

PERTH AND KINROSS COUNCIL

Housing and Social Wellbeing Committee

7 September 2022

BOBBIN MILL GYPSY/TRAVELLER SITE TRANSFER

Report by Executive Director (Communities)

(Report No 22/204)

1. PURPOSE

- 1.1 This report provides an update on the agreed further consultation and engagement with residents of Bobbin Mill Gypsy/Traveller site and outlines the long-term benefits for residents from transferring the site from the Council's General Fund to the Housing Revenue Account. It also seeks approval for this transfer.

2. RECOMMENDATION

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| 2.1 | <p>It is recommended that Housing and Social Wellbeing Committee:</p> <ul style="list-style-type: none">• approves the transfer of Bobbin Mill Gypsy/Traveller site from the General Fund to the Housing Revenue Account (HRA) |
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3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:

- Section 4: Background
- Section 5: Proposal
- Section 6: Financial Implications
- Section 7: Consultation and Engagement
- Section 8: Conclusion

4. BACKGROUND

- 4.1 In March 2022, Housing and Communities Committee approved the transfer of Double Dykes, Gypsy/Traveller site, to the HRA (Report No. 22/63 refers) and noted the ongoing consultation with residents of Bobbin Mill Gypsy/Traveller site. The background information within this report remains relevant for the purpose of this report.
- 4.2 Bobbin Mill is located a short distance away from Pitlochry town centre in a private woodland area. Bobbin Mill has been in existence since 1947 and was set up as a Gypsy/Traveller housing project by the Scottish Office Department of Health and the Church of Scotland. The land was leased to the then County Council for a term of 99 years by Cluniemore Estates (now Pitlochry Estates). At that time, the provision consisted of a former Army Training Cadet hut,

which was converted to provide 4 one-bedroom apartments with a cold-water supply, a fire and sink and toilet facilities.

- 4.3 In September 2010, the site was upgraded to provide 6 three-bedroom chalet accommodation. This was undertaken in conjunction with Pitlochry Estates and funding was accessed from the Scottish Government.
- 4.4 Residents on the site have an occupancy agreement with Perth & Kinross Council and pay a weekly rental of £73.08 at Bobbin Mill (over 52 weeks) to the Council. The residents are also required to pay Council Tax.
- 4.5 Bobbin Mill is held on the General Fund, and the Housing Service is responsible for the management of the site. This includes allocation of the chalets, tenancy management, rent collection and managing rent arrears, and repairs and maintenance of the chalets on site.
- 4.6 Each year when it comes to budget setting, the General Fund faces many competing priorities from across all areas of the Council and can be subject to reductions in funding. Unlike the General Fund, the HRA is not subject to the same level of reductions and in the main is self-financing, as it is funded through the rents that tenants pay.
- 4.7 As the account for the site is separate from the wider HRA account, residents do not benefit from the wider pooling of rents and the ability to deliver longer term planned improvements, such as planned maintenance and capital improvements.
- 4.8 The rent levels and rent structure at Bobbin Mill is not fully aligned with HRA tenants.
- 4.9 During 2007 to 2011, £174,000 of investment (net of Scottish Government Grant) was spent on improving Bobbin Mill to ensure it continued to meet the minimum site standards. This investment was funded through prudential borrowing on the General Fund and there is still approximately £77,000 of outstanding debt on the site.

5. PROPOSALS

- 5.1 Through the provisions of the Housing (Scotland) Act 2010 and the introduction of the Scottish Social Housing Charter, it has been made clear that the provision and management of a Gypsy/Traveller site is a housing function. There are several challenges with the existing arrangements as detailed above. It is, therefore, proposed that the site at Bobbin Mill is transferred from the General Fund to the HRA.
- 5.2 As the HRA can provide a secure platform for building a long-term financial strategy, transferring the site to the HRA would enable any future works and capital spend to be made through the HRA Capital or Planned Maintenance programmes. It would also provide the ability to provide match funding, should further opportunities regarding additional funding to improve Gypsy/Traveller sites become available.

- 5.3 There will be no change to the structure or type of services provided to residents. There will be an enhancement to the services provided, in terms of a planned maintenance programme for the chalets and the site, and an opportunity for residents to access the same level of support and assistance that is on offer to HRA tenants. In addition, a review of the rent structure would be undertaken to ensure alignment with other HRA tenants.

6. FINANCIAL IMPLICATIONS

- 6.1 As noted in section 4.9, there is currently outstanding debt of £77,000 on the site. It is proposed to transfer this debt from the General Fund to the HRA as part of the overall transfer.
- 6.2 The loan charges associated with this debt will be met by the income paid by the current residents of the site. There would be no negative financial implications on current HRA tenants as a result of this transfer.
- 6.3 Once the site is transferred, all future costs associated with the delivery of services, repairs and capital expenditure will be contained within HRA budgets.

7. CONSULTATION AND ENGAGEMENT

- 7.1 As a social housing landlord, we are required to consult with tenants and residents when making changes which may impact on their tenancy or the way in which they access our services and seek their opinions. To ensure we fully consulted with the residents of Bobbin Mill, the following actions were taken:
- individual letters were sent to all residents providing information on the transfer and contact details should they have any specific queries or concerns
 - 3 separate offers to meet with residents were provided, including visits to the site and telephone discussions
 - the development of a question-and-answer guide around the transfer and the impact on the existing arrangements was developed and hand delivered to all residents
 - Independent advice and support were offered from the Minority Ethnic Carers of People Project (MECOPP) and legal advice from the Ethnic Minority Law Centre
 - a dedicated officer identified for residents to approach if they required further information or advice.
- 7.2 In January 2022, as a result of COVID-19 restrictions, an initial virtual meeting was set up to discuss the transfer with all residents, at which only one former resident attended.
- 7.3 Two further face to face meetings were arranged at a time and date to suit residents, particularly those with individual caring and work commitments. Both these meetings were cancelled at the request of the residents with them indicating they would consider the documentation provided and respond directly.

- 7.4 As no responses were received, a final letter was sent to all residents advising them of the intention to seek Committee approval and a deadline given for their feedback to be included in the report. A request for a meeting was received and officers met some of the residents to discuss the transfer. Reassurance was provided on the issues they raised, particularly in terms of their right to travel.
- 7.5 Wider tenant consultation and engagement, in accordance with our tenant agreed Framework, has taken place. There were no issues or concerns in relation to the proposal.

8. CONCLUSION

- 8.1 This report outlines the benefits for residents at Bobbin Mill around the transfer of their site to the HRA. These benefits will not only enhance the services residents will receive, but also provide a more secure financial platform to allow us to deliver the Scottish Government's vision in relation to Improving the Lives of Gypsy/Travellers.
- 8.2 Having a long-term financial planning approach to continuing to improve the site, in partnership with residents, will also allow us to have meaningful engagement, which is a consistent approach across all the Council's housing stock.

Author

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Approved

Name	Designation	Date
Barbara Renton	Executive Director (Communities)	26 August 2022

APPENDICES

- There are no Appendices to this report.

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	Yes
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	None
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	Yes
Risk	None
Consultation	
Internal	Yes
External	Yes
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan/Single Outcome Agreement

- 1.1 This report supports the delivery of the Strategic Objectives within Perth and Kinross Community Plan/ (Local Outcomes Improvement Plan) 2017-2027 and Corporate Plan 2018-2022. Single Outcome Agreement in terms of the following priorities:

2. Resource Implications

Financial

- 2.1 Costs associated with the delivery of services, repairs and capital spends are contained within existing HRA budgets.

Workforce

- 2.2 There are no workforce implications arising from this report.

Asset Management (land, property, IT)

- 2.3 There are no asset management implications arising from this report.

3. Assessments

Equality Impact Assessment

- 3.1 This report has been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

(i) Assessed as **not relevant** for the purposes of EqIA.

Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. No further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

Sustainability

- 3.3 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:
- in the way best calculated to delivery of the Act's emissions reduction targets;
 - in the way best calculated to deliver any statutory adaptation programmes; and
 - in a way that it considers most sustainable.
- 3.4 The information contained within this report has been considered under the Act. However, no action is required as the act does not apply to the matters presented in this report.

Legal and Governance

- 3.5 Head of Legal and Governance was consulted on this report.

Risk

- 3.6 Not applicable.

4. Consultation

Internal

- 4.1 Heads of Service and senior managers from Communities have been consulted on the content of this report.

External

- 4.2 All current residents at Bobbin Mills have been consulted on this proposal. The Tenant Committee Report Panel was consulted on this report. They commented that they were encouraged that after some challenges, the transfer is to take place.

5. Communication

- 5.1 None.

2. BACKGROUND PAPERS

- 2.1 Double Dykes, Gypsy/Traveller site, to the HRA ([Report No. 22/63 refers](#)).