

RYEDALE  
DISTRICT  
COUNCIL



POLICY

## Ryedale Tara Park Allocation Policy

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## **RYEDALE TARA PARK ALLOCATIONS POLICY**

This policy explains what Ryedale District Council (RDC) and the site management consider when allocating a pitch on Tara Park in Malton.

RDC will use the information provided on completed application forms to assess the eligibility of applicants for entry on the waiting list and their priority for allocation to a pitch. Each application will be assessed on a case-by-case basis.

Some consultation with existing tenants may be undertaken and taken into consideration for reasons of community cohesion, although Ryedale Council and the site manager will make the final decision on whether to make the allocation.

### **Who can register on the waiting list?**

Anyone who:

- Is 18 or over (although 16 and 17 year olds will be considered in exceptional circumstances).
- Is a Gypsy or Traveller.
- Has a local connection to the Ryedale area (although people who do not may be considered as a lower priority).
- Has a bank account to set up standing orders.

### **Who will not be accepted on the waiting list?**

Anyone:

- Where there is known unacceptable behaviour (anti-social behaviour or substantial rent arrears).
- Who is subject to immigration control.
- If you owe money for any reason to Tara Park / RDC (until an arrangement has been made to repay the debt and this has been continuously paid for 13 weeks).
- Who provides false or misleading information and/or deliberately withholds information, or provides an incomplete application form.
- Purposefully and deliberately worsens their circumstances.

The following applications may not qualify for the Travellers Waiting List because of unacceptable behaviour: Where the behaviour of the person concerned or the behaviour of a member of his/her household could have entitled another housing provider to a possession order under section 84 of the Housing Act 1985 (c.86) on any ground mentioned in Part 1 of Schedule 2 to that Act including the private sector. (This includes nuisance and rent arrears in all tenancies including the private sector).

### **Offers of a pitch**

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 – therefore putting you to the bottom of the list within your band.

## **Joint Applications**

Couples who intend to live together must make a joint application. All applicants must be eligible as per this policy.

## **Pets and other animals**

Please note the only animals we allow on site are 2 dogs per pitch, so you will be required to comply with this if your application is successful. We do not allow horses, chickens etc. Ryedale District Council reserve the right to refuse permission. Any dogs listed under the Dangerous Dogs Act 1991 will be refused, and others deemed dangerous under our discretion.

## **Caravans and Vehicles**

There is a maximum of two caravans and two vehicles per plot. Caravans must not exceed 24ft. Please ensure that your size and number of caravans can be accommodated if you are to be offered a pitch. If your vehicles or caravans change you must notify the site management in writing as soon as possible.

## **Application Procedure**

Application forms are available from the site manager or from Ryedale Council at the address below:

Housing Services  
Ryedale District Council  
Ryedale House  
Malton  
YO17 7HH

Tel: 01653 600666 ex 43625

Email: [housing@ryedale.gov.uk](mailto:housing@ryedale.gov.uk)

The site waiting list will be reviewed every six months to confirm the applicants still want a pitch and the waiting lists will be adjusted accordingly. An up-to-date contact address and/or contact number must be available while applicants remain on the waiting list as applications will be cancelled if we are unable to contact the applicant to review their situation.

The Site Manager will advise RDC when a pitch becomes available and will provide RDC with a completed application form and all associated paperwork.

## **Change in circumstances**

You must contact either the Site Manager or Ryedale District Council Housing Services as soon as possible if your circumstances change. This is the responsibility of the applicant. Some changes may result in your points altering, giving you a new application date from when your circumstances changed.

Written Statement agreements will be signed with Ryedale District Council.

### **Verifying information**

During the application process, applicants will be asked to provide supporting evidence to verify their identity and personal circumstances. This will include:

- 2 x copies of identification for the main applicant and joint applicants
- (one of which must include confirmation of the National Insurance Number and proof of current address)
- Where appropriate persons from abroad proof of work permits/documentation
- Proof of child benefit or child tax credits/residency of child and principle home of the child where appropriate.
- Evidence of a bank account and a standing order being set up.

Additional information and documentation must be provided if requested.

The application must be complete and applicants will be required to send copies of the above to the RDC Housing Services within **28 days** of date of request or at point of application. Failure to respond to a request for information as part of the initial verification process within **28 days** will generally lead to cancellation of the application.

Further verification and documents may be required during the application/allocation process. Applicants will be advised of shorter timescales to provide additional information/documentation at the point of offer. It is the responsibility of the applicant to provide the information/documentation requested. If they do not, the application will not proceed.

### **Confirming application**

Once your application has been confirmed, **the council will write out/email with** confirmation of acceptance and that they will be added to our waiting list. We will contact them in due course when a pitch is available.

### **Giving false information/deliberately withholding information**

It is a criminal offence for anyone applying for housing from a housing authority to knowingly or recklessly give false information or knowingly withhold information which is relevant to their application.

Anyone found guilty of such an offence may be fined up to £5000 and could lose the property if they have been housed as a result of providing false information or deliberately withholding information.

Applicants who are found to have made a fraudulent claim will have their application cancelled and will not qualify to apply to join the waiting list for a minimum period of 12 months.

This decision will be subject to review and the applicant will be informed in writing of the decision and their right to request a review of that decision in writing.

Applicants can make a fresh application after this time period has expired. The new application will be assessed on current information. Banding date will be from the date of the new assessment.

Ryedale District Council may take action against any professional organisation that knowingly or recklessly either provides false information or deliberately withholds information on behalf of an applicant they are presenting.

### **Allocation of pitches**

Pitches will be allocated to those in greatest need and when 2 applicants have the same need, the allocation will go to the applicant who has been on the waiting list the longest.

### **Succession Rights**

Existing licensees will only be able to pass a pitch onto their families if they die and the person who is being given the pitch is named on the license agreement and has been resident on the site for a full 12 months. There is no automatic right of succession if a licensee terminates their licence. The family member remaining on a vacant pitch would be considered a trespasser. In exceptional circumstances the Council would be able to grant succession depending on individual circumstances.

### **What facilities will the Travellers Sites offer?**

Most pitches are big enough for two caravans and 1 to 2 vehicles.

Each pitch has its own amenities block which includes a kitchen / dining area (larger units), bathroom and storage area.

Electricity – all pitches have individual facilities, residents are issued with electric cards to pay for this. This is arranged through the Site Manager.

Water and sewerage facilities will be provided and paid for as part of the agreement charge. Water and Sewerage charges are **not** housing benefit eligible.

Deposits will be required in respect of all keys and cards provide by RDC, this will be returned on leaving the site. If keys or cards are lost a further payment will be required to recover replacement costs.

### **Responsibilities of the licensee**

A standing order to cover the rent/water payment must be in place within 2 weeks of signing up on the site. Details will be provided.

You will pay a licence charge for the pitch.

This will be:

£70 per pitch per week rent only for pitches 2 to 14

£80 per pitch per week rent only for pitches 15 to 21

You can apply for the Housing element of Universal Credit to help you pay for this.

Housing element for Universal Credit and accompanying information will need to be completed prior to occupation on a pitch. The preferred method is a managed payment to landlord (RDC).

In addition to the rent there is a water charge for each pitch. Which is currently £10.00 per week (subject to change).

You will have to pay Council Tax for your pitch. You can apply for Council Tax relief to help you pay for some of this. Even if you are in receipt of the full Housing element of Universal Credit, Council Tax charges will apply, this needs to be paid directly to Ryedale District Council.

- You will be responsible for maintaining your own pitch which would include keeping the garden area clean and tidy.
- You will be responsible for the general upkeep of the site and not causing any nuisance.
- You will be required to agree to and sign conditions of the agreement, a copy of which can be obtained from the officers mentioned previously.
  - Continual breaches of the conditions may result in eviction from the site.

### **Can I be considered for any other kind of rented accommodation?**

You can apply to join North Yorkshire Home Choice if you have a connection to North Yorkshire. Please contact Ryedale Council's Housing Options Team if you would like any further information. This is a list of people who want to be considered for flats and houses owned by Council's and Housing Associations in North Yorkshire.

If you want more information please visit  
<https://www.northyorkshirehomechoice.org.uk/>

### **Complaints and Right to request a review**

All applicants have the right to appeal a decision relating to the following points (exclusion to waiting list, suitable offer and removal from the register).

We have tried to make this a fair system. However if you feel that your case has not been dealt with fairly you can contact Kim Robertshaw, Housing Services Manager, (postal address) Housing Services, Ryedale House, Malton, YO17 7HH who will look into your complaint and reply to you in writing within 10 working days.

If you would like advice which is independent from Ryedale District Council you can contact Horton Housing, GaTEWAY, Room 6, First Floor, Community House, Portholme Road, Selby, YO8 4QQ.

## **Equality and Diversity Statement**

Ryedale District Council aims to uphold the provisions within the Equality Act 2010 by providing equal, fair access and provision of services to all applicants and clients. Ryedale District Council aims to eradicate discrimination and unfairness on any grounds as follows:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

## **Refusal of offers**

Should you be refused the opportunity to be placed on the Tara Park waiting list, the council will write to you explaining the reason(s) which will fall under the category listed below.

## **Refusal breakdown**

RDC recognises the Government's commitment to encouraging inclusion and social stability and will use this policy to encourage access for all applicants in housing need, including those that are socially disadvantaged. This will be achieved by ensuring that each application is treated on its individual merits. **Appendix 1**

## **Assessing qualification**

RDC will consider an application to join the register where a history of unacceptable behaviour is proved, if the applicant is attempting to modify that behaviour with the help of a recognised support agency and that agency will continue the support if/when the applicant is housed.

RDC will ensure that the process for assessing qualification is both fair and effective in the management of the traveller housing stock. In reaching a decision on whether or not an applicant does not qualify on the grounds of unacceptable behaviour, all relevant information will be taken into account, including whether the behaviour could have been due to a physical or learning disability or mental health problems.

## **Appeals against this decision**

Please see above for contact details to lodge an appeal against this decision.

## **Grounds for lifting non qualifying status**

The basic principle for lifting the non-qualifying status will be evidenced material

change in the applicant's circumstances. For example:

- Where an applicant has been guilty of unacceptable behaviour, the applicant has demonstrated a material change in their behaviour.
- The applicant has in place a recognised support package that addresses previous misconduct and will continue once housing has been offered under the scheme.
- The relevant conviction has become spent.
- The applicant is addressing their arrears and debts for a minimum of 13 weeks. An affordability assessment may be required.

A fresh application will need to be made by the applicant where they have previously been none qualifying and feel that their behaviour should no longer be held against them as a result of changed circumstances.



## Appendix 1

<i>Qualification reasons and circumstances where a disqualification will apply</i>	<i>Rules and period of disqualification</i>
<p><b>Anti-social behaviour</b></p> <ul style="list-style-type: none"> <li>• By an applicant or a member of their household</li> </ul> <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"> <li>• Annoyance, harassment, violent or intimidating behaviour towards staff members, neighbours or their visitors;</li> <li>• Criminal convictions related to the occupancy of a site for example: drug dealing, prostitution, fire raising;</li> <li>• Extensive damage caused to a land-lords property;</li> <li>• Any behaviour which has resulted in a Civil injunction, Community Protection Notice or a Criminal Behaviour Order being granted;</li> <li>• Any behaviour which has resulted in the grant of an eviction;</li> <li>• An established and sustained pattern of conduct considered anti-social;</li> <li>• Or any other behaviour that we consider to be anti-social.</li> <li>• Allowing access to horses to neighbouring land.</li> <li>• Animal neglect/cruelty</li> <li>• Assault</li> </ul>	<p><b>Minimum of two years</b></p> <p>Where potential anti-social behaviour has been identified.</p> <p>Where a previous pitch holder/tenant has been evicted for proven criminal activity, you will not be able to apply to the waiting list for a minimum of 2 years.</p> <p>Where an offer of a pitch has been made to the applicant, the offer may be withdrawn pending the outcome of the investigation.</p>
<p><b>Debt owed to RDC or another local authority</b></p> <p>Disqualification will be applied where the applicant or partner has any debt related to a previous site occupancy or former tenancy.</p> <p>Exceptions to this would be where:</p>	<p><b>Until payments or arrangements have been made</b></p> <p>Following proof of full payment of the debt or where an arrangement to pay off the debt has been maintained for 13 weeks and continues to be maintained.</p>

<ul style="list-style-type: none"> <li>• The debt has been paid off in full;</li> <li>• An agreement has been made to pay the debt off and this has been maintained for at least 13 weeks and is continuing;</li> </ul>	<p>A fresh application will need to be made.</p>
<p><b>Breach of occupancy condition(s)</b></p> <p>Disqualification will be applied where the applicant or partner 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"> <li>• Unsatisfactory condition of pitch, utility unit, common areas, disposal of rubbish, wilful damage, vandalism, control of pets.</li> </ul>	<p><b>Until Council satisfaction is achieved</b></p> <p>Disqualification can 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>A fresh application will need to be made.</p>
<p><b>False or misleading information</b></p> <p>Disqualification will be applied where the applicant is suspected to have deliberately sought to distort information in order to gain advantage over other applicants.</p>	<p><b>Minimum of 12 months</b></p> <p>Applications will be disqualified until outcome of investigation. If proved, the application will be cancelled and you will not qualify to apply to join the waiting list for a minimum period of 12 months. A fresh application will need to be made.</p>
<p><b>Squatting and/or unauthorised applicant on the Ryedale District Council Traveller Site</b></p> <p>If you are found to be squatting or are an unauthorised applicant on a site or individual pitch, you will be disqualified for a minimum of 12 months.</p> <p>If you vacate the pitch voluntarily, the suspension will not be extended beyond the initial twelve months unless Ryedale District Council has to take court action to remove you.</p> <p>If Ryedale District Council has to take legal action to remove you, you will incur costs which you will need to pay.</p>	<p><b>Minimum of twelve months</b></p> <p>From the date that you vacate the plot voluntarily.</p> <p><b>Minimum of two years following eviction</b></p> <p>If it is necessary for Ryedale District Council to obtain a possession order and re-move you from the pitch, you will not qualify to apply to join the waiting list for a minimum period of 2 years.</p>

## Appendix 2

### RYEDALE DISTRICT COUNCIL TARA PARK POINTS CRITERIA CHECKLIST

<u>Factors</u>		<u>Points</u>	<u>(Y/N)</u>	<u>Comments</u>
<b>CURRENT HOUSING CIRCUMSTANCES</b>	Roadside	10		
	Imminent eviction	10		
	Residing in a house where eviction does not apply	-5		
<b>THREAT OF EVICTION</b>	Breaches of license agreement	-10		
	Rent & charges arrears	-10		
	Anti-Social Behaviour/Nuisance	-10		
<b>FAMILY CIRCUMSTANCES</b>	Pregnancy confirmed by GP	1		
	Children	1		
	Elderly/Frail	1		
	Move to give care/support	1		
<b>HEALTH &amp; SOCIAL CARE NEEDS</b>	Move to receive permanent/long term health care	8		
	Move to receive permanent/long term social care	8		

	Health/Disability affected by current accommodation.	10		
	Other health/social care needs	1-5		
	Written referral from GP or Social worker	10		
	Mental health Issues	1-5		
	Sharing Facilities	1		
	Lacking Facilities	3		
<b>PERSONAL CIRCUMSTANCES</b>	Suffering physical violence or abuse	10		
	Persistent threats or disputes	5		
	Bullying or harassment	5		
	Land Owner	-5		
	Exceptional Circumstances (Ryedale Council Authorisation)	1-10		
<b>EMPLOYMENT/ EDUCATIONAL NEEDS</b>	1 Child attending school	1		
	2 Children attending school	2		
	3+ Children attending school	3		
	Adults in permanent employment	5		

	Adults in temporary employment	2		
	Written offers of permanent employment	5		
COMPATIBILITY	Irresolvable conflicts on site	-10		
	High probability of conflict on site	-8		
REFERENCES	2 references from involved professionals or previous housing provider	4		
	1 professional reference and 1 character reference	2		
	2 Character references	1		
	No references	0		

OR

Pitches will be allocated to those in greatest need and when 2 applicants have the same need to the one who has been waiting the longest. If you forget / do not send a review form back then your application will start again when you send in a new form. Need is defined in 5 bands, ranging from "very urgent" Band A to "no priority" Band E. Those in Band A will always be considered first, then those in Band B etc.

**BAND A (Very urgent)** is given to local people who have

Medical priority A (for example someone who is terminally ill and needs alternative accommodation, someone requiring immediate discharge from hospital and cannot return to their previous residence or someone whose present accommodation is extremely detrimental to their health)

Management decants where the council needs to move someone on either a temporary or permanent basis to carry out major works on the pitch / site

Emergency cases

**BAND B (High priority)** is given to local people who have

Community Care needs and a person needs to move closer to community support (an individual or a facility), current arrangements are having a detrimental effect on the health and wellbeing of those involved and this move will prevent admission to residential care or hospital.

Family Residence when an applicant has officially lived on the site with their family for 6 out of last 12 months or 3 out of last 5 years. The application will commence from the date the application was submitted, not from the date of residency.

Health and Wellbeing Priority B, for people who are unable to use an essential part of current residence (for example, lavatory or bathroom). Wherever possible adaptations will be considered to enable a person to remain on an existing pitch

Lacking facilities is when a person lives in a caravan or mobile home which does not have access to running water, fixed WC and wash hand basin (ie no access to an amenity block). Applicants must have been living in this situation for more than 6 months and proof of residency will be required.

**BAND C (Medium priority)** is given to local people who have

Health and Wellbeing Priority C when people who need to move to alternative accommodation to be able to access services, employment etc.

**BAND D (Low priority)** is given to local people who have

Applicants on means tested benefits or sharing facilities (living room, kitchen or bathroom with another household)

**BAND E (No priority)**

This Band contains applicants who are adequately housed or live out of the Ryedale District Council boundary

### **Exceptional circumstances**

We may, in exceptional circumstances, take other needs into account when prioritising applicants; an assessment of need will be made based on the information included on the application and any other supporting information. Written evidence from a professional is required in these cases. Factors we may consider in exceptional circumstances include for example care or specialist education.

## **Useful contacts**

Citizens Advice  
Harrison House Norton Road  
MALTON  
North Yorkshire  
YO17 9RD  
[ryedale@northyorkslca.org.uk](mailto:ryedale@northyorkslca.org.uk)  
0300 3309 036

Horton Housing  
GaTEWAY  
Room 6  
First Floor  
Community House  
Portholme Road  
Selby  
YO8 4QQ  
01757 241020

Housing Services  
Ryedale House  
Malton  
YO17 7HH  
01653 600666  
[housing@ryedale.gov.uk](mailto:housing@ryedale.gov.uk)