

Agenda – Local Government and Housing Committee

Meeting Venue:

Committee Room 2, Senedd

Meeting date: 3 October 2024

Meeting time: 09.30

For further information contact:

Manon George

Committee Clerk

0300 200 6565

SeneddHousing@senedd.wales

Private pre-meeting

(09.15–09.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 The provision of sites for Gypsy, Roma and Travellers: Follow up – Evidence session 1

(09.30–10.30)

(Pages 1 – 20)

Louisa Devonish – Director, Gypsies and Travellers Wales

Martin Gallagher – Gypsy, Roma and Traveller Activist, writer and academic researcher

Break

(10.30–10.40)

3 The provision of sites for Gypsy, Roma and Travellers: Follow up – Evidence session 2

(10.40–11.50)

(Pages 21 – 26)

Elliw Llyr – Housing Policy Manager, Isle of Anglesey County Council

Ian Bakewell – Head of Housing, Monmouthshire County Council

Dave Jolly – Resettlement Coordinator, Flintshire County Council

Steph Hopkins – Development Manager, Blaenau Gwent County Borough Council



John Raine – Development Plans Team Manager, Blaenau Gwent County Borough Council

Bob Smith – Principal Planning Officer, Pembrokeshire County Council

Break

(11.50–12.00)

4 The provision of sites for Gypsy, Roma and Travellers: Follow up – Evidence session with the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip

(12.00–13.00)

(Pages 27 – 40)

Jane Hutt MS, Cabinet Secretary for Social Justice, Trefnydd and Chief Whip, Welsh Government

Amelia John, Director Committees and Social Justice, Welsh Government

Sarah Melkevik, Head of Race, Faith, Belief and Gypsy, Roma and Traveller Policy, Welsh Government

5 Papers to note

(13.00)

(Page 41)

5.1 Letter from the Equality and Human Rights Commission in relation to the provision of gypsy, roma and traveller sites

(Pages 42 – 44)

5.2 Written evidence from Travelling Ahead in relation to the provision of gypsy, roma and traveller sites

(Pages 45 – 47)

5.3 Letter from the Cabinet Secretary for Culture and Social Justice, Trefnydd and Chief Whip in relation to the provision of gypsy, roma and traveller sites

(Pages 48 – 50)

5.4 Written evidence from Allison Hulmes in relation to the provision of gypsy, roma and traveller sites

(Pages 51 – 53)

6 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of the meeting

(13.00)

(Private)

(13.00–13.10)

7 The provision of sites for Gypsy, Roma and Travellers: Follow up – Consideration of evidence

(13.00–13.10)

Document is Restricted

Local Government and Housing Committee Inquiry: Provision of sites for Gypsy, Roma and Travellers

September 2024

Naomi Alleyne - Deputy Chief Executive & Corporate Director Policy

Welsh Local Government Association - The Voice of Welsh Councils

The Welsh Local Government Association (WLGA) is a politically led cross party organisation that seeks to give local government a strong voice at a national level.

We represent the interests of local government and promote local democracy in Wales.

The 22 councils in Wales are our members and the 3 fire and rescue authorities and 3 national park authorities are associate members.

We believe that the ideas that change people's lives, happen locally.

Communities are at their best when they feel connected to their council through local democracy. By championing, facilitating, and achieving these connections, we can build a vibrant local democracy that allows communities to thrive.

Our ultimate goal is to promote, protect, support and develop democratic local government and the interests of councils in Wales.

We'll achieve our vision by:

- Promoting the role and prominence of councillors and council leaders
- Ensuring maximum local discretion in legislation or statutory guidance
- Championing and securing long-term and sustainable funding for councils
- Promoting sector-led improvement
- Encouraging a vibrant local democracy, promoting greater diversity
- Supporting councils to effectively manage their workforce



This paper responds to the request for views on progress made in implementing the recommendations from the Local Government and Housing Committee's report into the Provision of sites for Roma, Gypsy and Travellers published in August 2022.

While the majority of recommendations in the report are directed towards the Welsh Government there are wider implications for the public sector, especially Councils.

The recommendations from the Committee's report are grouped by theme below and are followed by the WLGA's understanding of progress made on implementation.

- 1. The Welsh Government should set out how it intends to support local authorities in the provision of sites that are appropriate for the Gypsy, Roma and Traveller communities, including how it will work with local authorities and communities to mitigate the challenges of finding suitable land for Gypsy, Roma and Traveller site accommodation.**
- 2. The Welsh Government should set out how it intends to support Corporate Joint Committees and individual local authorities to develop a network of transitory provision, and how it will monitor and ensure progress.**

WLGA welcomes the recent increase in staffing capacity that Welsh Government have established in this policy area. This has allowed Welsh Government to respond to the most recent cycle of GTAA submissions from each local authority, and is supporting the establishment of a regular cycle of meetings with each authority aimed at monitoring progress, building effective relationships, and collaboratively identifying and overcoming barriers to meeting accommodation needs and improving the standard of current provision, etc.

However, the establishment of additional capacity within Welsh Government is not reflected in the position within many Councils, where finance, resource and capacity constraints across a number of service areas are likely to be one of the barriers to delivery at pace which will need to be addressed.

At a recent meeting with WLGA officers Welsh Government colleagues confirmed the intention to commission additional research to make recommendations in relation to transit provision. Officials confirmed that current GTAAs from individual Councils do not provide a sufficient evidence base to support recommendations for the establishment of an effective network of transit sites provision.

- 3. The Welsh Government should provide an update on arrangements for an independent and trusted advice service for the Gypsy, Roma and Traveller communities, including funding, resource and skills requirement.**



Our understanding is that Welsh Government have commenced the re-procurement of this service for a further 3 years.

- 4. The Welsh Government should work with local authorities to ensure that they have the necessary resources to fulfil their duties under the Housing Act.**
- 5. The Welsh Government must ensure that the Housing Act is effective in providing suitable sites for Gypsies, Roma and Travellers. It should therefore set out how it intends to tighten its monitoring of the implementation of the Act.**
- 6. The Welsh Government should provide further information about how and when it will use its powers to ensure that local authorities deliver on their duties under the Housing Act.**

The challenges around staffing and resources across a range of local authority functions (including Housing, Planning, Legal Services and others) are likely to be a focus of the regular cycle of meetings being established between individual Councils and Welsh Government colleagues. A collaborative approach to identifying, understanding and overcoming any barriers to meeting the duties on local authorities set out in the Housing Act (Wales) 2014 is likely to be most effective.

- 7. The Welsh Government should set out its plans, including timescales, for evaluating the effectiveness of the Anti-racist Wales Action Plan in helping to provide sites for Gypsies, Roma and Travellers.**
- 8. The Welsh Government should provide an update on the timescales for the actions in the Anti-racist Wales Action Plan which are already underway.**

As part of the updated arrangements around ARWAP implementation, a number of specific actions related to Gypsy, Roma and Traveller accommodation provision will now be included within the range of actions being monitored by the Welsh Government's Housing & Regeneration ARWAP Stakeholder Group. Bringing this range of related and complementary actions together is a positive development, from WLGA's perspective.

- 9. In reviewing the sites guidance, the Welsh Government should explain how it intends to engage with the Gypsy, Roma and Traveller communities to ensure that design and location needs of communities are better reflected in the guidance.**
- 10. The Welsh Government should conduct a review of all guidance relating to the provision of sites for Gypsy, Roma and Travellers.**



The work that has already been undertaken by Welsh Government colleagues to review, update and clarify some aspects of the capital grant funding guidance has already had the positive effect of supporting a significant increase in the number of applications from Councils during the current financial year. We would anticipate that this increased level of applications can be further supported by the establishment of the regular cycle of meetings between Councils and Welsh Government officials.

- 11. The Welsh Government should provide further details on the learning and development support that will be provided to local authority elected members on Gypsy and Traveller communities' culture, needs and strengths. This should include details on: who will receive the training; timescales; how it will be resourced and delivered; and whether it will be a statutory requirement to undertake the training.**
- 12. The Welsh Government should set out how it intends to evaluate the impact of the training for local authority elected members on Gypsy and Traveller communities' culture, needs and strengths.**
- 13. The Welsh Government should include community councillors in the commitment in the Anti-racist Wales Action Plan to provide training for local authority elected members on Gypsy and Traveller communities' culture, needs and strengths.**

WLGA are not aware of this specific training yet being delivered for local authority elected members, but would be keen to work with Welsh Government to ensure that effective and appropriate arrangements can be put in place. The regular meeting between the Cabinet Secretary and the WLGA network of Cabinet Members with responsibility for Equalities can provide an opportunity for further discussion to progress these actions.

During the 23/24 financial year the WLGA was able to make a proactive offer, via the Improvement Grant, to offer councils/councillors specific sessions on anti-racism. This was informed by the publication of the plan and was delivered by third sector training provider, NoBoundaries. The sessions focused on the broad principles of anti-racism, and the role of elected members in championing anti-racism. While these principles are relevant to GRT communities, the training did not explicitly focus on any one community.

Overall 24 sessions were delivered across 16 councils, with a further 3 sessions being aimed at all Cabinet Leads (via Equality Cabinet network), and all LA Equality Officers.

Following budget pressures within the grant in 24/25, the WLGA has not been able to sustain this offer, and would therefore welcome greater Welsh Government support for elected members in this area.



- 14. The Welsh Government should set out what steps, other than those in the Anti-racist Action Plan, it will take to improve knowledge and understanding of the culture, needs and strengths of Gypsy, Roma and Traveller communities among the wider community.**
- 15. The Welsh Government should review whether the existing Gypsy and Traveller Accommodation Assessments process is the most appropriate and effective way of assessing the accommodation needs of Gypsies, Roma and Travellers.**
- 16. The Welsh Government should work with local authorities to review how engagement and consultation with the Gypsy, Roma and Traveller communities during the accommodation assessment process can be improved, including the extent to which the measures and actions within the Anti-racist Action Plan have made a difference.**

The regular cycle of meetings between officers from each Council and Welsh Government officials will give positive opportunities for improvements to future processes and arrangements for GTAAs to be explored, including any opportunities for better engagement and consultation with Gypsy, Roma and Traveller communities.

- 17. The Welsh Government should clarify what process is in place to monitor the Gypsy and Traveller Accommodation Assessments on an all-Wales basis in order to gain an understanding of accommodation needs at a national as well as a local level.**

As reflected previously, it is our understanding that Welsh Government has concluded that the existing individual GTAAs do not provide a sufficient evidence base, and are in the process of procuring further research.

- 18. The Welsh Government should conduct a broader review of how the funding for the development of sites relates to the requirements in terms of the standards of sites.**
- 19. The Welsh Government should explore all possible options for funding Gypsy, Roma and Traveller accommodation, including whether the criteria for the Capital Sites Grant should be broadened to allow local authorities to purchase land for the development of new sites and how funding could be used to support the development of private sites.**

Welsh Government have already reviewed and implemented some changes, including greater flexibility, in the guidance for capital grant funding. However, WLGA



would be happy to work with Welsh Government in any further reviews of funding, guidance, etc.

20. The Welsh Government should provide an update on the work undertaken to provide transit pitches across Wales before the Senedd's summer recess in 2023.

21. The Welsh Government should set out how it intends to work with the police and partner organisations to communicate to the Gypsy, Roma and Traveller communities any anticipated changes to plans for enforcing the Police, Crime, Sentencing and Courts Act 2022 in Wales.

WLGA are aware of the development of protocols related to unauthorised encampments, and are working with partners in the discussion and development of these protocols before further engagement with individual Councils and other partners.

Cleared by: Cllr Andrea Lewis, Housing Spokesperson

Authors: Jim McKirdle, Policy Officer (Housing)
Joseph Lewis, Policy Officer

Provision of sites for Gypsy, Roma and Travellers



3 October 2024

I welcome this opportunity to provide information in relation to the Committee's inquiry into provision of sites for Gypsy, Roma and Traveller persons.

I have addressed each of the Committee's areas of interest as set out in their Terms of Reference, in the evidence paper below and I look forward to discussing further with the Committee on Thursday 3 October.

It may be helpful at the start of this evidence paper to outline the recent work on the Anti-Racist Wales Action plan which includes goals and actions related to Gypsy, Roma and Traveller People.

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1. Anti-racist Wales Action Plan

The Welsh Government is taking action to make Wales an Anti-racist nation. On 7 June 2022, the Welsh Government published the ‘Anti-Racist Wales Action Plan’ to tackle systemic and institutionalised racism.

The goals and actions in the plan cover policy areas across government, including, health, criminal justice, culture, homes and places, employability and skills, education as well as a focus on leadership and representation within Welsh Government and across public services. They ensure we will deliver meaningful actions and work towards our vision of making Wales an anti-racist nation by 2030.

The actions in relation to Gypsy Roma Travellers are outlined in **Annex A**.

The second iteration of the ArWAP will cover 2024-2026. Officials have been working with the Anti-racist Wales Action Plan (ArWAP) External Accountability Group (EAG) and Welsh Government’s Internal Support and Challenge Groups to refresh all cross-governmental goals and actions. The focus has been on refining existing goals and actions to strengthen implementation and measurement. The refreshed plan has been approved by EAG members and will be provided to Cabinet for approval in Autumn 2024.

In relation to those actions on Gypsy Roma and Travellers, officials held a workshop with stakeholders and community members to discuss the process of reviewing the actions in May 2024. The feedback received from community members suggested that the language and specific actions to be taken needed to be clearer. The actions relating to Gypsy, Roma and Traveller people were revised accordingly and agreed by the External Accountability Group in July 2024. The refreshed actions will be shared with the committee once they are published.

2. Engagement with the Gypsy and Traveller community in Wales.

Gypsies, Roma and Travellers are amongst the most marginalised groups in our society. We know these groups often experience discrimination, inequality and a lack of opportunities. We want to ensure that members of these communities have the opportunity to fully participate in policy decisions that affect them.

One of the ArWAP actions is to have regular meetings with Gypsy, Roma and Traveller people and stakeholders to inform Welsh Government policy. Whilst there is Gypsy, Roma and Traveller representation in the ArWAP groups and in the Wales Race Forum, we are establishing a specific Gypsy, Roma and Traveller Group consisting of community members, local authorities and key Welsh Government officials. This gives community members the opportunity to share their lived experiences and inform our policy decisions.

We will procure a third sector organisation to help us facilitate community engagement on a number of Welsh Government External Guidance documents including:

- Managing Gypsy and Traveller Sites in Wales;
- Designing Gypsy and Traveller Sites;
- Guidance on Managing Unauthorised Camping 2013;
- Undertaking Gypsy Traveller Accommodation Assessments; and
- The Police Forces Protocols on Managing Unauthorised Encampments.

We have awarded a new 3-year advice and advocacy contract to provide support to families, from September 2024. This will help provide support to Gypsy, Roma and Traveller community members seeking advice in relation to their rights and provide advice and advocacy support to families on issues such as accommodation, sites, planning and accessing services. It also supports consultation networks and engagement groups within the community and helps ensure Welsh Government are aware of the site conditions and

lived experiences of nomadic housing needs across Wales, so at every stage of our policy thinking, we are listening to this community.

3. Gypsy and Traveller Accommodation Assessments (GTAA's).

The **Housing (Wales) Act 2014** requires every Local Authority in Wales to prepare a Gypsy and Traveller Accommodation Assessment (GTAA) and report on the need for additional Gypsy and Traveller pitches in their area, both permanent residential and temporary.

Section 101 and 102 of the Housing (Wales) Act 2014 places a duty on local authorities to carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area and submit the report to the Welsh Ministers for approval of the authority's assessment. This is their GTAA. Section 103 of the Act places a duty on local authorities to meet those assessed needs. Local authorities are required to publish approved GTAA's on their websites.

All Welsh local authorities Cycle 2 (2016-2022) Gypsy Traveller Accommodation Assessments (GTAA's), have now been approved and local authorities notified. The next cycle of GTAA's will cover the period 2022 – 2027, and each Local Authority is required to submit a new GTAA by 24 February 2027. We want all accommodation needs identified in Cycle 2 to be addressed and evidenced in their Cycle 3 GTAA's.

All local authorities have been reminded that any existing approved GTAA remains valid until it is superseded by the next GTAA. This clarifies for local authorities that irrespective of whether the local authority has submitted a new GTAA for approval, they remain under a statutory duty to meet any outstanding need which has been identified in their existing approved GTAA up to the date the next GTAA is approved.

In April 2024, The Public Service Ombudsman for Wales published a report in relation to an investigation into complaints by two families. The Welsh Government accepted and all six recommendations of the report from the Public Services Ombudsman, and all have now been implemented. We have committed to review the GTAA guidance within this

financial year, taking learning from GTAA Cycles 1 and 2. Setting out a plan for this was the final recommendation from the report.

In addition to the recommendations, Welsh Government have been working with the local authorities to ensure the problems identified in the report are resolved for the families concerned. More broadly, we have now set up a rolling programme of monitoring with local authorities.

4. Provision of Gypsy and Traveller residential and transit sites across Wales

The Anti-racist Wales Action Plan sets out how we will address the barriers to new and better-quality pitches, and work alongside both local authorities and residents, to provide suitable and sufficient pitches to those who need them.

To improve the quality of public local authority run sites for Gypsy, Roma and Traveller families, £3.44 million is available for the Gypsy and Traveller Sites Capital Grant in 2024-25. Local authorities can use the grant to support site development, refurbish existing accommodation, construct new pitches and improve the sustainability of sites for residents, including other capital expenditure related to improving sites as well as fund either residential sites or transit provision across Wales. This year we revised the scope of the grant in response to feedback from local authorities, to include land purchase where needed and also to explicitly enable awards for work on transit sites, which had been unclear previously.

Local authorities have been proactively encouraged to submit applications for 2024/25. The funding allocated to these projects will support Local Authorities to meet the need identified in their GTAAs, providing sites and pitches within a safe and secure environment whilst improving accessibility, energy efficiency, digital inclusion and improving well-being in the community for residents. As of 5 September 2024, we have made 10 awards totalling £2.49m, to 5 local authorities. Further applications have been received and are being considered.

Some families wish to reside on their own private sites. We know that families can sometimes be sold land that is unsuitable and unlikely to receive planning permission, for a range of reasons. As part of the ArWAP, Welsh Government will be procuring a pilot programme to provide independent and professional advice on all planning matters to families, wishing to purchase land for private sites.

Another ArWAP action is to work with Gypsy, Roma and Traveller community members, local authorities and others to provide appropriate transit provision. Feedback from local authorities indicates that a national evidence base is needed to understand movement of Gypsies and Travellers both in and out of Wales and in and out of local authority boundaries. Welsh Government will start the process to procure this work in this financial year from an organisation who can work with the community and make recommendations about the most appropriate location for transit provision across Wales. We continue to discuss suitable approaches to meeting transit needs with local authorities and where approaches are being piloted we will share examples to inform thinking.

Gypsy and Traveller communities pay high rates for fuel, particularly local authority site residents, because their sites are classed as commercial premises and can pay higher rates. Caravans also have limited options for sustainability and are costly to heat. Some families rely on expensive gas bottles. In 2023-24, Welsh Government funded £290k for a package of winter fuel support to the Gypsy, Roma and Traveller community, which provided support to 332 families across local authority sites. A similar winter fuel programme for 2024-25 is in development to be available for the coming winter months.

5. Crime and Justice.

Criminal justice and policing is reserved to the UK Government. However, policing interfaces with a range of devolved areas and we work in a collaborative way with Policing in Wales to support Welsh communities and prevent crime.

The Police, Crime, Sentencing and Courts Act 2022 ("the Act") applies equally to Wales and England. The Act, which was passed by the previous UK Government before the 2024 general election, created a new offence for England and Wales and an accompanying power for the police to seize property (including vehicles) where individuals reside or intend to reside on land with a vehicle. We have been working with policing partners to ensure any potential negative impact on Gypsy and Traveller communities in Wales is limited.

We are concerned about this approach. During the passage of the Act Welsh Ministers repeatedly raised concerns directly to the then UK Government about the provisions and asked them to reconsider the approach. In these exchanges we highlighted that Gypsies and Travellers are an ethnic minority who have been part of Welsh life and history for many hundreds of years. The Welsh Government fundamentally oppose the criminalisation of the Gypsy and Traveller communities. We would prefer to focus on engagement with communities, investment for adequate provision of authorised sites and enabling local authorities to meet residential and transit accommodation needs.

The National Police Chiefs Council have published operational guidance relating to the offence, which emphasises:

1. Police officers must consider their obligations under the Human Rights Act, the Equalities Act, and the Public Sector Equality Duty in their approach to the offence and related power.
2. Any response should be a multi-agency effort, led by the relevant Local Authority and supported by the police.
3. There must be 'significant' disruption or damage before the new offence is committed, so the offence should not be pursued unless significant disruption or damage has taken place.

Now the Act has passed, creating the new offence and power to seize property, it is for individual police forces to decide how to enforce the offence and use the power locally. Chief Constables have operational autonomy over how they deliver the strategic priorities set by Police and Crime Commissioners. We have been encouraging policing partners to take an approach which avoids criminalising Gypsy and Traveller people wherever possible.

Work is ongoing with partners, including Policing in Wales, the Welsh Local Government Association and the Wales Safer Communities Network on protocols for how the offence should be enforced in each area of Wales. The aim of this work is to embed a supportive, proportionate approach to working with Gypsy and Traveller communities across agencies in Wales which avoids criminalisation and supports the protected nomadic way of life which is so important for Gypsy and Traveller people.

We would like to ensure local authorities and police forces in Wales are empowered to take a preventative and supportive approach to unauthorised encampments which avoids criminal enforcement wherever possible.

We are exploring funding a Gypsy, Roma and Traveller stakeholder organisation to undertake facilitated engagement with Gypsy, Roma and Traveller community members to seek their views on the four police forces protocols and to raise the awareness amongst community members of the existence of the protocols in Wales.

The Criminal Justice Board for Wales published the Criminal Justice Anti-racism Action Plan for Wales in 2022. The Plan is jointly owned by Criminal Justice Board for Wales members including Policing in Wales, HM Courts and Tribunals Service, HM Prison and Probation Service, Crown Prosecution Service and Youth Justice Board and sets out seven cross-sector commitments to embed an anti-racist approach to criminal justice by 2030.

Delivery of the Plan is led by a Taskforce which reports directly into the overarching Criminal Justice Board for Wales and supported and scrutinised by an Independent Oversight and Advisory Panel composed of experts with lived experience of racism. Welsh Government is a member of the Taskforce and plays a 'critical friend' role in terms of the Plan's delivery.

The Plan specifically emphasises the need to listen to Gypsy and Traveller communities and to ensure it is delivered in a way which meets the needs of Gypsy and Traveller people alongside other ethnic groups and intersectional considerations.

Annex A

Anti-Racist Wales Action Plan

Leadership chapter	
Goal: To support the capacity and capability of leadership in the Black, Asian and Minority Ethnic peoples	Action: Commission a national training scheme for Welsh local authority housing options teams, and other relevant professionals, to improve the approach taken and support offered to community members seeking help for homelessness and accommodation issues by creating Gypsy and Traveller “champions” or “leads” in each local authority.
Homes and Places chapter	
Goal: To recognise that safe, culturally appropriate accommodation is necessary in order for individuals to flourish in other parts of their lives and to address the lack of site provision and poor quality of Gypsy and Traveller accommodation in Wales.	Action: Create a national network of transit provision to facilitate travelling life, with consideration for negotiated stopping, as appropriate.
	Action: Pilot additional or new ways of funding permanent provision.
	Action: Explore the potential for a mobile home rental scheme run through social housing in order to improve quality and cost of rental provision in Wales.
	Action: Capital requirement for mobile home rental pilot.
	Action: Provide learning and development support to Local Authority Elected Members on Gypsy, Roma and Traveller communities’ culture, needs and strengths. The specification for the service will be drawn up to ensure the support will go beyond awareness-raising and will include anti-racism.
	Action: Commission a three-year pilot programme to provide

	<p>independent, trusted advice to those seeking to develop private sites.</p> <p>Action: Review the current funding policy for Gypsy and Traveller sites and assess its effectiveness, with a view to piloting additional or new ways of funding site provision, including support for private sites.</p> <p>Action: Re-draft the Sites Guidance to ensure that the design and location needs of communities are better reflected in this document.</p> <p>Action: Ensure existing legal mechanisms are fully utilised to ensure compliance with existing legislation.</p>
<p>Goal: To continuously improve our policy-development processes to create anti-racist approaches to all aspects of policy creation.</p>	<p>Action: Continue to run a regular Gypsy, Roma and Traveller stakeholder meeting to inform Welsh Government actions and policymaking.</p>
<p>Goal: To ensure we engage with Black Asian Ethnic Minority communities and our services are delivered in a culturally competent and appropriate way</p>	<p>Action: Support to Black, Asian, and Minority Ethnic communities to access services, advice, and benefits</p>
<p>Crime and Justice chapter</p>	
<p>Goal: To tackle racism through building cohesive and integrated communities.</p>	<p>Action: Review “Managing Unauthorised Camping” to reflect changes to legislation since last reviewed and changes to be brought in under the forthcoming Police, Crime, Sentencing and Courts Bill.</p>
	<p>Action: Work with Policing in Wales on the enforcement of the clauses on unauthorised encampments in the Bill, to ensure that partners in Wales take a progressive and constructive approach to working with Gypsy and Traveller communities.</p>

Agenda Item 5

Local Government and Housing Committee

03 October 2024 – papers to note cover sheet

Paper no.	Issue	From	Action point
3	Provision of sites for gypsy, roma and travellers	Equality and Human Rights Commission	To note
4	Provision of sites for gypsy, roma and travellers	Travelling Ahead	To note
5	Provision of sites for gypsy, roma and travellers	Welsh Government	To note
6	Provision of sites for gypsy, roma and travellers	Allison Hulmes	To note



Committee Clerk
Local Government and Housing
Committee
Welsh Parliament
Cardiff Bay
CF99 1SN

Monday 23 September 2024

Dear Committee Clerk,

Subject: Provision of Gypsy, Roma and Traveller Sites

I am writing ahead of the planned scrutiny of the Cabinet Secretary for Social Justice, Trefnydd and Chief Whip by the Committee on Thursday 3rd October. I wanted to draw your attention to the recently published concluding observations from the United Nations Committee on the Elimination of all forms of Racial Discrimination (the CERD Committee).

The UK state party compliance with the International Convention on the Elimination of all forms of Racial Discrimination was examined in August 2024. Following this, the CERD Committee published a number of recommendations or concluding observations to both the UK and Welsh Governments.

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

The Commission welcomes correspondence in Welsh or English.

Ff/T: 029 2044 7710

E: correspondence@equalityhumanrights.com

Tŷ'r Cwmnïau (Llawr 1af),
Ffordd y Goron, Caerdydd, CF14 3UZ

Companies House (1st Floor),
Crown Way, Cardiff, CF14 3UZ

equalityhumanrights.com



the concluding observations note the slow progress towards adequate provision of culturally appropriate sites for Gypsy, Roma and Traveller communities in Wales.

The CERD Committee states:

Ensure the provision of adequate and culturally appropriate accommodation for Gypsy, Traveller and Roma communities and create more sites and stopping places for these communities.

Our submission to the CERD Committee states:

We note our concern that despite the Housing (Wales) Act 2014 placing statutory duties on local authorities to provide sites, there has been very little progress in Wales. The Public Services Ombudsman Wales found the Welsh Government had failed to use its powers to ensure two local authorities were taking action to meet the accommodation needs of Gypsy and Travellers.

The UK and Welsh Governments will be expected to report on progress towards meeting the concluding observations during the next examination of the State Party.

I include the full report from the EHRC to the CERD Committee and the concluding observations from the Committee.

I hope this will prove useful as part of evidence gathering for the scrutiny session.

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

The Commission welcomes correspondence in Welsh or English.

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Ffordd y Goron, Caerdydd, CF14 3UZ

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Crown Way, Cardiff, CF14 3UZ

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Comisiwn
Cydraddoldeb a
Hawliau Dynol

Equality and
Human Rights
Commission

Yours sincerely,

Ruth Coombs

Head of Wales

Equality and Human Rights Commission

|

Bydd y Comisiwn yn croesawu gohebiaeth yn y Gymraeg a'r Saesneg.

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Ffordd y Goron, Caerdydd, CF14 3UZ

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Crown Way, Cardiff, CF14 3UZ

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Senedd Local Government and Housing Committee

Follow up on Inquiry into the provision of sites for Gypsies and Travellers October 3 2024

Written evidence: Trudy Aspinwall - TGP Cymru: Travelling Ahead Advocacy Service

- 1) As of late 2023, the new Head of Race, Faith, Belief and Gypsy, Roma and Traveller Policy has been in place and a small team was recruited and started in early 2024 working on 'Gypsy, Roma, Traveller' policy issues
This is very welcome and has begun to fill the longstanding gap in capacity which has meant so little progress was previously being made.
They have a huge task, and it will take time for the team to fully develop their knowledge and understanding of the various issues, there has clearly been a gap in continuity and in the organizational memory and the new team will still require time to get up to speed.
- 2) There is now a Capital Sites Grants Officer to liaise with and support local authorities in the development of bids to the capital sites grant, updated grant guidance this year includes positive changes such as the potential to utilize the grant to purchase land in some circumstances, and more emphasis on ensuring that the grants applied for have the support and participation of community members or residents, and that the beneficiaries of these grants are also asked for their views on the works the grant has funded as part of WG monitoring/ managing sign off of the grant spend
We know some grants have been signed off this year, which is really positive, but are also aware of those who will not meet the two funding window this year or who have a significant amount of work to do before they are ready to put in a bid under the grant.
- 3) We know that WG Officers are being as flexible as they can to work with local authorities but there is a huge backlog of unmet need as well as urgent need for refurbishment, repairs and upgrading sites so they are affordable, sustainable, healthy and quality places for families to live, all of which may fall under this grant but will take years to complete. Some of the upgrades necessary e.g. to old sites where residents do not have access to their own utility supplies (and therefore cannot choose their supplier and access fuel poverty support) have huge cost implications over and above what the capital sites grant has in its budget.
We know that urgent refurbishment and repairs needed presented by community members to the original committee inquiry have yet to be addressed in the main
- 4) Additional fuel poverty support in the form of a winter fuel support grant for local authorities to distribute, and a dedicated fund to the Fuel Bank Foundation are welcome, but are short term 'sticking plaster' measures which do not address the longstanding high living costs, systemic poor quality and inequalities disproportionately experienced by tenants on Gypsy and Travellers sites – what is needed is an overall plan and programme of improvements, costed, for all of the accommodation across Wales.
- 5) Whilst there has been some progress on specific actions it is not clear to us externally if the WG has yet set out 'HOW' it intends to support (and monitor) local authorities; there remains no stakeholder group or specific group for local authorities and whilst the ARWAP

is a key driver with some specific actions, there is now no over-arching strategy (such as the Enabling Gypsy, Roma, Traveller Plan for example) which brings together the various elements that are reflected in the Inquiry recommendations.

- 6) The majority of the actions in the ARWAP have yet to be progressed. No guidance has yet been updated with the exception of the capital sites grant guidance mentioned earlier; officials are undertaking a refresh of the ARWAP and held a meeting with various ‘stakeholders’ in the summer to consult on this but the new iteration, with further detail, new timescales and resources has not yet been made public as far as we are aware. Many of those actions require the collaboration or a lead from other departments/divisions in the Welsh Government.
- 7) The commissioning of a new advocacy and advice service is one of the ARWAP actions which have now been completed. Whilst at Travelling Ahead we are delighted to have secured ongoing funding for a more sustainable period of time (to 2027/8) and to be able to continue our work alongside Gypsy, Roma and Traveller communities across Wales you will note from the Ministers letter to the Committee that the objectives are wide-ranging and ambitious. The funding still only supports a small number of staff to work across all of Wales, with multiple communities, and it’s crucial that resources and progress in all the other actions in the ARWAP are urgently progressed as an advocacy service cannot do this alone without wider systemic changes being made by those with the responsibility (and resources) to do so
- 8) Commissioning of a specialist trusted planning advocacy service;
Whilst at Travelling Ahead we are able to offer some support and advocacy through the various stages of the planning process in Wales, and have done so over the last few years with some significant outcomes - helping secure long term residential provision after years of uncertainty for some families – we have limited capacity to both provide this individual support for all those who might need it, or to make the more systemic changes; planning policy, training and working with 22 local authorities to promote new approaches ; our work to date only evidences the need for this additional planning advocacy service to be in place as soon as possible
- 9) **Strengthening monitoring of the legal duty under the Housing Act**
 - The Committee will be aware that the Public Ombudsman issued a Public Interest report in 2024 finding that Welsh Government had failed in its duties to properly monitor local authorities across Wales in the (timely) provision of suitable sites. This is the first time that a public interest report had been published about the actions/inactions of the Welsh Government. The complaint was brought by two families who had an assessed need for site provision since the 2016 GTAA’s were undertaken and where no progress had been made - the Ombudsman found that they had suffered as a result of the failure which had impacted significantly on the families.
[Welsh Government fails to ensure local authorities are providing sufficient accommodation for Gypsies and Travellers - Public Services Ombudsman for Wales](#)

- The GTAA guidance is due to be updated – which is welcome – however the failure of the last two rounds of GTAA’s to ensure adequate progress was being made speaks to the need for a wider range of monitoring tools
We understand that the 2021 GTAA’s have now been signed off– in some cases 3-4 years after they were carried out so are already out of date, it would be useful to see an overview of need that was met in this period and where local authorities have failed to make progress and a broad assessment of unmet need for Wales a whole.
- However as the next round of GTAA’s in the five yearly scheme will restart 24/25 – community confidence in the effectiveness of these assessments remains at rock bottom; there is a need to ensure that the assessments are carried out with community members in a meaningful way, and avoiding over use of private consultancies who are not community based.

Community members need to know that failure to adhere to the legislation carries some kind of consequence for local authorities, currently many Gypsy and Traveller families have had to try and use the various methods of administrative complaints open to them to get any kind of redress – they need to see that the legal duties are being implemented and making a practical difference to their everyday lives through the provision of decent, culturally appropriate accommodation

10) Transit provision

- Most of the GTAA’s that we are aware of, now signed off, did not find a need for transit provision, many spoke about using the ‘negotiated stopping’ model as an alternative but without, to date, providing much leadership or commitment to making this a reality – we understand the Minister has made clear in her meetings with LAs that transit provision MUST be developed and provided; and has met with local authorities at the beginning of the year regarding regional approaches and getting better data and understanding on the need for transit provision
- It is not clear to us externally what the plans and timescales, and membership of these regional groups are; and there is an urgent need for community members to be included in these discussions at all stages; and for anti-racist and human rights-based training for those responsible for developing transit provision – and those developing protocols to provide a rights-based approach to managing encampments and supporting the nomadic way of life. Dialogue with nomadic communities is essential to ensure these policies and processes are actually meeting the needs of families and communities for whom travelling remains an intrinsic part of everyday life.
- Some local authorities are keen to be developing more local provision including stopping places through a negotiated model as well as transit provision – many have reached out to us at Travelling Ahead for advice/guidance/training on these issues as this is not currently available elsewhere – it’s clear that a range of provision is what is needed rather than a focus on formal transit provision only

September 24th 2024



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

John Griffiths MS
Chair, Local Government and Housing Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN
SeneddHousing@senedd.wales

14th August 2024

Dear John,

Thank you for your letter of 20 October following my appearance at the Local Government and Housing Committee on 5 October. I responded to you in November 2023, addressing your questions concerning housing Ukrainian refugees. You had also asked for an update in relation to the provision of Gypsy Roma and Traveller sites.

Please accept my apologies. Although a response was agreed as a result of the following cabinet changes this was not sent to you. Please accept this response as an update in advance of my appearance before the Local Government and Housing Committee on 3 October 2024.

The Anti-racist Wales Action Plan (ArWAP) commitment to pilot independent trusted advice service to those seeking to develop private sites.

Gypsy Roma and Traveller people continue to be amongst our most vulnerable ethnic minority groups. The Welsh Government funds the Travelling Ahead project at Tros Gynnal Plant (TGP Cymru) to deliver advice and advocacy support to Gypsy Roma and Traveller communities. The Advocacy and Advice contract 2017 - 2024 seeks to have a positive impact on people's lives through supporting community members to ensure accommodation security, access services and benefits, and engage with decision makers and public services.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jane.Hutt@llyw.cymru
[@gov.wales](https://twitter.com/Correspondence.Jane.Hutt)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The objectives of the service are to:

- Facilitate equality of opportunity for Gypsies, Roma and Travellers within Welsh society.
- Provide support and connect with expert advice services to help community members integrate effectively into Welsh society, including advocating changes to public processes where necessary.
- Support community cohesion through challenging negative stereotypes and fostering good relations between groups.
- Empower communities and individuals to have a voice and make representations on their own behalf on policy development and any other issues raised.
- Support the Welsh Government to eliminate discrimination and advance equality of opportunity.

We are keen to ensure continuity of this support and have therefore been procuring the new advocacy contract, for the next 3 years, up to the value of £700,000. The contract will be awarded in August 2024 and a new Advocacy and Advice contract will be operational from September 2024.

The ArWAP has been undergoing a refresh and as part of this officials have been working with Gypsy Roma Traveller stakeholders and community members to discuss the revised actions and plans to deliver them.

For 2024-25, there is a budget of £3.44 million for a Gypsy Traveller Sites Capital Grant, the purpose of which is to support site development. It can be used to fund either residential sites or transit sites, refurbish existing accommodation, construct new pitches and improve the sustainability of sites for residents and – new this year – can be used to purchase land for sites. Guidance for Welsh Government Sites Capital Grant for 2024-25 was issued to local authorities in April. 12 bids have been received to date from local authorities, and a further round of bids is expected. We hope to disburse close to 100% of this grant this year.

Discussion with the Minister for Climate Change to include the bias that local authority planners and planning inspectors have against Gypsy Roma and Traveller applications for private sites.

Gypsy Roma and Traveller people experience enormous difficulties with progressing planning applications for private sites.

Gypsy Traveller Accommodation Assessments (GTAAAs) place a duty on local authorities, under the Housing (Wales) Act 2014 to identify and address need to support their local Gypsy Roma and Traveller communities. Officials have been working with Local authorities and all Cycle 2 GTAAAs have been approved – officials have encouraged local authorities to apply to the Gypsy Traveller Sites Capital Grant for financial support to enable the GTAA implementation, where appropriate to do so.

The advocacy service we support – currently implemented by Travelling Ahead, with future years under procurement - can provide support to Gypsy Roma and Traveller clients in relation to planning applications. Officials can work with Travelling Ahead to explore stalled or complex planning applications and raising them with relevant bits of Welsh Government, although final planning decisions remain with the Local Authority.

One of the actions in the Anti-racist Wales Action Plan is to commission a three-year pilot programme to provide independent, trusted advice to those seeking to develop private sites. Officials will be working with Gypsy Roma Traveller stakeholders and community members to scope out the specifics of this pilot to provide the most effective independent planning

advice. This work will include engaging with the a with the Cabinet Secretary with portfolio responsibility for planning.

Gypsy Traveller Accommodation Assessments (GTAA's)

All outstanding GTAA's have been submitted to Welsh Government for the latest GTAA cycle (2016 - 2022), have been approved and local authorities notified.

As part of the scrutiny process, officials have visited both private and local authority sites to understand the challenges associated with site development and planning decisions. Officials have also rolled out a monitoring programme to meet with each local authority to receive updates on how they are addressing the lack of site provisions in their area and as identified in the GTAA's with the aim to improve families living conditions.

Transit sites

My officials met with all local authorities in January to discuss taking a regional approach to the provision of transit sites and collection of associated data around need to inform decision making. Developing a robust evidence base, in collaboration with relevant regional parties and Gypsy Roma and Traveller people will help to ensure that transit provision is located appropriately and can be accessed by those who need it. Discussions include local authorities, Welsh Local Government Association (WLGA), Corporate Joint Committees (CJCs) and Public Services Boards (PSBs). Most immediately, Local Authorities in South-East Wales are commissioning a study to understand transit need regionally. This will support the evidence base used for each local authority's replacement Local Development Plans and may also be used for the Strategic Development Plan and future GTAA if necessary and appropriate.

Engagement with the Gypsy Roma and Traveller community

I continue to meet regularly with WLGA cabinet equality leads, and intend to continue meeting with advocacy groups including community members with lived experience. My officials are also in the process of setting up a Gypsy Roma Traveller stakeholder group which will include Gypsy Roma Traveller stakeholders and community members and will be instrumental in working with us to deliver the ArWAP actions for Gypsy Roma Traveller communities. Gypsy Roma and Traveller stakeholders are also members of our Wales Race Forum and sit on our ArWAP External Accountability Group. I expect to visit a number of communities in the coming months to hear in situ about their lived experience and see how the works planned under the capital grant will make a difference.

I hope the Committee find this information helpful.

Yours Sincerely



Jane Hutt AS/MS

Ysgrifennydd y Cabinet dros Ddiwylliant a Chyfiawnder Cymdeithasol,
y Trefnydd a'r Prif Chwip
Cabinet Secretary for Culture and Social Justice, Trefnydd and Chief Whip



Senedd Local Government and Housing Committee

Follow up on Inquiry into the provision of sites for Gypsies and Travellers October 3rd, 2024 Written evidence: Allison Hulmes (Welsh Gypsy) – Romani & Traveller Social Work Association

1. It is progress to have the policy lead for Race, Faith, Belief and Gypsy, Roma and Traveller Policy in place. This role encompasses a wide range of key areas, and the new lead will need to ensure that focus on the needs of Gypsy, Roma and Traveller people and communities, is not diminished or diluted in such a wide portfolio. This new team has much work to do to establish, trust, deep knowledge of the priorities and in how to properly listen and hear the wide range of Gypsy, Traveller and Roma voices in Wales, as continuity of staffing in this key priority area has been absent.
2. We are pleased to see the role of Capital Sites Grants Officer to support local authorities in bid applications to the capital sites grant, along with revised grant guidance which includes the right to use the grant to buy land with greater scrutiny of the use of the grant, by community member beneficiaries. There remains however, the issue of community applicants missing the available funding windows this year due to the amount of work needed to be able to make a bid under the grant.

3. The significant issue of urgent repairs and refurbishment so eloquently presented by community members to the inquiry in 2022, have yet to be satisfactorily addressed. It is not acceptable and, in our view, inconsistent with human rights and the ambitions of an anti-racist Wales by 2023 that families, including children, elders and those with a disability, continue to live in unsuitable and unhealthy accommodation/sites. Whilst some of the work to repair refurbish accommodation/sites may fall under the grant, the timescales to achieve these is inconsistent with the needs/human rights of community members living under these conditions.
4. Whilst some useful initiatives to alleviate some of the disproportionate levels of fuel poverty experienced by community members living on Gypsy and Traveller sites, these are short term measures. A clear and fully costed plan is needed to direct a programme of improvements for all the accommodation across Wales.
5. How the Welsh Government will scrutinize and hold accountable local authorities for implementing the recommendations of the 2022 Senedd Inquiry, is yet to be revealed. Most actions within the Anti Racist Wales Action Plan (ARWAP) which the Welsh Government regards as the key driver for achieving the recommendations, have not been progressed.
6. A refresh of the ARWAP is being undertaken and officials held a meeting with various 'stakeholders' during the summer. These 'stakeholder' consultations seem to have taken place without a transparent process to ensure that the 'stakeholders' are the right ones. How will the Welsh Government ensure that the new iteration is authentically informed and driven by Gypsy and Traveller voices and when will details about changes, timescales and resource allocation be made public?
7. It is a relief to see that a new advocacy and advice service has at last been commissioned. We are concerned however, that the wide-ranging ambitions the Minister has detailed in her recent letter, seems to be vested in one organization and is not supported by equally ambitious funding to enable this work. The Welsh Government must address the funding gap, and the range of organisations needed to progress the other actions in the ARWAP.

8. The Public Ombudsman, in its Public Interest report in 2024 found that Welsh Government has failed in its duties to properly monitor local authorities across Wales in the (timely) provision of suitable sites. This is the first time that such a report had been published about the failures of the Welsh Government. How does the Welsh Government intend to ensure that robust accountability measures (including enforcement/penalties) are in place to prevent local authorities from breaching statutory duties under Part 3 of the Housing (Wales) Act 2014? [Welsh Government fails to ensure local authorities are providing sufficient accommodation for Gypsies and Travellers - Public Services Ombudsman for Wales](#)
9. There has been huge delay in the signing off, of the 2021 Gypsy, Traveller Accommodation Assessments (GTAA's) and questions must be raised about their continued accuracy. There must be mechanisms to prevent such delays, and a review the suitability of those commissioned to undertake the GTAA's to ensure they are meaningful and fit for purpose.
10. There has been no progress to date on the provision of transit sites meaning that families are still at risk of being criminalised under the Part 4 of the Police, Crime, Sentencing and Courts Act 2022. A range of provision is clearly needed which could include 'negotiated' stopping places. This must be actioned by Welsh Government as a matter of urgency.
11. Welsh government needs to ensure that statutory guidance on managing unauthorized encampments in Wales, is welfare oriented and rights based. The Romany and Traveller Social Work Association has developed such guidance.

Allison Hulmes

26/09/2024