives of the policy

The objectives of the policy are to:

- Make sure that those assessed as being in most need are prioritised;
- Be fair, efficient and consistent in the allocation of pitches; and
- Ensure equality of opportunity in the allocation of pitches.

1.3 Access to information

All information supplied by you will be held in accordance with the requirements of the Data Protection Act 1998.

You are entitled to access any information in respect of your application. This applies to information held on computer and also to paper or manual files.

The Freedom of Information Act 2002 gives individuals the right to access information held by public authorities. If you wish to exercise these rights you should contact your local office to make appropriate arrangements.

1.4 Equal opportunities

In relation to the allocation of pitches, this policy is consistent with City of York Councils Equal Opportunities Policy and aims to ensure that we act fairly and lawfully on all occasions. We will not discriminate against applications on the grounds of race, colour, ethnic origin, nationality, gender, sexuality, disability, age, religion or other belief.

If you feel that you have been treated unfairly you have the right, through the appeals process, to have your case reviewed. Section four provides further details on our appeals process.

1.5 Service Standards

A summary of our service standards are set out below. We will:

- Process your application within ten working days of receipt of all necessary information and provide you with an acknowledgement that you have been registered for a pitch.
- Acknowledge any letter or email within two working days and provide a full response within 10 working days.
- Respond in plain English or in a format that meets your needs such as Braille, audio tape, large print or a different language.
- Show identification if we visit your home and arrange visits that are convenient to you.
- Be polite and respectful at all times.

Section two Applying for a pitch

2.1 Access to the list

If you are aged 18 or over you can add your name to the waiting list for a pitch, providing you are not prevented from doing so by immigration or any other relevant legislation.

However, people living outside City of York Council boundaries with no local connection (ie close family member, permanent employment etc) will have no priority.

Pets and other animals

Please note horses are not allowed on the sites and only 2 dogs per pitch, so you will be required to comply with this if your application is successful. Poultry and other birds/animals may be permitted at the discretion of support workers.

2.2 How applicants are queued

Priority group A

- You have a caravan or access to a caravan, which is your principal home, but nowhere to locate it (for at least six months). *You may need to provide evidence of this and a home visit will be required to verify this.*

Priority group B

- You are living on a council site which is overcrowded (with permission)
- You are living on a private site which is overcrowded
- You are living in a house which is overcrowded

Depending upon your circumstances you will be placed in one of three priority groups.

Overcrowding is defined as when there are more vans on your pitch than is permitted and you have to have permission to be staying there from your landlord. For houses, the definition contained within the North Yorkshire Homes Choice Policy will apply.

Applications can be obtained by:

- Contacting City of York Council at West Offices
- Contacting Ordnance Lane staff
- Requesting a form to be sent in the post.

See page seven for contact details.

Priority group C

- You are living on a council owned site which is not overcrowded
- You are living in a house that is not overcrowded
- You are living on a private site that is not overcrowded

Priority group D

- You have a caravan or access but nowhere to locate it and have lived like this for less than six months
- You have no local connection but are overcrowded

Priority group E

- You have no local connection and are adequately housed either in a house or on another site.

2.3 Exceptional circumstances

We may, in exceptional circumstances, take other needs into account when prioritising applicants:

<i>Factors</i>	<i>Example</i>
Medical or support	The need to be close to medical or support facilities
Social	The need to give or receive care and support to or from family or carers
Specialist Education	The need to be close to specialist education facilities.

An assessment of need will be made based on the information included on the application and any other supporting information.

Factors we may consider in exceptional circumstances include for example:

2.4 Allocations between the priority groups

When a pitch becomes vacant consideration will in the first instance be given to applications in priority group A. If there is no one in priority group A applicants in priority group B will be considered.

If there is no one in either priority groups A or B consideration will be given to applicants in priority group C then D and lastly E.

Allocations within each group will be based upon date of application (with the exception of proven exceptional circumstances). The applicant with the earliest date of application will be eligible to receive the offer of the pitch.

2.5 Before we make an offer

Before we make an offer of a pitch we reserve the right to take account of the needs of the wider community and the impact that the allocation could have on the site.

Section three Offers and penalties

<i>Suspension reasons and circumstances where a suspension will apply</i>	<i>Rules and timescale of suspension</i>
<p>1 Anti-social behaviour</p> <ul style="list-style-type: none"> · By an applicant or a member of their household <p>The list below provides examples of the types of behaviour that we consider to be anti-social. It should be noted that the list is not exhaustive:</p> <ul style="list-style-type: none"> · Annoyance, harassment, violent or intimidating behaviour towards staff members, neighbours or their visitors; · Criminal convictions related to the occupancy of a site for example: drug dealing, prostitution, fire raising; · Extensive damage caused to a landlords property; · Any behaviour which has resulted in a court order relating to Anti-Social Behaviour Order being granted; · Any behaviour which has resulted in the grant of an eviction decree; · An established and sustained pattern of conduct considered anti-social; · Or any other behaviour that we consider to be anti-social. · Allowing access to horses to neighbouring land or other public or private land without permission. 	<ul style="list-style-type: none"> · Six months <p>Where potential anti-social behaviour has been identified and the applicant has an existing application for a pitch, the application will be suspended pending the outcome of the investigation.</p> <p>Where an offer of a pitch has been made to the applicant, the offer will be withdrawn (but held) pending the outcome of the investigation.</p> <p>Where the anti-social behaviour has been established, the period of suspension will be for an initial period of three months. Following which the case will be reviewed by the Service Manager for Supported Housing to determine whether:</p> <ul style="list-style-type: none"> · The applicant can demonstrate their ability to behave in such a way as not to cause harassment, nuisance or annoyance to others; · The household will be able to occupy the site in an acceptable manner. <p>Thereafter the application will either be reinstated or the suspension extended for a further three months (depending on outcome of review).</p>
<p>2 Debt owed to City of York Council or another local authority</p> <p>Suspension will be applied where the applicant has any debt related to a previous site occupancy or former tenancy.</p> <p>Exceptions to this would be where:</p> <ul style="list-style-type: none"> · The debt has been paid off in full; · An agreement has been made to pay the debt off and this has been maintained for at least three months and is continuing; 	<ul style="list-style-type: none"> · Three months <p>The suspension will be lifted immediately following full payment of the debt or where an arrangement to pay off the debt has been maintained for three months and continues to be maintained.</p>

<p>3 Breach of occupancy condition(s)</p> <p>Suspension will be applied where the applicant is currently resident on a council owned site or in a council tenancy and has breached their occupancy conditions.</p> <p>For example:</p> <ul style="list-style-type: none"> · Unsatisfactory condition of pitch, utility unit, common areas, disposal of rubbish, wilful damage, vandalism, control of pets. 	<ul style="list-style-type: none"> · Six months <p>Suspension should be lifted if the council is satisfied that the condition of the pitch etc has improved to a satisfactory level and remains there.</p> <p>Where there has been a persistent breach of occupancy agreements, the case will be reviewed after six months and the suspension either extended or the application reinstated depending on the outcome of the review.</p>
<p>4 False or misleading information</p> <p>Suspension will be applied where the applicant has deliberately sought to distort information in order to gain advantage over other applicants.</p>	<ul style="list-style-type: none"> • Six months <p>Timescales will be set by Service Manager relative to the severity of the fraud.</p>
<p>5 Non-renewal of application</p> <p>Applicants are required to renew their application every 12 months. If contact is not made by yourselves to request a renewal within a month of the annual review date, attempts will be made to contact you before your application is suspended/ cancelled.</p>	<ul style="list-style-type: none"> • Three months <p>If after this period no contact has been received, the application will be cancelled</p>
<p>6 Squatting on an unauthorised pitch</p> <p>If you are found to be squatting on a pitch, you will be suspended from the list for three months after the date you moved off and City of York Council may take legal action to remove you which will incur costs.</p>	<ul style="list-style-type: none"> • Six months <p>From the date that you vacate the plot.</p>

In certain circumstances it may be appropriate to suspend an application for a period of time. Where your application has been suspended you will not be considered for or receive an offer of a pitch during the period of the suspension. A suspension will not affect your date of application.

Set out in the table below are details of the reasons and circumstances which will result in an application being suspended and details of the timescale that the suspension is likely to apply.

Offers

If an applicant refuses an offer they can remain on the waiting list. If they refuse a second offer the application start date will change to the date of the refusal.

Change of Circumstances

You must contact City of York Council if your circumstances change. This may result in you being put in a new band from the date when your circumstances changed.

Section Four Appeals and complaints

If you do not advise us about a change (even if it may be detrimental to your application) and we find out, your application will be amended and your time in banding will be altered from that date.

If you change address from your original application, a new application form will need to be submitted as your current address questions will need to be re-input. As long as your circumstances have not changed (including worsening your circumstances) this should not alter your place on the list.

4.1 Allocation appeals

If you feel that you have been treated unfairly under the terms of this policy, you have the right to appeal.

You can appeal against decisions made regarding the following:

- The priority list you have been queued on;
-

Stage one

Appeals should be submitted to the appropriate office and should be made in writing to the Temporary Accommodation Manager within 10 working days of the notification of the original decision. Late appeals can be accepted at discretion of the Temporary Accommodation Manager.

The appeal should outline:

- The decision you wish to appeal against;
- The reasons why you wish the decision reviewed; and
- Any background or supporting information relevant to the appeal.

The appeal will be considered by the Temporary Accommodation Manager who will:

- Review the original decision;
- Consider all material submitted in support of the appeal;
- Seek additional information as necessary; and
- Issue a written decision within 10 working days.

- Where the appeal has been unsuccessful, a letter will be issued to you detailing the reasons why the original decision has not been overturned

Stage two

If you continue to be dissatisfied following stage one, you may submit a further appeal within 10 working days of notification of the outcome of the initial appeal. Late appeals can be accepted at the discretion of the Supported Housing Service Manager.

While you may wish to re-submit the information supplied at the stage one appeal, you should also provide any further information in support of your case. You will be advised in writing of the outcome of the appeal within 10 working days.

Where the appeal is unsuccessful, a letter will be issued to you detailing the reasons why the original decision has not been overturned.

The reasonableness of the suspension imposed; or

- The removal of your application from the list.

4.2 Appeal process

We operate a two stage appeals process:

4.3 Removal of applications from the waiting list

Your application for a pitch will only be removed from the waiting list in the following circumstances:

- You have requested in writing that it be removed from the register;
- We have been notified of your death;
- Your housing need has been met;
- You have failed to respond to the annual review of you application;
- You have persistently failed to respond to our attempts to contact you.

4.4 Monitoring and review of the policy

We will monitor applications and allocations to support the achievement of our policy objectives and to ensure that applications are processed fairly and consistently.

The policy will be reviewed in line with our Policy Review Schedule or changes to any relevant legislation or national or local policies.

Useful Contacts

Traveller Support Workers
Temporary Accommodation Offices
Ordnance Lane
Fulford Road
York
YO10 4DY
(01904) 553180

Housing Options Team
City of York Council
West Offices
Station Rise
York
YO1 6GA
(01904) 554500

York Travellers Trust
20 Falsgrave Crescent
York
YO30 7AZ
(01904) 630526

Citizens Advice Bureau
West Offices
Station Rise
York