

Allocation Policy Claywood Lane Caravan Site

This Policy sets out the criteria for allocating pitches at the Council's caravan site at Claywood Lane.

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DARTFORD
BOROUGH COUNCIL

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ਜੇ ਤੁਹਾਨੂੰ ਜਾਣਕਾਰੀ ਕਿਸੇ ਹੋਰ ਫਾਰਮੈਟ ਵਿੱਚ ਚਾਹੀਦੀ ਹੈ (ਜਿਵੇਂ ਕਿ ਬਰੇਲ, ਆਡੀਓ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿੱਚ ਜਾਂ ਲਿਖਤੀ ਅਨੁਵਾਦ), ਜਾਂ ਤੁਹਾਨੂੰ ਦੁਆਲੀਏ ਦੀ ਲੋੜ ਹੈ, ਜਾਂ ਸੁਣਨ ਨਾਲ ਸੰਬੰਧਿਤ ਕਿਸੇ ਸਮਰਥਨ ਦੀ ਜ਼ਰੂਰਤ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਡਾਰਟਫੋਰਡ ਬਰੋ ਕੌਂਸਲ ਨਾਲ 01322 343434 'ਤੇ ਸੰਪਰਕ ਕਰੋ।

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1. INTRODUCTION

- 1.1. This policy aims to ensure that in allocating pitches at Dartford Borough Council's ('the Council's') Caravan Site at Claywood Lane, consideration is given to the suitability of applicants. This is to ensure that applicants are accommodated appropriately, both in relation to their own needs, and the needs of residents already on the site. All applicants and applications will be considered fairly.

2. ELIGIBILITY

- 2.1. Applicants must be 16 years or over, however if they are under 18, the Council may need to be satisfied that they are able to sign the licence agreement. Applicants must also be a Gypsy or Traveller, either by ethnic group or under the current legal definition.¹ Applicants must also have their own caravan; the current provision on site permits one caravan only per pitch.
- 2.2. Both the applicant **and all members of their household** must **not** have a history of anti-social behaviour, serious enough to make any of them unsuitable to occupy the site. This may include:
- Convictions for violent or other serious offences
 - Convictions for drug use or drug dealing
 - A history of anti-social, disruptive or violent behaviour towards site/accommodation/Council Officers and neighbours
 - Any known or proven perpetrators of domestic abuse or violence
 - Any unspent and/or recent criminal convictions
- 2.3. Both the applicant and **all members of their household** must **not** have a licence agreement and/or own or rent any other accommodation elsewhere.

3. APPLICATION PROCESS

- 3.1. All applicants must fill out an application form and provide two personal references. Application forms can be picked up from Dartford Civic Centre, and are available in other languages on request. Help filling out the form can also be given.
- 3.2. Applicants may also be asked to attend an interview to discuss details that they have provided on their application form.
- 3.3. By signing the application form, applicants agree that the Council can make enquiries necessary to verify information given.

¹ For the purposes of section 225 of the Housing Act 2004 (duties of local housing authorities: accommodation needs of gypsies and travellers) "gypsies and travellers" means—

(a) persons with a cultural tradition of nomadism or of living in a caravan; and
(b) all other persons of a nomadic habit of life, whatever their race or origin, including—
(i) such persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently; and
(ii) members of an organised group of travelling show people or circus people (whether or not travelling together as such).

- 3.4. Applications which meet the eligibility criteria will be kept on a central database and reviewed once a year on the anniversary of their initial application. If the applicant fails to reply within three months of this date, it will be assumed that they no longer wish to be considered for allocation on the Claywood Lane Caravan Site, and their details will be removed from the database.
- 3.5. Applicants must inform the Council if any of the information given on their original application form changes.

4. CRITERIA FOR ALLOCATIONS

- 4.1. Applications for the Claywood Lane Caravan Site will be decided on a case by case basis, with priority given to those with greatest need.
- 4.2. Factors that will be taken into account in assessing applications include:
- Educational Needs
 - Health Needs
 - Likely impact on other residents on the site
 - Time waiting for a pitch
 - Current living conditions at the time of application, roadside, private site, housed etc. (reviewed at the time a vacant plot becomes available)
 - Connection to the Dartford area e.g. employment, education
 - Family connections to the site
- 4.3. A Housing Officer and the Head of Tenancy Services will decide all allocations. The decision will be made taking account of the needs of other households accommodated on the site, to ensure that as far as possible kinship networks are not disrupted, and cultural needs are respected.

5. ALLOCATION PROCEDURE

- 5.1. The Council will contact successful applicants and will issue them with a written statement 28 days before they can sign the licence agreement and move onto the site. The written statement sets out the terms on which the applicant will be entitled to occupy the site. The full 28 day notice period can be waived but the Council will require the applicant to give their signed consent to a shorter notice period. A copy of the written statement front sheet will be kept on record.
- 5.2. If the applicant does not waive the 28 day requirement for the written statement, the Housing Officer will arrange another appointment for the resident to sign the licence agreement.
- 5.3. Both the written statement and the licence agreement will contain a map of the pitch location and size.
- 5.4. Applicants will be advised that a breach of the terms of the licence agreement is likely to result in formal action which could lead to their removal from the site.

- 5.5. A deposit of £100 must be paid by the applicant. The deposit paid is refundable when the licence agreement ends and the occupiers vacate the pitch, as long as there have been no breaches of the licence or outstanding repair issues.

6. REFUSALS AND REVIEWS

- 6.1. The Council will contact applicants who do not qualify to be on the traveller allocation database within 30 days of receiving their application form, explaining the reason for refusal. If the applicant disagrees with the decision, they can request for it to be reviewed within 21 days of receiving the decision.

6.2. ***Procedure for reviews:***

On receipt of a request for a review, the Council will write to:

- a) Explain the review procedure
- b) Explain that the applicant, or someone acting on their behalf can make written representations and/or ask for a hearing and give the timescales for a decision
- c) Give the timescale for a decision

- 6.3. The Council will review its original decision taking into account any representations and any other relevant facts. The Officer carrying out the review will be someone who has not been involved in the decision taken.

There will be a hearing as part of the review if;

- a) The applicant requests it, and;
- b) The reviewing officer considers it will provide the best opportunity to review all relevant circumstances.

- 6.4. The decision on the review will generally be made within 56 days unless a longer period is agreed with the applicant. When a decision has been made, the applicant will be notified and reasons will be given.

- 6.5. An applicant does not have the right to request a further review, but if dissatisfied with the outcome, they should seek independent advice about the situation.

7. ALTERATIONS TO A LICENCE AFTER IT HAS BEEN SIGNED

- 7.1. No alterations to the terms of the licence agreement can be made after it has been signed unless both the Council and the applicant agree. An occupier may challenge an express terms of the licence agreement by applying to a Residential Property Tribunal. The written statement explains this right in more detail.

- 7.2. The Council may agree that an additional family member be added as a named party to the licence agreement, e.g. to change it from sole to joint occupiers, but the Council will be required to serve a new written statement and issue a new licence agreement to both the occupiers in that event.

8. COMPLAINTS

- 8.1. If tenants are not satisfied with the service they have received, the Council's [Corporate Complaints Procedure](#) can be followed. Complaints leaflets are also available from the Council offices.
- 8.2. The [Housing Ombudsman](#) can be contacted if further advice and support is needed on making a complaint to the Council.

9. DATA PROTECTION

- 9.1. The UK GDPR and the Data Protection Act 2018 regulate the processing of information relating to individuals, which includes the obtaining, holding, using or disclosing of such information.
- 9.2. The Council needs to collect and use certain types of information about its tenants in order to carry out its everyday business and to fulfil its objectives and its statutory functions.
- 9.3. The Council's:
 - [Data Protection Policy](#) sets out how it will protect special category and criminal convictions personal data;
 - [Housing Services \(Landlord and Tenant\) Privacy Notice](#) explains that the Council collects personal information to administer its housing (landlord and tenant) services.
- 9.4. Any information provided on the application form will be used only for the purpose of assessing an application for a pitch at Claywood Lane Site, and used in accordance with the Data Protection Act and the Council's Data Protection Policy.
- 9.5. The Council will not divulge any information about any applicant to another member of the public unless the applicant has given consent.

10. EQUALITY AND DIVERSITY

- 10.1. The Council is committed to welcoming and valuing diversity, promoting equality of opportunity and tackling unlawful discrimination in accordance with the Equality Act 2010. The Council, in delivering this Policy, will have regard to the Public Sector Equality Duty and ensure that no individual is discriminated against based on their sex, sexual orientation, marital status, pregnancy and maternity, gender reassignment, race, religion, belief, disability or age.
- 10.2. The Public Sector Equality Duty is a duty on the Council and that responsibility cannot be delegated to a contractor/service provider and is a continuing duty.

11. MONITORING AND REVIEW

- 11.1. This Policy will be monitored in accordance with the Council's performance framework and reviewed on a regular basis or whenever there is a fundamental change in legislative or regulatory provisions. Minor amendments to this Policy will be subject to the approval of the Assistant Director of Housing.