

Local Government and Public Services Committee

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Meeting date: Wednesday, 15 March 2006

Venue: Committee Room 3 & 4, National Assembly for Wales

Title: The Accommodation Needs of Gypsy / Travellers in Wales

Background

1. In December 2004 the Welsh Assembly Government commissioned Pat Niner of the Centre for Urban and Regional Studies in the University of Birmingham to establish the accommodation needs of Gypsy Travellers in Wales.
2. The purpose of the study is to inform the development of the Welsh Assembly Government's policy on Gypsy Travellers by providing information on the number, location and condition of Gypsy Traveller sites in Wales. The study examines permanent and transit sites, temporary stopping places and also the availability of housing for Gypsy Travellers, and whether the number of places on existing authorised sites are sufficient to meet the present and likely future levels of demand for accommodation. It also provides an indication of the need for new site provision with the estimated costs. The project is also intended to provide an indication of the obstacles to new site provision, the contribution of the planning system to the promotion of Gypsy Traveller accommodation and good practice in site provision, management and design.
3. Little accurate and up to date information is available within Wales on the number and location of Gypsy Traveller sites and pitches, since the former Welsh Office in 1997 removed the requirement on local authorities to undertake the twice yearly caravan counts.
4. The research project arose from a series of recommendations in the National Assembly's Equality of Opportunity Committee report - Service Provision for Gypsies and Travellers - which highlighted the need to resolve the lack of adequate Gypsy Traveller accommodation, including that there should be an audit of existing site provision to identify the demand for further sites and gather information on good site design, facilities and location which will inform future site development.

Research Programme

5. The Consultants started work on the project in February 2005. The work programme included:

- An e-mail survey of local authorities to establish the number and location of Gypsy Traveller sites in Wales;
- Surveys of the physical condition of local authority Gypsy Traveller sites, undertaken by Plus Property Solutions, a firm of property investment consultants and chartered surveyors. The results of the site condition surveys will be issued as a separate report.
- Four detailed case studies - in Pembrokeshire, Blaenau Gwent, Cardiff and Flintshire - one in each of Wales' police authority areas.
- A questionnaire survey of the 22 Welsh local authorities to establish their policies towards Gypsy Travellers, including the provision of accommodation.
- A questionnaire survey of the 13 site owning local authorities to establish their site management policies.

6. The research project was overseen by a Steering Group chaired by Professor Eric Sunderland, which comprised representatives of the WLGA, Flintshire County Council, Cardiff Gypsy Traveller Project, the Community Law Partnership, The Gypsy Traveller Law Reform Coalition and Welsh Assembly Government officials. Two members of Cardiff's Gypsy Traveller community also attended meetings of the Steering Group.

Conclusions and Recommendations

7. The report contained conclusions and 28 recommendations which are attached at doc.1. They have been extracted from the report for ease of reference. The responsibilities for the recommendations have been considered by relevant Assembly Divisions, but will be subject to further discussion before they are finally agreed. The main responsibilities in relation to the report fall to the Welsh Assembly Government - in particular to Local Government Policy, Housing and Planning Divisions. There are a number of recommendations for Welsh local authorities relating to the approach to unauthorised encampments and the management of Gypsy Traveller sites.

8. The recommendations will have implications for the Welsh Assembly Government and local government to consider. First, the report estimates that the network of local authority Gypsy Traveller sites requires some £3 million of additional expenditure over the next 5 years to bring it to a good standard of repair. It will require over £10 million expenditure over 30 years to bring the sites up to standard and maintain them at that level. This is likely to be an underestimate as the figures exclude the replacement of underground services, site improvements, on-going routine site repairs and maintenance. The report proposes that the Welsh Assembly Government should take steps to upgrade the existing Gypsy Traveller accommodation by way of a ring fenced Gypsy Sites Refurbishment Grant, similar to that used by ODPM in England. In addition, further costs are likely to arise from the need for additional residential site pitches over the next 5 years to cater for current shortfalls, family growth on existing sites and the accommodation of those Gypsy Travellers returning to Gypsy Traveller sites from housing. The report estimated that this could amount to some 200 - 250 long stay site places by 2011 and it also proposes the development of a pilot group housing project on the Irish model, where housing designated for Gypsy Traveller families are grouped together in a specific location. These new proposals are likely

to amount to another £3 million. The report also estimated the need for additional places for 100-150 families on transit sites to reduce the need for unauthorised encampments. Some of these could be accommodated on existing sites or by the provision of larger pitches or relaxed rules about visitors on local authority Gypsy Traveller sites, but some additional transit site provision will be needed. The report recommends that the Welsh Assembly Government should make available 100% funding for providing additional accommodation for Gypsy Travellers on local authority sites.

9. Second, the report's recommendations require the Assembly Government to consider a programme of policy development work. It recommends that the Assembly Government should develop a national strategy for Gypsy Traveller accommodation provision in consultation with local authorities and others, including the Gypsy Traveller community. It also proposes that the Welsh Assembly Government should develop and promote guidance on a range of issues including, assessing the need for Gypsy Traveller accommodation, and the standards of such accommodation covering issues such as site design, facilities, infrastructure and location. Furthermore, it proposes the reintroduction of the formerly bi-annual Gypsy Traveller count.

10. Third, the report recommends much greater engagement of Gypsy Travellers in the Welsh Assembly Government's policy development process including through consultation and capacity building of the Gypsy Traveller community to enable them to input to the policy process. It also proposes the setting up of a support body to work with and for Gypsy Travellers across Wales. Although there are a number of Gypsy Traveller representative groups that ostensibly cover England and Wales, they do not appear to be engaged in the policy process in Wales and rarely interface with the Assembly Government. The Cardiff Gypsy Traveller Project appears to be the only Welsh agency representing Gypsy Travellers. The report also recommends taking steps to examine how Gypsy Travellers can be included in ethnic record keeping and monitoring systems.

11. Fourth, the report proposes that Gypsy Traveller involvement in the Town and Country Planning process should be more transparent. This includes the provision of better information on planning applications and decisions for Gypsy Traveller site provision, including single family caravan sites. It also recommends that development plans should identify actual locations for Gypsy Traveller sites whereas, currently, authorities tend to use an approach which identifies the criteria against which an application for a Gypsy Traveller site should be assessed.

12. Fifth, the report recommends that the Assembly Government should consider whether the provision of Gypsy Traveller sites should be assessed within local authorities' social housing provision. This is already the case in some authorities, such as Cardiff, but not in others. In England ODPM's approach has been to mainstream the accommodation needs of Gypsy Travellers so that their needs can be met through the same system as those of other members of the public. The report also makes a number of recommendations on improving current site management practices which are variable across Wales. This would include the development of model site licence agreements, guidelines covering issues such as pitch allocation and consultation policies, repair services, and general enforcement procedures. The report also recommends that the Assembly Government should explore the possibility of giving licensees rights equivalent to those enjoyed by social housing tenants, including that of greater security

of tenure.

13. Finally, the report recommends that local authorities should develop strategies for the management of unauthorised encampments that are in line with the Welsh Assembly Government/Home Office's guidance," Guidance on Managing Unauthorised Camping" issued in January 2005. This would include close cooperation with the police, other agencies, including the production of interagency protocols and agreements. It also proposes that local authorities should adopt different policy responses to the different types of unauthorised encampments, whether due to families waiting for a pitch on a residential site and who have nowhere else to live, unauthorised encampments caused by Gypsy Travellers visiting relations or on holiday, unauthorised encampments by groups of Gypsy Travellers travelling from place to place, and encampments by New Travellers seeking a low impact lifestyle. This would include the provision of transit arrangements, including the identification of locations to which families could be directed and the provision of fully serviced and managed transit sites.

Next Steps

14. The intention is that the Birmingham University report would be issued, together with the results of the site condition survey, in late April. Officials propose to arrange a seminar in late May to enable interested groups or individuals to consider the report, its conclusions and recommendations. The Assembly Government would respond subsequently to its recommendations.

The Committee's views are requested on the report's conclusions and recommendations.

Sue Essex AM

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Annex

Accommodation needs of Gypsy-Travellers in Wales

Recommendations

There are six broad headings: overall strategy and the policy framework; the existing sites network; the need for additional residential site provision; the need for transit site provision; site management; and social housing.

Recommendation	Ownership (Division)

Strategy and Policy Framework	
<p>Recommendation 1: The WAG should develop a national strategy for Gypsy-Traveller accommodation provision. The strategy should be developed through consultation with local authorities, other relevant agencies, and Gypsy-Travellers.</p>	<p>Equality</p>
<p>Recommendation 2 : A system of better information should be developed as a basis for planning accommodation and other services for Gypsy-Travellers and monitoring progress towards implementation. There are three priorities:</p> <ul style="list-style-type: none"> · The Gypsy-Traveller Caravan Count should be re-introduced in Wales. Launch events should stress the importance of this basic information as well as practical issues around how to carry out the Count. The WAG and the WLGA both have roles here. Local authorities should carry out the Counts as comprehensively and accurately as possible. · WAG should consult with local authorities, other agencies and Gypsy-Travellers to see how Gypsy-Travellers can best be included in ethnic record keeping and monitoring systems. · In particular, better information is needed on planning applications and decisions for Gypsy-Traveller site provision, including single family caravan sites. 	<p>Local Government Policy/Statistics</p> <p>Equality/Local Government Policy</p> <p>Planning</p>
<p>Recommendation 3: The WAG should develop, issue and promote guidance on assessing Gypsy-Traveller accommodation needs. Draft guidance has already been issued for consultation. The importance of assessing ‘hidden’ needs from Gypsy-Travellers in housing should be stressed. WAG and WLGA should together consider training needs of local authority personnel who will be carrying out assessments, and how best to encourage authorities, both formally and informally, to carry out high quality assessments.</p>	<p>Housing</p>
<p>Recommendation 4: The WAG should consider funding ‘community development’ work to develop arrangements for effective national and local input by Gypsy-Travellers to the policy debate. This is a necessary pre-condition to many other recommendations which call for consultation with, and involvement of, Gypsy-Travellers.</p>	<p>Local Government Policy (to be confirmed)</p>

<p>Recommendation 5: Both WAG and local authorities should continue and develop the process of considering and referring to the needs of Gypsy-Travellers in all relevant mainstream strategies and policies as a matter of course. WAG and local authorities should consider carefully and implement the recommendations from the Commission for Racial Equality’s scrutiny exercise on services for Gypsies and Irish Travellers when it is published. This latter is especially important as evidence suggests that there is continuing prejudice and discrimination against Gypsy-Travellers in all spheres which must be tackled if site provision is to be successfully achieved.</p>	<p>Assembly wide (in particular Planning)</p>
<p>Recommendation 6: In order to raise the profile of Gypsy-Traveller issues, the WAG should introduce ‘Champion’ status in recognition of, and to promote, good practice in Gypsy-Traveller service provision. WLGA has a clear role in developing and disseminating a bank of good practice information as on other local government topics.</p>	<p>Equality/Local Government Policy</p>
<p>The Existing Sites Network</p>	
<p>Recommendation 7: The WAG should seek to develop – in conjunction with local authorities and Gypsy-Travellers – a ‘decent sites standard’ which would incorporate location and environment as well as site design, facilities and infrastructure, and amenity unit size, design and facilities. Wherever possible, improvements of existing sites should aim to meet this standard; the standard will also be applied to new site proposals. The standard should reflect the fact that Gypsy-Traveller sites are a species of housing and should thus conform to expectations for residential development.</p>	<p>Housing/ Local Government Policy (to be confirmed)</p>
<p>Recommendation 8: The WAG should commission research on differential demand for local authority sites across Wales, aiming particularly to identify factors underlying low demand, and the extent to which investment might create a sustainable site perhaps with fewer pitches. Relationships between site management, pitch allocations and low demand should be explored.</p>	<p>Housing/Local Government Policy/Planning* *Planning to confirm</p>
<p>Recommendation 9: The National Assembly for Wales should introduce a scheme along the lines of the English Gypsy Sites Refurbishment Grant to provide funds for site improvement and refurbishment. The scheme should provide some certainty to local authorities to encourage them to undertake preliminary consultation with site residents and to get any necessary planning permissions. In the short term at least, funds for site improvement should be ring-fenced, and should aim to achieve expenditure of about £3 million over the next five years.</p>	<p>Local Government Policy</p>

<p>Recommendation 10 : In targeting funds for site improvement, the WAG should consider giving priority to:</p> <ul style="list-style-type: none"> · Sites where there is proven demand for pitches and the site is sustainable, especially where refurbishment could involve an increase in the number of pitches to be provided which is thought manageable by both site managers and site residents. · Sites where there is low demand but existing site residents are suffering poor conditions because of vacant/closed pitches and where investment could improve living standards and ensure that the site remains sustainable albeit at a smaller size. Proposals for works should allow future expansion if demand increases again. 	<p>To be confirmed once funding arrangements are in place</p> <p>(Local Government Policy)</p>
<p>Recommendation 11 : Cases to be made when bidding for funds should emphasise:</p> <ul style="list-style-type: none"> · Involvement of site residents in developing the proposals. · The extent to which the ‘decent site standard’ can be achieved, and how any shortfalls can be mitigated. · Where there is low demand at present, an analysis of the causes of low demand (e.g. locational problems, current standards and conditions, social or family reasons) and how the proposed works would impact on demand in future. · Proposed site management arrangements, and how these would contribute to site sustainability and security for investment as well as high quality services to residents. 	<p>Local Government Policy</p>
<p>Need For Additional Residential Site Provision</p>	
<p>Recommendation 12: The National Assembly for Wales should make available funding for the capital cost of providing local authority sites. This should be equivalent to 100% of approved costs, and should be ring-fenced both from other forms of social housing and Gypsy-Traveller site improvement.</p>	<p>Local Government Policy</p>
<p>Recommendation 13: Gypsy-Traveller caravan sites should be clearly re-defined as a species of social housing, and thus eligible for revenue subsidy towards site management costs in the same way as bricks and mortar housing.</p>	<p>Housing</p>

<p>Recommendation 14: Where local authority sites have a waiting list and/or doubling up of families on pitches and/or numbers of young people of marriageable age who would like site accommodation, local authorities should, as a matter of priority, explore options for site extension and embark on an exercise to find locations for further site development. Gypsy-Travellers should be closely involved in this process.</p>	<p>Local Authorities</p>
<p>Recommendation 15: Local planning authorities should, as quickly as possible, identify actual locations for sites in Local Development Plans wherever assessments indicate that there is a need. The WAG should issue circular guidance which makes this requirement absolutely clear. The WAG should also develop good practice guidance advising local authorities how best to go about identifying locations.</p>	<p>Local Authorities -Planning</p>
<p>Recommendation 16: The accommodation needs and preferences of Gypsy-Travellers are as varied as those of the settled community. In recognition of this, a variety of accommodation should be aimed for, not just the provision of ‘standard’, formal local authority sites for about 20 families. The range should include:</p> <ul style="list-style-type: none"> · Private site provision – the level of demand appears to be low at present at least partly because Gypsy-Travellers see the private provision option as impossible to achieve. The prime requirement is for local planning authorities to identify land where private site provision will be permitted and, in addition, to set realistic, achievable criteria against which applications for sites will be assessed. When it becomes apparent that local planning authorities are willing to grant planning permission, the WAG might consider giving grants/loans to Gypsy-Travellers to buy land and develop sites. · Small local authority sites for five to ten caravans, for a single extended family. One of the attractions of private site development is being able to live with near family only. Why should this not be facilitated in the public sector? A pilot scheme might be considered for authorities to provide land with a planning consent and encourage the families to develop the site themselves to meet the decent sites standard. · Group housing on the Irish model. A possible collaborative pilot, involving the WAG, the local authority and Gypsy-Travellers, might be based on the Waterloo site in Pembroke Dock where residents have expressed an interest in such an option. 	<p>Housing/Local Government Policy</p>

<p style="text-align: center;">Need for Transit Sites and Accommodation for Nomadism</p>	
<p>Recommendation 17: Local authorities should develop strategies for the management of unauthorised encampment in line with WAG/Home Office Guidance, and the WAG should encourage this. In particular, local authorities should co-operate with Police Forces to produce inter-agency protocols and agreements and to facilitate on-the-ground joint working.</p>	<p>Local Government Policy</p>
<p>Recommendation 18: In drawing up their strategies, local authorities should be aware of, and seek to assess the relative importance of, different ‘types’ of unauthorised encampment which arise since these have different policy responses. Some of the ‘types’ are:</p> <ul style="list-style-type: none"> · Some unauthorised encampments arise because families are waiting for a pitch on a residential site and have nowhere else to live; such families also occupy some ‘transit’ pitches on existing sites. It might be appropriate to identify land where basic facilities could be provided until pitch vacancies arise or a new site is provided. · Some unauthorised encampments stem from Gypsy-Travellers visiting local families for a short period for a special family event or a holiday. Some at least of this need could be accommodated through the provision of larger pitches and relaxed rules about visitors on both local authority and private sites. Accommodating visitors is a relevant consideration in the decent site standard advocated above. · Some unauthorised encampments in remote and rural areas reflect (especially) New Travellers seeking to live a low impact, environmentally-friendly lifestyle. This need might be tackled as part of a ‘green’ agenda rather than through Gypsy-Traveller policies. · Some unauthorised encampments – probably the majority – are by groups of Gypsy-Travellers travelling from place to place, often for employment reasons. The main options here are pro-active management of unauthorised encampments and the provision of formal transit accommodation. 	<p>Local Authorities</p>

<p>Recommendation 19 : Local strategies should, where appropriate, include reference to each ‘type’ of unauthorised encampment and the proposed approach. The objective should be to develop arrangements under which Gypsy-Travellers can stay in an area for a period of time (eg up to 28 days) without the threat of eviction so long as they conform to reasonable behaviour expectations. For those truly ‘in transit’ arrangements might include:</p> <ul style="list-style-type: none"> · Stated willingness to allow encampments to remain so long as the encampment does not cause serious disruption by reason of its location and/or the behaviour of the families involved. Basic services should be provided to the encampment (refuse collection, toilet provision) and Gypsy-Travellers helped to access necessary education or health services. The encampment would be monitored and managed as outlined in the Guidance. · Identification of locations to which families could be directed, relatively informally, and encampments subsequently managed pro-actively as above. · Provision of formal, serviced and managed transit sites or stopping places where the level and frequency of encampments evidence need for provision. Some such sites might be provided privately by Gypsy-Travellers themselves. 	<p>Local Government Policy</p>
<p>Recommendation 20: WAG should carry out or encourage a review of the current condition and role of ‘transit’ pitches on existing local authority sites with a view to making proposals to either convert to residential use or ensure, through active site management, that the pitches fulfil a true transit function.</p>	<p>Housing/Local Government Policy</p>
<p style="text-align: center;">Gypsy- Traveller Site Management</p>	
<p>Recommendation 21: The WAG should develop a model site licence agreement setting out rights and responsibilities of both the landlord and the licensee in plain and easy-to-understand language. The possibility of giving licensees rights equivalent to those enjoyed by social tenants, including greater security of tenure, should be explored.</p>	<p>Housing/Local Government Policy</p>
<p>Recommendation 22: The WAG should introduce site management guidelines, including expectations on staffing levels, allocation policies, repair services, resident consultation and general enforcement approaches. Wherever possible, parity with mainstream housing management expectations should be achieved.</p>	<p>Housing/Local Government Policy</p>

<p>Recommendation 23: Both the model licence agreement and site management guidelines should be developed through an inclusive process of consultation involving site managers, WLGA, Gypsy-Travellers and site residents aimed to identify good practice.</p>	<p>Housing/Local Government Policy</p>
<p>Recommendation 24: Where local authorities contract site management to another body (at present exclusively the Gypsy Council), the terms of the contract should be sufficiently precise to be enforced if need be. Management performance should be monitored as would be the case in any other contracting arrangement.</p>	<p>Housing/Local Government Policy</p>
<p>Gypsy-Travellers and Social Housing</p>	
<p>Recommendation 25: Gypsy-Travellers should be included in homelessness strategies and policies wherever unauthorised encampments are experienced since such families are homeless. Wherever possible, local authorities should offer homeless Gypsy-Travellers site places where these are preferred.</p>	<p>Housing</p>
<p>Recommendation 26: Allocation policies of social landlords should be sensitive to cultural needs of Gypsy-Travellers when making offers of accommodation. Tenancy support should be available to help Gypsy-Travellers make the transition to living in houses and on estates where this is new.</p>	<p>Housing</p>
<p>Recommendation 27: Gypsy-Traveller issues should be included in all equality and diversity training for housing officers in local authorities and registered social landlords, and officers should be made aware of the possibility of racial harassment against housed Gypsy-Travellers.</p>	<p>Housing</p>