

SURREY COUNTY COUNCIL

CABINET



DATE: 23 APRIL 2024

REPORT OF NATALIE BRAMHALL, CABINET MEMBER FOR PROPERTY,
CABINET MEMBER: WASTE AND INFRASTRUCTURELEAD OFFICER: KATIE STEWART, EXECUTIVE DIRECTOR FOR
ENVIRONMENT, INFRASTRUCTURE & GROWTH

SUBJECT: KALIMA GYPSY ROMA TRAVELLER CAMP, WOKING

ORGANISATION STRATEGY GROWING A SUSTAINABLE ECONOMY SO EVERYONE CAN
PRIORITY AREA: BENEFIT/ TACKLING HEALTH INEQUALITY/ ENABLING A
GREENER FUTURE/ EMPOWERING COMMUNITIES

Purpose of the Report:

This report is asking Cabinet to approve funding from the Capital Maintenance Budget to undertake the renewal of 15 utility blocks as well as associated services, civil and drainage works at Kalima Gypsy Roma Traveller (GRT) Camp, Woking.

The fabric and structure of the existing 15 utility blocks are in poor condition, with various elements at the end of their useful life. The blocks are also deficient in several ways, including accessibility, poor energy efficiency, health and safety non-compliance (e.g., hard landscaping with road and pathways are uneven), whilst drainage and sewage treatment are not fit for purpose. The proposed project would bring the site up to relevant health and safety standards (i.e. Decent Homes Standard) by replacing the utility blocks with new units as well as improve the site infrastructure which includes the utilities, roads, and pathways.

The proposed scheme will then align with our guiding mission that **No One is Left Behind**, addressing inequality through prevention and early intervention to help ensure an **Empowered & Thriving Community**.

Recommendations:

It is recommended that Cabinet:

1. Approves capital funding to renew 15 utility blocks and undertake associated drainage and civil works at the Kalima GRT Camp, Woking. The capital funding required to develop the new facilities is commercially sensitive at this time and is set out in the Part 2 report.
2. Approves procurement of appropriate supply chain partners to deliver the design, build and fit out of the new structures in accordance with the Council's Procurement and Contract Standing Orders.
3. Notes that, regarding the procurement of supply chain partners, the Executive Director for Environment, Infrastructure and Growth and the Director of Land and Property are authorised to award such contracts, up to +/-10% of the budgetary tolerance level and any other legal documentation required to facilitate the approvals within this report.
4. Authorises Legal Services to seal any awarded contracts where required.

Reason for Recommendations:

The decisions recommended in this report will contribute to enabling the Council to:

- Provide much-needed, safe and suitable utility blocks for the circa one hundred adults and children who are tenants and residents on site.
- Make an essential contribution towards the Council's strategic objective to tackle health inequality, in line with the 2030 Community Vision to ensure no-one is left behind.
- Support the partnership between the Council and District and Borough Councils to improve and provide accommodation and facilities for the permanent GRT community.
- Under the Race Relations Act 2000 and The Equality Act 2010, the GRT community is entitled to the same services as those in the housed community, including the right to occupy premises that are fit for use. This includes accessible and suitable utility blocks.

Executive Summary:

Background

1. The Kalima GRT site in Woking currently hosts circa one hundred tenants and residents from the GRT community and has been operational for a period of 30 years.
2. Gypsy, Roma and Irish Travellers are recognised as ethnic groups under the Race Relations Act 1976 and are protected by the Equality Act 2010.
3. The statutory responsibility under Section 8 of the Housing Act 1985 for meeting the housing needs of those within the District/Boroughs boundaries rests with the District and Borough Councils as the Housing Authority and not the Council. However, to ensure there was a consistent approach, the Council has taken responsibility for the site management, repairs, maintenance, and improvement of current local authority provision following a series of lease expiries from the Districts and Boroughs over the past number of years and the site property management has deferred to the Council due to land ownership.
4. Numerous national reports carried out over the last two decades have highlighted the inequalities faced by GRT communities.
5. In 2015 the Equalities and Human Rights Commission concluded that the life chances of Gypsies, Roma and Irish Travellers have declined since 2010 and the complex contributory factors may include deprivation, social exclusion, and discrimination. Suitable utility blocks are an important factor in the GRT community being able to maintain their health and wellbeing which in turn will contribute to a reduction in deprivation, social exclusion, and discrimination.

Business Case

6. This proposal addresses an urgent need to provide safe and suitable utility blocks for the circa one hundred adults and children who are tenants and residents on site.
7. Kalima GRT site has 15 permanent pitches which are understood to have been occupied for the past 30 years.

8. At present, there are seven double units and one single unit serving the plots which are beyond their useable life. The proposal is that they are demolished, and that new units are built that are suitably sized and accessible for tenants. Temporary utility blocks will be provided throughout the construction phase so that tenants have continued access to welfare facilities.
9. The works at Kalima GRT site are aligned with those proposed at Pendell Camp North. However, they will vary in delivery. This is because Pendell proposes a single block, with four internal spaces, while the proposal at Kalima is provision of seven double units and one single, which aligns to the site needs and requirements of the GRT residents.
10. The proposals ensure that fit for purpose units will be provided as well as improving the condition of the site relating to drainage, services, and access. Without these works, the tenants would have unfit and non-habitable utility blocks and their condition would continue to deteriorate. In addition, failure to undertake drainage and hardstanding improvements may have negative ecological impacts regarding flooding.
11. Site surveys were undertaken which determined that the condition of the site did not meet health and safety standards such as those set by the 'Decent Homes Standard', Landlord and Tenant Act 1985, Section 9A – Fitness for Human Habitation' and 'The Building Regulations – Approved Document G: sanitation, hot water safety and water efficiency' for example.

Options considered.

12. The three options considered for the site were as follows:
 - A. Do nothing.
 - B. Refurbish existing structure of the 15 utility blocks including appropriate accompanying site infrastructure.
 - C. Supply and install 15 new utility blocks including appropriate accompanying site infrastructure.
13. Option A has been disregarded as it does not enable the District and Borough Councils to meet their statutory responsibility. It would be ineffective to proceed with Option B as the fabric and structure of the existing utility blocks are in poor condition, with various elements at the end of their useful life. Therefore, it is recommended to proceed with Option C as it achieves the much-needed, safe and suitable utility blocks and site infrastructure within the Capital Maintenance Budget.
14. Please see Annex 1 for a full summary of the advantages and disadvantages of each option.

Scope of works

15. The scope of works is as follows:
 - a) Site surveys
 - b) Design
 - c) Planning applications and submissions
 - d) Drainage works.
 - e) Civils works.
 - f) Replace, repair, or upgrade all existing electrical services.
 - g) Construction of 15 utility blocks
16. All necessary pre-application engagement, stakeholder group and member consultation will be carried out ahead of planning submission.

Consultation:

17. Relevant teams within the Council, namely Environment, Infrastructure and Growth (EIG) and specifically, Land and Property (L&P), have been consulted and had input into the proposal.
18. This proposal was tabled and endorsed at both Property Panel and Capital Programme Panel in alignment with the agreed internal Council governance procedures.
19. Wider consultation has been undertaken with key stakeholders including the following:
- a) Natalie Bramhall (Cabinet Member for Property, Waste & Infrastructure),
 - b) Simon Crowther (Director for Land and Property)
 - c) Colin Galletly (Assistant Director for Estates, Land and Property)
 - d) Glenn Woodhead (Assistant Director – Workplace and Facilities)
 - e) Elaine McKenna (Assistant Director for Capital Projects)
 - f) Residents of Kalima GRT Site (via Onkar Ghataaura)
 - g) Ian Horgan (Property Team Leader for Encroachment, Encampment, Moorings & Vacant Property)
 - h) Onkar Ghataaura (Technical Surveyor and Site Manager)
 - i) Richard Tear (Local Area County Councillor for Bagshot, Windlesham and Chobham)

Risk Management and Implications:

20. The table below summarises the key project risks at this stage.

	Risk description	Mitigation action/strategy
i.	Site constraints – ecology, levels, flood risk and land remediation restrict scheme proposals and / or impact costs.	<ul style="list-style-type: none"> • Surveys to be undertaken to establish ecology impacts. Industry level risk allowances included in cost forecast. • Project Management and Cost Consultant appointed to manage overall development.
ii.	Protected Species Design, programme and cost impact.	<ul style="list-style-type: none"> • Ecology reports and sensitives analysis to be undertaken to identify next steps.
iii.	Failure to obtain Planning Approval – impacts of site designations on design.	<ul style="list-style-type: none"> • Planning consultants form part of the professional design team appointments which form part of the current Consultant Appointment, to undertake the necessary assessments and inform the overall design which is sympathetic and mitigates any potential harm to the locality. • Early discussions and involvement of the Councils Regulation 3 team.
iv.	Procurement	<ul style="list-style-type: none"> • Via established frameworks, using robust Invitation to Tender (ITT) assessment and evaluation criteria to secure appropriately skilled consultants/contractors with relevant experience. • This will be procured within our current Contractor ITT Procurement process.
v.	Programme	<ul style="list-style-type: none"> • Timely management of deliverables and client approvals to maintain critical path. • Project Management and Cost Consultant appointed to manage overall development and site coordination.

	Risk description	Mitigation action/strategy
vi.	Reputational – communications and approvals	<ul style="list-style-type: none"> • Clear and precise project plan include key dates and deliverables communicated regularly with partners, members, service, and local residents.
vii.	Change in laws/governance e.g. health and safety, elections	<ul style="list-style-type: none"> • Project team and stakeholders to keep up to date on all legal matters and forward plan.
viii.	Disruption to Tenants and residents during the construction phase	<ul style="list-style-type: none"> • Pre-start meeting and early engagement with residents. • Suitable and sufficient temporary utility block to be provided during the construction.
ix.	Climate Change, and in particular, flooding.	<ul style="list-style-type: none"> • To be incorporated into early investigations and planning consultant review. • Potential to seek planning permission to raise the height of the specified utility blocks appropriately above the flood plain.

Financial and Value for Money Implications:

- 21. This report proposes the existing 15 utility blocks are replaced with new units including appropriate accompanying infrastructure to bring the site up to statutory health and safety standards and other GRT sites managed by the Council. This will save on future costs of maintaining current buildings.
- 22. This project forms one of several capital investments (Pendell GRT Site and Kiln Lane GRT Site) required to enable the District and Borough Councils statutory requirements to be delivered. It forms part of a phased programme which includes improvements to other GRT sites.
- 23. The works will be tendered in alignment with financial and legal requirements to ensure value for money.
- 24. See Part 2 for further commercial assurance.

Section 151 Officer Commentary:

- 25. Significant progress has been made in recent years to improve the Council’s financial resilience and the financial management capabilities across the organisation. Whilst this has built a stronger financial base from which to deliver our services, the increased cost of living, global financial uncertainty, high inflation and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to be forward looking in the medium term, as well as the delivery of the efficiencies to achieve a balanced budget position each year.
- 26. In addition to these immediate challenges, the medium-term financial outlook beyond 2023/24 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, in order to ensure the stable provision of services in the medium term.
- 27. The cost of these works and revenue cost of borrowing are included in the Medium Term Financial Strategy. As such, the Section 151 Officer supports the recommendation.

Legal Implications – Monitoring Officer:

28. This paper seeks Cabinet approval for capital funding and the procurement of supply chain partners for improvement works at the Kalima GRT site.
29. Under Section 2(1) of the Local Authorities (Land) Act 1963 a local authority has extensive development powers and may, for the benefit or improvement of its area, erect any building and construct or carry out works on land. Therefore, the Council has the statutory powers to undertake the improvement works set out in this paper.
30. Officers must ensure that any procurement to appoint appropriate supply chain partners to carry out the improvement works, is done in accordance with the requirements of the Public Contracts Regulations 2015 (and any successor legislation) where appropriate, and the Council's Procurement and Contract Standing Orders.

Equalities and Diversity:

31. Under the Race Relations Act 2000, the Council must recognise the Gypsy traveller community as a Black and Minority Ethnic group that should be treated as equals to the settled population of Surrey.
32. The Equality Act 2010 says you must not be discriminated against because of your race. If you are a Gypsy or Traveller, you may be protected against race discrimination.
33. Gypsies and Travellers experience some of the worst outcomes of any group, across a wide range of social indicators. The Equality and Human Rights Commission (EHRC) has published several reports highlighting the multiple inequalities experienced by Gypsies and Travellers. An EHRC review in 2015 concluded that the life chances of Gypsies and Travellers had declined since the Commission's previous review in 2010. The contributory factors are complex and often inter-related, but may include deprivation, social exclusion, and discrimination.
34. The GRT community is entitled to the same services as those in the housed community, including the right to occupy premises that are fit for use. This includes accessible accommodation and facilities.

Other Implications:

35. The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	No significant implications arising from this report.
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report.
Environmental sustainability	Set out below under Item 43.
Public Health	The proposals seek to provide purpose-built utility blocks with dedicated washing, cooking, and toilet facilities to reduce the health and safety risk to the GRT community living at Kalima.

36. An Environmental Sustainability Assessment (ESA) is required, as the subject matter requires a Cabinet decision, and the primary subject matter relates to property development proposals (Annex 2). The key points from the ESA are:

- a) Site located in flood zone 2 with rivers located along the north, east and south of the site. Existing flood defences are inspected to ensure no structural weaknesses are present.
- b) Pre-application advice will be sought to deem if biodiversity and ecology enhancement are required as part works.
- c) Existing CCTV will be retained to monitor fly tipping and waste management issues.

What Happens Next:

37. Next steps and anticipated timescales:

Key milestones	Date
Cabinet approval	May 2024
Planning application submission	September 2024
Planning decision received	January 2025
Contact award	March 2025
Construction commences	May 2025
Construction completes	January 2026

Report Author:

Darren Humphreys, Contract Manager – Capital Delivery, Land and Property, 07815 994124

Consulted:

Simon Crowther (Director for Land and Property)

Colin Galletly (Assistant Director for Estates, Land and Property)

Glenn Woodhead (Assistant Director – Workplace and Facilities)

Elaine McKenna (Assistant Director for Capital Projects)

Residents of Kalima GRT Site (via Onkar Ghataaura)

Ian Horgan (Property Team Leader for Encroachment, Encampment, Moorings & Vacant Property)

Onkar Ghataaura (Technical Surveyor and Site Manager)

Richard Tear (Local Area County Councillor for Bagshot, Windlesham and Chobham)

Matt Pizii (Head of Strategy and Planning)

Annexes:

Annex 1: Options considered.

Annex 2: Environmental Sustainability Assessment (ESA)

Annex 3: Site map

Part 2 Report

Sources/background papers:

Initial Recommendations for the creation of a Strategy Document for the Management of Gypsy, Roma and Traveller provision in Surrey, 2022 – 2027.

[Commonslibrary.parliament.uk](https://commonslibrary.parliament.uk)
