



SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Thursday, 2nd December, 2010 at 10.00 am

(A pre-meeting will take place for ALL Members of the Board at 9.30 am)

MEMBERSHIP

Councillors

- B Anderson (Chair) - Adel and Wharfedale;
A Barker - Horsforth;
G Driver - Middleton Park;
P Ewens - Hyde Park and Woodhouse;
R Grahame - Burmantofts and Richmond Hill;
G Hyde - Killingbeck and Seacroft;
M Iqbal - City and Hunslet;
J Marjoram - Calverley and Farsley;
L Mulherin - Ardsley and Robin Hood;
P Wadsworth - Guiseley and Rawdon;

Please note: Certain or all items on this agenda may be recorded.

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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded.)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting.)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p>	
4			<p>DECLARATIONS OF INTEREST</p> <p>To declare any personal / prejudicial interests for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p>MINUTES - 8TH NOVEMBER 2010</p> <p>To confirm as a correct record the attached minutes of the meeting held on 8th November 2010.</p>	1 - 10
7			<p>SCRUTINY INQUIRY INTO GYPSY AND TRAVELLER SITE PROVISION IN LEEDS</p> <p>Further to the Board's previous considerations, to receive the attached report of the Head of Scrutiny and Member Development and to receive further evidence from witnesses as part of the Board's formal Inquiry.</p>	11 - 336
8			<p>WORK PROGRAMME</p> <p>To receive and consider a report from the Head of Scrutiny and Member Development outlining the Scrutiny Board's work programme for the remainder of the current municipal year.</p>	337 - 366

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p>DATES AND TIMES OF FUTURE MEETINGS</p> <p>Thursday 6th January 2011 Monday 17th January 2011 Monday 14th February 2011 Monday 14th March 2011 Monday 11th April 2011</p> <p>All at 10.00am (Pre-Meetings 9.30am).</p> <p><u>N.B. Please note that the Board meeting previously scheduled for Monday 13th December will not now take place. Instead, the Working Group in respect of the Board's Inquiry into Gypsy and Traveller Site Provision in Leeds will meet on that day – all Board Members welcome to attend.</u></p>	

Agenda Item 6

SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

MONDAY, 8TH NOVEMBER, 2010

PRESENT: Councillor B Anderson in the Chair

Councillors A Barker, G Driver, P Ewens,
R Grahame, G Hyde, M Iqbal, J Marjoram,
L Mulherin and R Procter

46 Exempt Information - Exclusion of the Press and Public

RESOLVED – That the press and public be excluded from the meeting during the consideration of the following parts of the agenda, designated as containing exempt information, on the grounds that it is likely, in view of the nature of the proceedings, that if members of the press and public were present, there would be disclosure to them of exempt information, as follows:-

- Agenda item 10 – Scrutiny Inquiry – Gypsy and Traveller Site Provision in Leeds (Minute No. 52 refers).

Appendix to the report of Chief Officer (Legal, Licensing and Registration) – Agenda Pages 81-90 – Access to Information Procedure Rules 10.4(5) – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings; and

Appendix B to the report of Director of Environment and Neighbourhoods – Agenda Pages 103-106 – Access to Information Procedure Rules 10.4(1) – Information relating to any individual.

47 Declarations of Interest

The following declarations of personal interest were made:-

- Councillor G Hyde – Agenda Item 9 (Minute No. 51 refers) – Budget Analysis for the HRA and General Fund 2010/11 – in his capacity as a Director of Leeds East North East Homes ALMO.
- Councillor G Driver – Agenda Item 9 (Minute No. 51 refers) – Budget Analysis for the HRA and General Fund 2010/11 – in his capacity as a Director of Aire Valley Homes ALMO.
- Councillor R Grahame – Agenda Item 9 (Minute No. 51 refers) – Budget Analysis for the HRA and General Fund 2010/11 – in his capacity as a member of the East North East Homes ALMO Inner East Area Panel and also in his capacity as a former Chair of Swarcliffe PFI.

- Councillor R Grahame – Agenda Item 7 (Minute No. 49 refers) – The Future of Council Housing – in his capacity as a member of the West Yorkshire Pension Fund (Agenda Page 23, Paragraph 10.5 refers).

(See also later Minute No. 51.)

48 Minutes - 11th October 2010

RESOLVED – That the minutes of the meeting held on 11th October 2010 be confirmed as a correct record.

49 The Future of Council Housing

The Board considered the report of the Director of Environment and Neighbourhoods, first submitted to the Executive Board on 3rd November 2010.

In attendance at the meeting, and responding to Members' queries and comments, were:-

- Neil Evans, Director of Environment and Neighbourhoods.
- John Statham, Strategic Landlord Manager, Environment and Neighbourhoods.
- Claire Warren, Chief Executive, West North West Homes ALMO.

In brief summary, the main points of discussion were:-

- The proposed composition of the Strategic Governance Board – This was proposed to comprise the Executive Member (Neighbourhoods and Housing), the Chairs and Chief Executives of the three ALMOs, the Chair and the Chief Executive of the Belle Isle Tenant Management Organisation (BITMO) and the Director of Environment and Neighbourhoods. The strategic role of the Board was explained. The proposed formal Terms of Reference of the Board would be the subject of a further report to the Executive Board in March. Members were assured that the day to day operation of Council housing would remain the responsibility of the ALMOs.
- The proposed Shared Services Centre, and the potential savings which could be achieved by avoiding the current duplication of functions and processes across the three ALMOs.
- The proposed rationalisation of the ALMO boundaries to make them coterminous with Ward boundaries. Only a few hundred properties would be directly affected by the proposed changes.

The Chair indicated that the Scrutiny Board wished to be kept informed and updated as the proposals progressed. The Board would also wish to receive

a report once the Government's intentions were clearer regarding the future of Council housing, the HRA and future proposed rent levels.

RESOLVED –

- a) That the report, and the decisions of the Executive Board taken on 3rd November 2010, be received and noted.
- b) That this Board be updated as proposals progress, and also receive a report in due course once the Government's intentions on the future of Council housing become known.

(NB: Councillor R Procter joined the meeting at 10.08 am, during the consideration of this item.)

50 Dog Control Orders

The Board considered the report of the Director of Environment and Neighbourhoods, first submitted to the Executive Board on 3rd November 2010.

In attendance at the meeting, and responding to Members' queries and comments, were:-

- Neil Evans, Director of Environment and Neighbourhoods.
- Stacey Campbell, Team Leader, Health and Environmental Action Service.

In brief summary, the main points of discussion were:-

- Whether the limit on the number of dogs which could be walked by one person should be six, in line with DEFRA guidelines, or restricted to four.

Members regarded that six dogs was too high a figure, even for professional dog walkers, and were mindful that in the survey carried out by the Council, 68% of respondents felt that four or less dogs was the maximum number which one person could safely control and clean up after.

Officers made reference to the DEFRA guidelines, which was no more than six dogs. It was regarded that the size and response to the survey, allied to the fact that most complaints received referred to a greater number of dogs than six, did not provide sufficient justification for ignoring the DEFRA guidelines. The situation was open to review after, say, six months in operation.

- The list of playgrounds appended to the report where Orders would apply. Members stated that this was not a comprehensive list, and also queried the arrangements in open spaces where the children's playgrounds were not fenced off.

It was explained that the list comprised the playgrounds controlled by the Parks and Countryside Division. In the case of unfenced children's playgrounds, special attention would be paid to the wording of the signs to make it clear exactly which areas were covered by the Orders. The dogs on leads by direction of an authorised officer provisions would also assist in terms of enforcing the Orders.

The Chair requested that all 99 Councillors be circulated the list of playgrounds proposed to be the subject of the Orders, so that any possible omissions could be identified.

- The numbers of staff who would be enforcing the new Orders – currently eighty staff were authorised and fully trained to issue fixed penalty tickets, and ten more existing staff would be trained, bringing the total to ninety. The new Orders would be in operation early in the New Year.

The Chair indicated that the Board wished to receive an update report in due course, when the new Orders had been in operation for, say, six months, including details of all enforcement action taken and how effective this had been.

In summing up, the Chair congratulated Stacey Campbell and her team regarding this initiative and the work done to date. Following on from the Board's previous Inquiry into this matter, he regarded that the action now being taken was a good example of a Scrutiny Board working in partnership with the Executive to achieve a positive outcome.

RESOLVED –

- a) That the report, and the decisions of the Executive Board taken on 3rd November 2010, be received and noted.
- b) That this Board recommends that the number of dogs which can be walked by one person should be reduced from six to four.
- c) That this Board monitor the situation and receive an update report when the new Dog Control Orders have been in operation for 6 months, to include details of all enforcement action taken under these Orders, and how effective they were deemed to have been, prior to a report being presented to the Executive Board on this matter.

51 Budget Analysis for the Housing Revenue Account and General Fund 2010/11

Further to Minute No. 40, 11th October 2010, the Director of Environment and Neighbourhoods updated the Board regarding the key variances and the proposed outturn figures for 2010/11, as at the end of Period 6 (30th September 2010), in respect of both the HRA and the Directorate General Fund. The report also included relevant extracts from the reports submitted by the Director of Resources to the Executive Board meeting held on 3rd November 2010, concerning the Government's Comprehensive Spending Review and the half-yearly report on Financial Health Monitoring 2010/11.

In attendance at the meeting, and responding to Members' queries and comments, were:-

- Neil Evans, Director of Environment and Neighbourhoods.
- Richard Ellis, Head of Finance, Environment and Neighbourhoods.

In brief summary, the main points of discussion were:-

- The involvement of the Board in the preparation of the Directorate's 2011/12 budget. It was reported that the Council's broad financial strategy would be the subject of a report to the Executive Board in December, after which the Executive's initial budget proposals would be available for Scrutiny. Constitutionally, this gave the Scrutiny Boards in excess of the required six week period to consider the Executive's proposals and to make any recommendations by mid-January 2011 for the Executive Board to consider at the end of January or early February.
- The loss of parking revenue, and possible strategies to try to reduce the loss or explore new sources of income, e.g. charging for street parking in more areas. Reference was also made to land currently belonging to Primrose Hill High School, and whether or not this might be utilised for parking, given its proximity to St James' Hospital. The Director undertook to follow the issue up.
- The projected staffing overspend, the reasons behind this and the Council's current redeployment policy.
- The demise of Yorkshire Forward and the effect on the Employment Leeds initiative.
- Current difficulties being experienced across the City with the recently introduced revised refuse collection rounds. The Board requested an update report at the December meeting.

RESOLVED – That, subject to the above comments and request for a report back, the report be received and noted.

52 Scrutiny Inquiry - Gypsy and Traveller Site Provision in Leeds

Draft minutes to be approved at the meeting
to be held on Tuesday, 23rd November, 2010

Further to Minute No. 41, 11th October 2010, the Head of Scrutiny and Member Development submitted a report updating the Board on progress in respect of this Inquiry, including the notes of the Working Group meeting held on 20th October 2010. The notes and reports relating to the Working Group's latest meeting, held on 1st November 2010, would be submitted to the Board on 2nd December. The Working Group was scheduled to meet again on 15th and 29th November, at 12 noon, and all Board Members were welcome to attend.

In attendance at the meeting, and responding to Members' queries and comments were:-

- Bridget Emery, Head of Housing Strategy and Solutions.
- Phil Crabtree, Chief Planning Officer.
- Robin Coghlan, Team Leader - Policy, City Development.
- Rehana Minhas, Director of Equality and Entitlement, Education Leeds.
- Claire Lockwood, GRT Achievement Service, Education Leeds.
- Andrea Richardson, Interim Head of Early Years Service.
- Jayne North, Cottingley Children's Centre.
- Ian Spafford, Head of Community Services and Litigation, Legal Services.
- Karen Blackmore, Team Leader, General Litigation, Legal Services.
- Shaid Mahmood, Locality Pathfinder Manager and SE Area Manager, South East Area Management.

In brief summary, the main points of discussion were:-

Planning Issues

- Planning was involved with gypsy and traveller sites in various ways. These were set out at Paragraphs 2.5 to 2.10 of the attached report of the Chief Officer, Legal, Licensing and Registration (Agenda Pages 74 and 75 refer).
- From some of the witnesses heard to date, and from previous discussions and exchanges with the Leeds Gypsies and Travellers Exchange (GATE), the preferred option being expressed by the local gypsy and traveller community was for the Council to provide several smaller sites around the City rather than one large one or the extension of the existing Cottingley Springs site. However, there were different views, even amongst the gypsy and traveller community. Any proposals would be subject to full public consultation processes, reports to the Development Plans Panel and the Executive Board, and possibly also a Public Inquiry as part of the process of adopting the Council's core planning strategies.

- A private application for a small site in Gildersome had recently been approved, and two more were in the system, one in Thorner and one in Chapel Allerton. The Planning Department was also involved with a site in Ardsley and Robin Hood Ward, which had previously been the subject of a Stop Notice and High Court injunction.
- The legal definition of a 'pitch' in relation to a caravan site. – Was a pitch a concrete slab accommodating one van, or could it be a larger slab for more than one van? The officers reported that, currently, there was no legal definition of what constituted a pitch. For planning purposes, it was interpreted as a slab for one van and associated equipment and lorries, and a site might comprise of several pitches. However, at Cottingley Springs, each pitch was sometimes used to accommodate up to four vans housing various family members. Officers indicated that they would try to provide further clarification.

Children's Services Issues

- The Race Relations Act aspects of the Council's duties and responsibilities towards the gypsy, Roma and traveller (GRT) community were explained and explored, as was the need to try to tackle issues as a package – site provision, educational needs and health and welfare matters – none of these could be effectively addressed in isolation.
- The current role of Children's Services and Education Leeds was also explained and examined, including the role of outreach workers, both at Cottingley Springs, and in respect of itinerant travellers, either passing through or moving around Leeds.
- Members expressed concern at the seemingly laissez faire attitude to formal education prevalent amongst the GRT community, about anecdotal evidence of girls not being encouraged to attend secondary education, and the quality and consistency of any home education arrangements which may be in place. Members requested a breakdown by gender of the current statistics held by Education Leeds.
- Taxi charges – The officers stated that the cost of taxis to transport GRT children to school was not disproportionate to the overall costs.
- It was confirmed that GRT youngsters aged 16-18 were included in the NEET statistics, but, clearly, tracking them was challenging.

General Issues

- Site design was briefly discussed, and the provision of semi-permanent brick units at Cottingley Springs which provided kitchen and bathroom facilities for some pitches, plus, in some cases, a small living space.

- Members expressed frustration at the seemingly never ending cycle of problems, legal action and associated costs linked, in the main, to very few itinerant families who moved within Leeds, and the disproportionate costs, problems and frustrations caused. Many of the families wanted to be, indeed to all intents and purposes were, part of the community, but either exhibited or suffered a range of problems. There had to be a local solution.
- The Director of Environment and Neighbourhoods stated that, realistically, the Council was unlikely to come up with a solution that would deal with all current problems. In particular, gypsies and travellers passing through the Council's area were always likely to be a problem. If the current Inquiry came up with a possible solution to the recurring problems which Members had alluded to, then that, by itself, might be regarded as a success. Whilst the Council's duties and responsibilities represented one side of the equation, the other side was the need for the gypsy and traveller community itself to face up to its responsibilities, for instance in terms of illegal dumping and school attendance.

RESOLVED – That the evidence received today be taken into account in preparing the Board's draft Inquiry Report, and the officers be thanked for their attendance and the manner in which they have responded to Members' queries and comments.

(NB: Councillor J Marjoram joined the meeting at 11.10 am, during the consideration of this item.)

53 Work Programme

The Head of Scrutiny and Member Development submitted the Board's work programme, updated to reflect decisions taken at previous meetings, together with a relevant extract from the Council's Forward Plan of Key Decisions for the period 1st November 2010 – 28th February 2011 and the minutes of the meeting of the Executive Board held on 13th October 2010.

RESOLVED – That, subject to any changes necessary as a result of today's meeting, the work programme be approved.

54 Dates and Times of Future Meetings

Thursday, 2nd December 2010.
 Monday, 13th December 2010.
 Monday, 17th January 2011
 Monday, 14th February 2011
 Monday, 14th March 2011
 Monday, 11th April 2011

All at 10.00 am (Pre-Meetings at 9.30 am).

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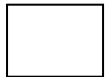
Report of the Head of Scrutiny and Member Development

Scrutiny Board (Environment and Neighbourhoods)

Date: 2nd December 2010

Subject: : Inquiry on Gypsy and Traveller Site Provision within Leeds

Electoral Wards Affected: All



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

1.1 The main purpose of the Scrutiny Board meeting today is to hear from a number of witnesses who have been invited to give evidence to the Board's inquiry on gypsy and traveller site provision within Leeds.

2.0 Witnesses

2.1 The following witnesses have been invited to attend to day's meeting to give evidence to the Board's inquiry:

- Ms Helen Jones, Director, Leeds Gypsy and Traveller Exchange (GATE)
- Spokesperson from the gypsy and traveller community described by GATE as roadside travellers
- Ms Michelle McGill, Chair, The New Wortley Residents Association
- Mr Xavier Chevillard, Secretary, The New Wortley Residents Association
- Resident from Ardsley and Robin Hood Ward

3.0 Gypsy and Traveller Working Group

3.1 Since the last Scrutiny Board meeting the Gypsy and Traveller Working Group has met on 1st and 15th November 2010 and a note of those meeting and the reports which were considered are attached for the Board's attention.

3.2 A further meeting of the Gypsy and Traveller Working Group will also be held on 29th November 2011 and a note of that meeting and any reports and other information that is provided will be tabled at today's meeting.

4.0 Recommendations

4.1 Members are asked to

- (i) hear from and ask questions of the witnesses attending today's Board meeting.
- (ii) receive the meeting notes of the Gypsy and Traveller Working Group meetings held on 1st, 15th and 29th November 2010 and the reports and other papers which were considered at these sessions.
- (iii) Identify any further witnesses the Board would like to hear from before concluding its inquiry.
- (iv) consider what, if any, further information the Board would like to receive before concluding this inquiry.

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**Meeting of Scrutiny Board (Environment and Neighbourhoods)
Gypsy and Travellers Working Group held at 2pm
on 1st November 2010**

Present:

Councillor B Anderson (BA), Chair
Councillor R Grahame (RG)
Councillor G Hyde (GH)
Councillor L Mulherin (LM)
Councillor P Ewens (PE)

Others Present

Councillor D Blackburn (DB), Spokesperson Green Party Group
Councillor R Pryke (RP), Spokesperson Liberal Democrat Group
Councillor T Leadley (TL), Morley Independent Member
Councillor P Gruen (PG) Executive Board Member, Neighbourhoods and Housing
Chief Superintendent Mark Milson (MM), West Yorkshire Police Divisional
Commander City & Holbeck
Chief Inspector Jim McNeil (JM), West Yorkshire Police, Leeds Community Safety
David Stephens (DS), PC3218, West Yorkshire Police, Leeds Community Safety
Ms B Emery (BE), Head of Housing Strategy and Solutions
Ms K Murray (KM), Travellers Service Manager
Mr I Spafford (IS) Head of Community Services & Litigation
Ms K Blackmore (KB) Team Leader, General Litigation Team
Mr R Mills (RM) Principal Scrutiny Adviser

No	Note	Action
1.0	Introduction and Welcome	
1.1	The Chair welcomed everyone to the meeting and briefly referred to the agenda and the issues before the Working Group.	
2.0	Note of Last Meeting	
2.1	Members approved the note of the meeting of the Working Group held on 20 th October 2010.	
3.0	Matters Arising	
3.1	There were no matters arising that were not included on the meetings agenda.	
4.0	Confidential Items	
4.1	A discussion took place regarding the confidential nature of the joint report of the Chief Officer Legal and Licensing and Registration and Director of Environment and Neighbourhoods, considered by Leader Management Team on 15 th July 2010. A copy of this report had been provided to the West Yorkshire Police as witnesses to this inquiry. The representatives from the West Yorkshire Police agreed to hand these confidential papers back to the Principal Scrutiny Adviser at the end of the meeting.	

5.0 Witnesses

- 5.1 The Chair invited witnesses to comment on the Board's inquiry and to give their perspective on the issues, problems and concerns they have in dealing with unauthorised and authorised encampments in the city on a regular basis.

West Yorkshire Police

- 5.2 (MM) by way of introduction stated that the issue of unauthorised encampments had proved to be an intractable problem and happened on a regular basis in the city. He was well aware of the deep seated concerns within communities when unauthorised encampments occurred. There were often environmental issues and criminal damage on sites where unauthorised encampments took place. This was unacceptable and West Yorkshire Police often had to address a criminal element on these sites. The Police always endeavored to work with the Council in a pragmatic way to assess each situation in order to determine how quickly the gypsies and travellers would be moved. They also worked with all the agencies to provide the necessary support for the gypsies and travellers whilst occupying an unauthorised site. It was a fact that it did not matter whether the police or Council sometimes got something wrong as both were blamed. He also accepted that Police divisions were not averse to passing the problem of an unauthorised encampment to another area in the city.
- 5.3 (MM) referred to the pressures placed on the Police and Council staff to act quickly when an unauthorised encampment was reported, and outlined some of the reasons delays and conflicts that can occur between the police and other agencies.
- 5.4 (MM) did not have a particular view on the provision of additional pitches but thought this may ease the situation. Similarly a transient facility for vehicles passing through the city would help them to take action more quickly. He stated that whatever the Council wished to do to try and address the current situation of moving a number of families from one site to another in the city, the Police would take a supportive position.
- 5.5 (RG) referred to a former Executive Board Member who had suggested that the Council was looking at particular sites in the city for another gypsies and travellers site which was not true.
- 5.6 (LM) suggested that the Police were not always completely helpful. Whilst they might be good at contacting Council officers they did not always speak to or involve elected members when illegal encampments occurred.
- 5.7 (GH) asked the police representatives whether additional official sites would help. (MM) responded that there were strengths and weaknesses in this approach, but a transient site would allow the Police to move more quickly because they would have a location to take the gypsies and travellers to.

- 5.8 Reference was made to the use of Section 61 of the Criminal Justice and Public Order Act 1994 and the joint protocol between the Council and West Yorkshire Police on this matter. This Section gives power to the police to direct persons to leave land and remove vehicles in circumstances where there are more than 6 vehicles on the land or persons are causing damage and or disruption. A discussion took place on the powers which can be used to address the problem of unauthorised encampments and reference was made to the information provided in the joint report submitted to the Council's Leader Management team
- 5.9 (DS) and (MM) referred to the fact that Section 61 was subject to a degree of subjectivity in terms of its interpretation and application.
- 5.10 (DB) referred to the "not on my patch" mentality and the need for the Police to work closely with officers and members of Council when unofficial encampments occur. (MM) referred to the more robust and consistent approach being applied across the city ensuring early assessment of the site, identifying problems and working with all the agencies to achieve a satisfactory conclusion. (MM) expressed a view that you would expect the community to be massively intolerant towards an illegal encampments but this was often not the case. Similarly crime figures and anti social behavior was not as big a problem as might be expected on these sites.
- 5.11 (TL) expressed the view that Section 61 should not be used because there were no alternative sites for gypsies and travellers to be taken to.
- 5.12 (PE) expressed concern at the costs associated with moving gypsies and travellers around the city.
- 5.13 (LM) referred to the maps showing illegal encampments which had taken place in the last 12 months within the city. She asked that the department provide a map showing illegal sites for the past 3 years which was **agreed**.

BE/KM

Executive Board Member

- 5.14 (PG) thanked the Environment and Neighbourhoods department for providing this working group with the information it had requested for the Board's inquiry. He referred to a number of issues which needed to be considered and addressed including:
- The national perspective as to what the new Government Guidelines on funding and philosophy for gypsies and travellers sites will be
 - The regional perspective and the fact that the problem was not just Leeds based but had a regional dimension to it that required us to work with the City Region to come up with solutions. He referred to the initiative being undertaken by Wakefield Council to endeavour to provide another gypsies and travellers site in their area and the fact that Kirklees and Calderdale have no provision.

- The legal and police perspective and the advice of Counsel and the difficulties in sustaining the current situation of moving families who want to stay in Leeds from illegal encampment to illegal encampment
- The economic factors that the city had suffered 7,000 illegal days of occupation of sites by gypsies and travellers. It was estimated that the Council between 2003 and 2010 had spent at least £2m in moving families on from unauthorised site to unauthorised site in the city. Is this value for money and what is the true cost of this approach?
- The fact that that this current policy is unsustainable in that the current economic climate and spending review requires the Council to look at local options and solutions which are not necessarily revolutionary but could be applied incrementally that would help break the current cycle.

5.15 (RG) referred to the 25 families waiting for a pitch at Cottingley Springs and the large numbers on the waiting list for Council housing.

5.16 (BA) referred to the 25 families waiting for a pitch and the fact that 1600 caravans are estimated to pass through Leeds each year. He expressed a view that some of the pitches on Cottingley Springs (which can accommodate up to 4 caravans) could be divided into two in order to provide an increase in the number of pitches that are available.

BA

5.17 (BA) asked what size a pitch had to be and whether there was a definitive definition. He would raise this at the Scrutiny Board meeting on 8th November as the planning officers would be giving evidence to this inquiry at that meeting

Political Group Spokespersons and Morley Independent Councillor

5.18 (TL) referred to the fact that Cottingley Springs was an unsuitable location as it was not near any local services and isolated from the community as a whole. He would not recommend this site being made any larger and would favour smaller sites being provided in the community for gypsies and travellers. He referred to the fact that in Morley North a small piece of land had been purchased privately and pitches provided for 3 modern gypsy caravans. When the planning application for this site was submitted there had been no objections. There was an increase in the number of unauthorised encampments occurring in Morley. (DB) had similar views regarding the Cottingley Springs site.

5.19 (RP) expressed concern at the number of caravans allowed on each pitch at Cottingley Springs. (IS) referred to the fact that this had been allowed and was set out in the license agreement.

5.20 The Police stated that Cottingley Springs was a difficult site to manage and could be better designed from a policing perspective. It required them to deploy a significant number of resources when they were required to attend the site because it was so large.

5.21 (LM) expressed concern that creating smaller sites may result in the doubling up of caravans as many gypsies and travellers had large families.

5.22 (GH) asked for clarification as to the GTAA report and how the figure of 48 additional pitches was assessed and identified as being needed in Leeds. (GH) also enquired about the numbers of gypsy and travellers that are Leeds based, and require pitches.

BE/RM

5.23 (BA) **Agreed** that Ryan Powell the report author of GTAA be asked to attend the next working group or provide details of how the conclusions in the report were arrived at.

5.24 (PG) suggested that a number of options could be included in the Board's final inquiry report concerning Cottingley Springs, the provision of smaller sites, the use of private land and other initiatives that could be brought forward.

5.25 A number of comments were made about the legal costs of removing illegal encampments and whether costs were awarded against the gypsies and travellers for clearing up the sites and carrying out necessary repairs. Do we pursue their assets such as vehicles? Do we work with Inland revenue and other relevant agencies to recover costs whenever it is feasible to do so? (IS) stated that costs were recovered when it was possible to do so but possession orders required them to be served on an individual person and often they were not identified. (IS) stated that he was prepared to pursue this issue further.

5.26 (RP) stated that he was in favour of the provision of smaller sites for gypsies and travellers. They do contribute to the economy. At the same time the Council has a responsibility to reduce the number of illegal encampments. He expressed concern at the criminal damage done to playing field and parks as a consequence of illegal encampments.

5.27 (BA) thought that more work could be done to work with the residents at Cottingley Springs and the surrounding community to integrate more with each other through the Information exchange.

5.28 (DB) stated that the Cottingley Springs site on Gelderd Road was very isolated and although it was in his ward it was not connected at all. There was intolerance despite the fact that there were a lot of good people on the site.

5.29 A Member asked about the provision of a transient site and who would enforce gypsies and travellers to move on. The police stated that it could be operated on a 3 day limit with signs posted to that effect after which time they would be moved on.

6.0 Information Requested at the last Meeting

6.1 The following information requested at the last meeting was circulated and noted by Members of the Working Group

- a. West Yorkshire Gypsy and Traveller Accommodation Assessment (GTAA)
- b. Press release from the Department of Communities and Neighbourhoods dated 11th October concerning the rights for travellers who play by the rules and protection for Councils.
- c. The consultation results on the inclusion of travellers sites into the Mobile Homes Act.
- d. License Agreement for Cottingley Springs.
- e. Map of the sites at Cottingley Springs and one showing the land surrounding the sites which is owned by LCC.
- f. Map showing unauthorised encampments over past 12 months.

7.0 Supplementary Information

- 7.1 The following additional supplementary information was circulated and noted by Members of the Working Group
- g. Map 11069 which had been circulated had now been withdrawn. The land near to the farm is no longer LCC owned. A new map had been provided 11069/A which shows the correct land now owned by the Council.
 - h. Leeds Gypsy and Travellers Exchange (GATE)
 - Information about Leeds GATE
 - Memorandum of Association of Leeds GATE
 - Articles of Association Leeds
 - i. Confidential Joint report attached of the Chief Officer Legal Licensing and Registration and the Director of Environment and Neighbourhoods which was considered by Leader Management Team on 15th July 2010. The Working Group was advised that the confidential legal parts of the report were:
 - Para 6 whole paragraph
 - Para 7.1 whole sub paragraph
 - Para 7.6 last two sentences
 - Para 7.7 last sentence
 - Para 7.8 whole paragraph
 - Para 9 whole paragraph
 - Para 10 the words from " but as quickly as possible" to the end of the sentence
 - j. Paper on gypsies and travellers sites showing the average number of caravans per residential pitch

8.0 Agenda Content for Next meeting and Witnesses

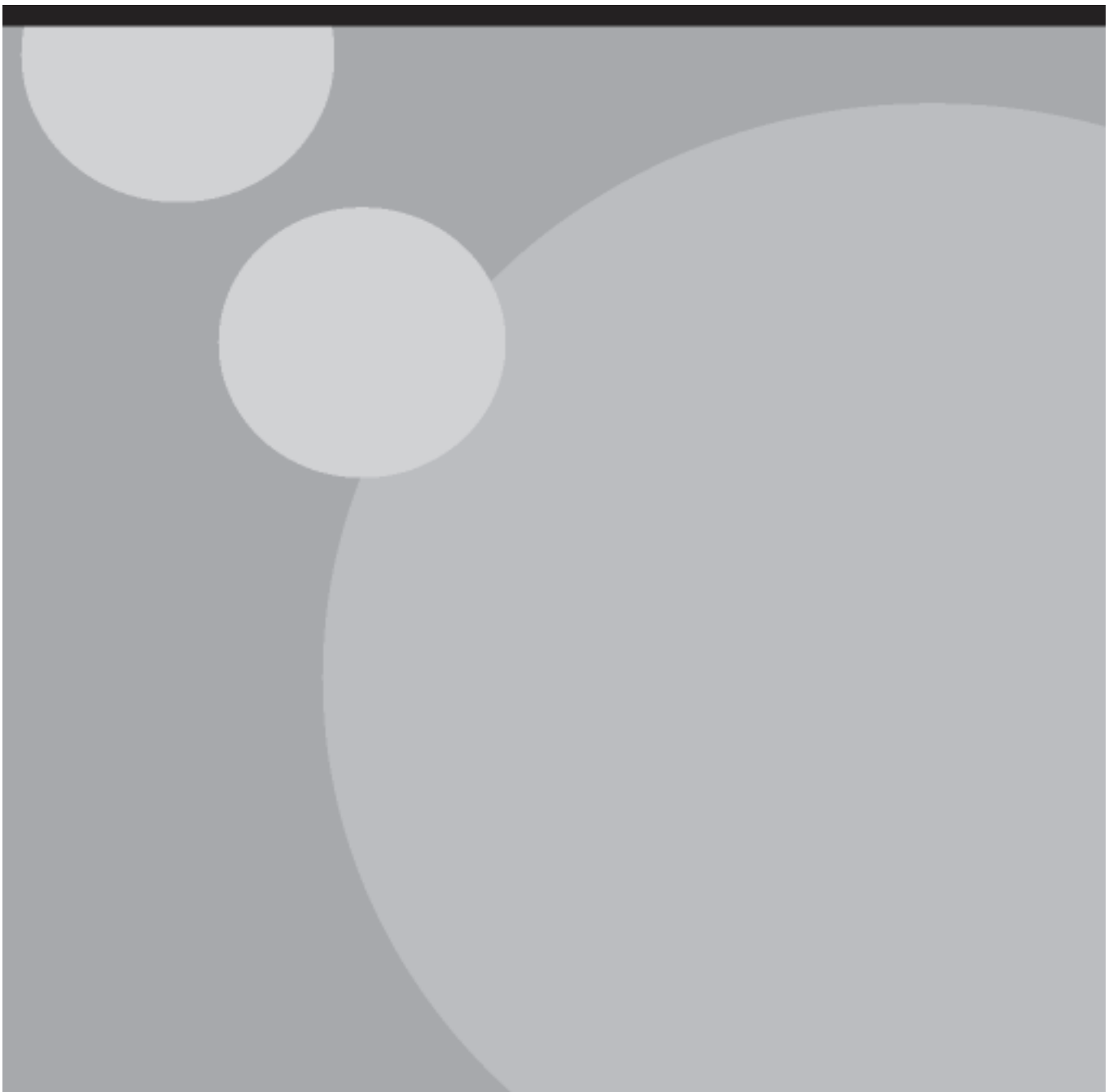
- 8.1 It was agreed that this be determined by the Chair of the Working Group.

9.0 Date and Time of Next Meeting

- 9.1 It was noted that the next meeting of the Working Group would be held on 15th November at 12noon in Committee Room 3 Civic Hall.

Consultation on Implementing the Mobile Homes Act 1983 on local authority Gypsy and Traveller Sites

Summary of responses



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Introduction

The Housing and Regeneration Act 2008

Section 318 of the Housing and Regeneration Act 2008 will amend the definition of a protected site in the Mobile Homes Act 1983 to remove the exclusion of land occupied by a local authority as a caravan site providing accommodation for Gypsies and Travellers – referred to throughout this document as a ‘local authority Gypsy and Traveller site’.

This will mean that the Mobile Homes Act 1983 will apply to these sites and rights and responsibilities of residents living on them will be brought into line with those of residents living in similar caravan site accommodation, such as private Gypsy and Traveller sites and park home sites. This is in response to the ruling by the European Court of Human Rights in the case of *Connors v United Kingdom* (2004) that the lack of procedural safeguards to eviction on local authority Gypsy and Traveller sites breached article 8 of the European Convention for Human Rights, which provides a right to respect for private, family and home life.

The consultation

During the passage of the Housing and Regeneration Act 2008 through Parliament, Communities and Local Government held a number of events across the country with both local authorities and Gypsies and Travellers to explain the provisions of the Mobile Homes Act 1983, and to seek feedback on applying them to local authority Gypsy and Traveller sites. The feedback from these events helped inform the consultation paper *Implementing the Mobile Homes Act on local authority Gypsy and Traveller sites*. The consultation closed on 19 December 2008.

The consultation paper sought views on:

- whether some of the provisions of the Mobile Homes Act 1983 needed to be amended for local authority Gypsy and Traveller sites
- how we move from a position where existing residents have licences under the Caravan Sites Act 1968 to one where they have agreements under the Mobile Homes Act 1983
- other transitional provisions that we may need in applying some of the provisions of the Mobile Homes Act 1983 to existing site residents.

There were 52 responses to the consultation, these came from:

- 30 local authorities
- four county councils
- two groupings of local authorities
- one regional grouping of local authorities and a Registered Social Landlord
- one Arms Length Management Organisation
- seven organisations representing Gypsies and Travellers (including one that responded jointly with other organisations)
- one academic
- one professional organisation
- one group representing park home residents
- four responses from legal service and advice organisations or individual lawyers.

Respondents were generally supportive of the proposals put forward in the consultation. In addition, many raised points or commented on issues that were relevant to the implementation of the Mobile Homes Act on local authority Gypsy and Traveller sites, but went beyond the confines of the consultation questions.

The Government's response

This response is divided into five parts. The first three parts summarise the consultation questions and responses to them, and set out the Government's response. These follow the order in the consultation paper:

Part 1: Applying the Mobiles Homes Act 1983 provisions to local authority Gypsy and Traveller sites

Part 2: Moving from licences to agreements

Part 3: Other transitional provisions

Part 4 summarises and responds to additional comments or concerns raised by respondents and Part 5 addresses the issue of transit sites under the Mobile Homes Act 1983.

Jurisdiction for determining disputes

In July 2010 the Government announced that (subject to approval of Parliament) it will transfer jurisdiction for dispute resolution and other

proceedings arising out of the provisions of the Mobile Homes Act 1983 from the county court to Residential Property Tribunals.¹

This response therefore refers to the Residential Property Tribunal where appropriate.

County council Gypsy and Traveller sites

Since January 2005 the Mobile Homes Act 1983 has applied to agreements to station a caravan on a county council Gypsy and Traveller site.

The Mobile Homes Act 1983 applies to an agreement to station a mobile home on a 'protected site' where it is to be occupied as the person's only or main residence (section 1 of the 1983 Act). In section 5 of the 1983 Act, the definition of 'protected site' excludes land occupied by 'local authorities' (borough and district councils) as a caravan site providing accommodation for Gypsies and Travellers. Until 2005 county council sites in England were not 'protected sites'; the definition of 'protected site' was amended by section 209 of the Housing Act 2004 to include county council sites, with effect from January 2005.

The Government is aware that there has been some debate about whether or not county councils in England are currently excluded from the Mobile Homes Act 1983 – as other 'local authorities', district and borough councils in England certainly are. That the definition of a 'local authority' in the Act does not include county councils in England is certain, however, what is less clear is the Parliamentary intention in not including county councils in the definition of 'local authority'. In considering the implementation of section 318 it has been necessary for the Government to decide what the current legislative position is and to consider the powers it has in relation to the implementation of section 318.

Following detailed consideration of the issue, the Government has concluded that it does not have the power to apply the modified form of the Mobile Homes Act 1983 proposed in our consultation to existing occupiers of county council Gypsy and Traveller sites in England.

When issued, the consultation was understood by the Department to include county councils as well as district and borough councils. County councils were consulted. Therefore, applying the amendments to the Mobile Homes Act 1983 set out in this summary of responses to new agreements to station a caravan on a county council Gypsy and Traveller site (made after the commencement of section 318 of the Housing and Regeneration Act 2008) would be possible and we will do this. However, the Government cannot implement any transitional

¹ See, *Dispute resolution under the Mobile Homes Act 1983: Summary of responses and further consultation* and, Written Ministerial Statement - 14 July 2010: *Park Homes Reforms*, Hansard column 28WS.

arrangements for existing residents of county council sites in England when it brings section 318 of the Housing and Regeneration Act 2008 into force.

This is the Government's interpretation of the Mobile Homes Act 1983 and the Government cannot impose this view on county councils. County councils should consider seeking their own legal advice as to the best way forward in relation to the agreements they have with existing residents on their Gypsy and Traveller sites.

Part 1

Applying the Mobile Homes Act 1983 to local authority Gypsy and Traveller sites

Questions 1 to 5 asked for views on applying certain provisions in the Mobile Homes Act 1983 to local authority Gypsy and Traveller sites.

Assignment

The implied terms of the Mobile Homes Act 1983 enable a resident that either sells their caravan, or gives it to a family member, to pass on (or assign) the agreement to live in the caravan on the pitch to the person that buys it or it is given to, providing that the site owner approves of that person. Where the caravan is sold, the site owner can claim a commission up to a maximum rate fixed by law (currently 10 per cent of the sale price).

At the engagement events held during the passage of the Housing and Regeneration Act 2008 concerns were expressed about the right to assign. These views were set out in the consultation document and are as follows:

- a market in local authority pitches could be created, with pitches being occupied by those most able to pay, rather than those most in need of a pitch
- assignment could undermine or cut across local authority allocation policies
- that the decision by a site owner to refuse approval for someone to occupy a pitch might result in court proceedings
- that it would not be appropriate for a local authority (as the site owner) to charge commission on the sale of a caravan.

In response, the consultation paper offered two options for dealing with assignment:

- **Option 1:** to not apply the implied terms of the Mobile Homes Act 1983 dealing with assignment to local authority Gypsy and Traveller sites; or

- **Option 2:** to amend the implied terms of the Mobile Homes Act 1983 to require that, in considering whether to approve a person to whom a resident on one of their Gypsy and Traveller sites proposed to assign their agreement, the local authority would be required to consider the needs of other Gypsies and Travellers in their area, as well as those of the proposed assignee.

Question 1: Which of these two options do you think the Government should pursue to deal with the issues raised by assignment?

Of the 42 respondents that answered this question, 26 preferred Option 1 (15 local authorities, four county councils, four organisations representing Gypsies and Travellers, one academic, one professional organisation, one legal advice organisation) while a smaller but not insignificant minority of 16 (all local authorities and county councils) preferred Option 2.

Most respondents to the consultation agreed with the assessment of the issues that could arise if assignment was allowed on local authority Gypsy and Traveller sites. Respondents also made a number of additional comments in opposition to assignment in general:

- assignment could result in conflict with sites becoming dominated by one family or group, with pressure possibly being brought to bear on other residents to assign their agreements
- there are already problems with people attempting to buy pitches from current residents and assignment could exacerbate this
- the existing test in the Mobile Homes Act 1983, which provides that approval for an assignment can only be withheld where reasonable, probably does not reflect the need catered for by local authority allocation policies or practical site management concerns
- potential site residents might have to wait longer on the waiting list for a local site

and against the second option in the consultation paper:

- it would be very difficult and impractical for the local authority to weigh up the circumstances of the proposed assignee and those on the waiting list for a pitch and the decision could result in judicial review.

Amongst those that supported Option 2 the main reason given was local discretion with the ability for local authorities to allow assignment but with safeguards. However, respondents called for there to be clear guidance from central government on acceptable grounds for refusing a potential assignee. One local authority said it already operated a similar policy; another that

problems would only arise when people from outside the area appeared to be jumping the queue through assignment. One local authority said that residents on its sites were in favour of the right to assign, another that to take away a right that is available to park home residents could be regarded as discriminatory.

Other options

Six respondents (one local authority, one legal practice, one advice organisation and three organisations representing Gypsies and Travellers) argued that residents on local authority Gypsy and Traveller sites should have options for assigning agreements similar to those available to local authority secure tenants. They referred particularly to the possibility of assigning an agreement to someone who would be entitled to succeed to it. One of these six respondents (a local authority) also argued that residents should also be allowed to assign pitches through exchange (which would be subject to the agreement of the relevant local authorities). This would facilitate movement between sites without the need for anyone to lose their pitch agreement and security of tenure.

A further option suggested by one respondent (from the legal profession) was to leave the implied terms relating to assignment unchanged. This respondent argued that there need to be very good reasons to treat Gypsies and Travellers differently in this respect. They argued that there was no hard evidence to back up some of the claims about the negative effects of assignment and that assignment will be to those in need of a pitch or else the transaction would seem to be an unlikely one.

Government response

The purpose of removing the exclusion for local authority Gypsy and Traveller sites from the Mobile Homes Act 1983 is to bring rights and responsibilities on these sites into line with others living on residential caravan sites. We have only suggested changes to the provisions where we believe they could have an adverse impact on these sites, or to fully reflect circumstances on them. The Government is concerned about the potential for the provisions on assignment as they currently exist having an adverse impact on local authority Gypsy and Travellers sites, and therefore believes that the case for not applying these provisions is justified.

The Government will adopt Option 1 and not apply the provisions in the implied terms of the Mobile Homes Act 1983 on assignment to local authority Gypsy and Travellers sites.

Not including the right to assign in the implied terms is a simple way to protect pitches on local authority sites as a valuable resource for those who are unable to develop their own sites or afford pitches on privately rented sites and who

might otherwise end up on unauthorised sites. Not applying the provisions on assignment will ensure that the implied terms are consistent with local authority allocation policies. Local authorities, site managers and current and potential site residents will know where they stand. The majority of respondents agreed with this approach.

If they wished, local authorities could include, in the express terms of new agreements, provisions on assignment – whether the same rights as in the Mobile Homes Act 1983 or one of the other options proposed by respondents. Where local authorities have already included a similar right in the terms of their licences on their sites, the relevant terms will remain valid (see Part 2).

Succession

The Mobile Homes Act 1983 provides that if a resident dies then their spouse, or another member of their family living with them when they die, will inherit the agreement to live in the caravan on the pitch. If there is no family member living with the resident when they die, the person that inherits the caravan (either through a will, or under the laws of intestacy) can sell the caravan and assign the agreement to live in the caravan on the pitch to the person that buys it, with the approval of the site owner. The person that inherits the caravan does not have the right to live in it on the pitch, or give it to a member of their family, unless the site owner agrees.

The right for a person who inherits a caravan to sell it and assign the agreement raises similar issues to the general right to assign. If the site owner doesn't approve the assignment, or doesn't approve the person that inherited the caravan living on the pitch, it could also mean that pitches are left empty at a time when there is a chronic shortage.

We therefore proposed that the provision relating to succession where no family member is living with the resident when they die should not be applied to local authority Gypsy and Traveller sites. The right for a family member living with the resident when they die to succeed to the agreement would remain.

Question 2: Do you agree with the proposal that the provision in the Mobile Homes Act 1983 relating to succession where no family member is living with a resident when they die should not be applied to local authority Gypsy and Traveller sites whichever option we pursue in respect of assignment generally?

A majority, 44 out of a total of 47 respondents, agreed with this proposal for the reasons given in the consultation.

Two respondents (an organisation representing Gypsies and Travellers and a local authority), did not agree with the Government's particular proposal because they did not think any provision for succession in the Mobile Homes

Act 1983 should apply to local authority Gypsy and Traveller sites. The organisation representing Gypsies and Travellers argued that pitches could be passed on within families in perpetuity, taking them out of circulation as public provision. The local authority argued that succession would reduce the site owner's ability to allocate pitches according to need. One other respondent (a local authority) did not agree with the Government's proposal but did not give a reason.

A small group of respondents thought that the issue of empty pitches could be avoided by removing the bar on the person inheriting the caravan having the right to live on the pitch. However, they still agreed with the consultation proposal as it would stop people who have not been living on the pitch and who may have no pressing need for it being able to succeed to it.

Respondents who supported the consultation proposal (as well as those who disagreed with succession) also highlighted the fact that the Mobile Homes Act 1983 does not limit the number of successions to an agreement. These respondents argued that this could result in an agreement being passed down within a family in perpetuity, regardless of any changes in circumstance or of any need for that pitch amongst the wider Gypsy and Traveller community. Various proposals were offered for limiting succession and suggestions for different limits on the number of times a pitch could be passed on.

Respondents also suggested that a family member (other than a spouse or civil partner) in order to qualify as the successor to the pitch should have lived with the resident before they died for a minimum period of time, as under a local authority secure tenancy. The minimum period suggested varied from 3 to 12 months.

Some respondents raised concerns about whether a 'common-law husband or wife' could succeed to an agreement. Others maintained that step children should be able to succeed to the agreement, while others asked for confirmation that children under 18 years of age could not succeed as they cannot enter into a legal agreement.

There was acknowledgement that better records had to be maintained about who was actually living on a pitch in order to avoid disputes about succession, but also concern that these changes should be properly communicated to residents, through Citizens Advice for example.

Government response

After careful consideration, the Government will not amend the terms of the Mobile Homes Act 1983 (Section 3 (3)(b) and 4) relating to succession, where no family member is living with a resident when they die.

This is because the Government does not believe that Section 318 of the Housing and Regeneration Act 2008 provides the powers necessary to amend

the main body of the Mobile Homes Act 1983 in this way. The other amendments set out in the consultation, such as the amendment to the right to assign an agreement, will be made by an Order under section 2A of the Mobile Homes Act 1983 as they are amendments to the implied terms of the Act. Section 2A allows the implied terms of the Act to be amended by the Secretary of State following a period of consultation.

The Government is aware that respondents supported the proposal in the consultation to amend the terms on succession where no family member is living with the resident when they die and that there were concerns about succession in general. It is unlikely that succession (by its nature) will be a frequent issue on local authority Gypsy and Traveller sites (unlike, potentially, assignment), however, the Government will keep the succession provisions in the Mobile Homes Act 1983 (as it relates to social site provision for Gypsies and Travellers) under review and will consider what further measures it can take if there is evidence that they are proving to be problematic on public Gypsy and Traveller sites.

Response to other comments on succession

While it would be theoretically possible for a family to pass on an agreement in perpetuity, the Government does not propose at this time to limit the number of times an agreement can be passed on through succession or require that a family member must have lived with a resident for a certain period prior to their death in order to succeed to the agreement.

Restricting the number of successions to an agreement, or requiring that the family member must have lived with the resident for a certain period of time prior to their death in order to succeed to the agreement could result in a resident that has been living on a pitch having to move to an unauthorised site. Although this would potentially free up the pitch for allocation to someone from the waiting list for the site, this will not necessarily help reduce levels of unauthorised camping overall.

The Mobile Homes Act 1983 does not include (as the term is not recognised in law) 'common-law husband or wife' in the list of family members in section 5(3) but it does include those who 'live together as husband and wife or as if they were civil partners'. It also includes step children.

In relation to whether a minor can be granted, assigned or succeed to an agreement under the Mobile Homes Act 1983, landowners and occupiers ought to seek their own legal advice. However, the prohibition against a minor only applies to ownership of legal estates; it does not apply to licences.

The Government will ensure that advisory organisations, such as Citizens Advice, are informed of the changes that will take place on local authority Gypsy and Traveller sites, including those with regard to succession.

Re-siting a caravan

We are aware from the bids that we have received for Gypsy and Traveller Sites Grant that the repair and improvement works necessary on some local authority sites can be extensive, in some cases requiring residents to be temporarily relocated whilst repairs are undertaken.

We therefore proposed that as well as being able to require a resident to move their caravan to a pitch on the same site, local authorities should be able to require residents on Gypsy and Traveller sites to move their caravan to a pitch on a different site.

Question 3 – Do you agree with the proposal to amend the implied terms to enable local authorities to require a resident on one of their Gypsy and Traveller sites to move their caravan to a pitch on another site as well as another pitch on the same site, for example when they need to carry out repairs?

A large majority of respondents agreed with this proposal, 42 out of 46.

The four respondents (two organisations representing Gypsies and Travellers and two legal service and advice organisations) who were not wholly in favour of the proposal argued that there seemed little point in changing a provision that had presented no problems before. However, they considered that if this amendment was implemented, safeguards should be in place in the Mobile Homes Act 1983 to protect residents.

Many of those in favour of the proposal, in principle, were also concerned that there should be safeguards in the implied terms of the Mobile Homes Act 1983 to protect the interests of residents on local authority Gypsy and Traveller sites.

The proposed safeguards were:

- a presumption should be that residents will be moved within their own site
- the move should be time-limited
- there should be a guaranteed right to return
- local authorities should maintain responsibility for the residents that are temporarily relocated
- the site to which residents are temporarily relocated should be within reach of schools, hospitals and other services
- local authorities should pay the financial costs of relocation

- home loss and disturbance payments should be made to residents
- residents should be fully consulted.

One respondent suggested that the local authority would need to ensure that people are moved to sites where they will be compatible with existing residents in order to comply with the duty on the local authority under the Crime and Disorder Act 1998 to do all it can to reasonably prevent crime and disorder in its area. If necessary there should be the ability to move residents to sites outside the local authority area.

One respondent was concerned that changing this implied term should not weaken the protections for those living on park homes sites that are already covered by the Mobile Homes Act 1983.

Government response

The Government will amend the implied terms of the Mobile Homes Act 1983 to enable local authorities to require residents on their Gypsy and Traveller sites to move their caravan to a pitch on another site, as well as another pitch on the same site to provide the flexibility necessary to undertake extensive refurbishment works.

Where caravans are already re-sited under the terms of the licence on the date section 318 comes into force, the implied terms in the Mobile Homes Act 1983 relating to re-siting of caravans would not apply to those caravans (see Part 3).

While the desire for safeguards is understandable, the Act already has safeguards in place:

- There is already a form of guaranteed right to return. Paragraph 10(2) of Part 1 of Schedule 1 specifies that if the owner requires a resident to station their caravan on another pitch in order to carry out repairs to the base, if the resident requires, or the court (or in future, the Residential Property Tribunal) on the application of the resident orders this, the caravan must be returned to the original pitch on the completion of the replacement or repairs. However, putting a time limit on a re-location could result in residents being moved back on to a site even if the refurbishment works are not complete, which could endanger their health and safety.
- Paragraph 10(1)(a) and 10(1)(b) of Part 1 of Schedule 1 also specifies that pitches to which residents are moved should be broadly comparable to their original pitch, and that it should be reasonable for the mobile home to be stationed on another pitch for that period.

- Paragraph 10(3) of Part 1 of Schedule 1 also specifies that the owner shall pay all the costs and expenses incurred by the occupier in connection with his mobile home being moved to and from another pitch. Residents would need to take legal advice if they felt they were due other financial compensation as a result of the move.

It will be for the local authority to consider, in consultation with residents, whether it is more practicable for residents to be relocated temporarily to other pitches on the site or to another site based on the extent of the works and the welfare of residents. However, we understand that where residents have been temporarily relocated to another site, residents are usually moved to the same temporary site, rather than being disbursed to any vacant pitches on existing sites in the area.

The Mobile Homes Act 1983 requires residents to be consulted about improvements to sites and the Government expects residents to be fully consulted about improvements to sites, including temporary relocation. As with all the other amendments we are making to the Mobile Homes Act 1983, this will only apply to Gypsy and Traveller sites; the rights and responsibilities of park home residents will not be affected.

Site owner's responsibilities for repairs

The Mobile Homes Act 1983 requires the site owner to repair the base (or hardstanding) on which the caravan is stationed. However, on Gypsy and Traveller sites, other facilities, such as amenity blocks, will usually be provided by the local authority on the pitch. We therefore proposed to amend the implied terms to clarify that authorities will be responsible for repairing any amenities provided by them on the pitch, as well as the base.

Question 4: Do you agree with the proposal to amend the implied terms to clarify that local authorities will continue to be responsible for repairing any amenities provided by them on the pitch as well as the base?

Every respondent to the question agreed with this proposal, most without comment. However, some respondents wanted some clarification about who would be held responsible for repairing shared facilities or communal areas, boundary walls and fences, and who should pay for damage caused by residents that was beyond 'fair wear and tear'.

Government response

The Government will amend the implied terms in the Mobile Homes Act 1983 to clarify that local authorities will continue to be responsible for repairing any amenities provided by them on the pitch, as well as the base.

Paragraph 21(c) and (d) of Part 1 of Schedule 1 specify that the resident is responsible for keeping the mobile home in a sound state of repair and for maintaining the outside of the mobile home, and the pitch, including all fences and outbuildings belonging to, or enjoyed with it and the mobile home, in a clean and tidy condition.

Paragraph 22(c) specifies that the site owner is responsible for repairing the base, maintaining utilities or other services supplied by them to the pitch or caravan.

Paragraph 22(d) specifies that the site owner is responsible for maintaining in a clean and tidy condition those parts of the site, including access ways, site boundary fences and trees, which are not the responsibility of any of the residents. This would normally include any shared facilities or communal areas.

We have also proposed to amend the definition of 'essential repair and emergency works' to specify that these works include repairs to amenities provided by the local authority on the pitch, as well as to the base (see Question 5).

Question 5: Do you agree with the proposal to amend the definition of 'essential repair and emergency work' in the implied terms to specify that these works include repairs to amenities provided by the local authority as well as the base (or hardstanding)?

As with Question 4, all respondents agreed with this proposal while requesting clarity about who would be responsible for paying for repairs that are beyond 'fair wear and tear'. One respondent wanted the definition extended to include works essential to conform to other legislation such as the Disability Discrimination Act.

Government response

The Government will amend the definition of 'essential repair and emergency work' in the implied terms to specify that these works include repairs to amenities provided by the local authority, as well as the base (or hardstanding).

Paragraph 10(4) of Part 1 of Schedule 1 defines 'essential repair or emergency works' as works or repairs needed to comply with any relevant legal requirements.

Part 2

Moving from licences to agreements

Gypsies and Travellers currently occupy pitches on local authority sites under licences under the Caravan Sites Act 1968. The terms of these licences are a matter for individual local authorities. Under the Mobile Homes Act 1983 pitches will be occupied under an agreement. This agreement will consist of the implied terms that are in Part 1, Schedule 1 of the Mobile Homes Act 1983 and any express terms already included in the existing licence (eg the location and size of the pitch, the services provided, the pitch fee etc). Where a new agreement is entered into, a written statement of the terms of the agreement must be given to the resident 28 days before the agreement is made, or less if the resident agrees.

Where residents move onto a site after section 318 has been commenced the local authority will need to make an agreement with them, and provide a written statement 28 days before this. However, the provisions of the Mobile Homes Act 1983 also need to be applied to existing residents on sites. The consultation presented two options for moving from licences to agreements:

- **Option 1:** Local authorities would be required to make agreements under the Mobile Homes Act 1983 with existing licence holders by a specific date. If a local authority failed to make an agreement by the specified date residents would be deemed to have an agreement (as in Option 2).
- **Option 2:** All existing licences would be deemed to be agreements to which the Mobile Homes Act 1983 applies from the date section 318 of the Housing and Regeneration Act 2008 is brought into force. They would therefore include all of the implied terms in the Mobile Homes Act 1983, as well as the terms already in the licence.

The consultation paper also referred to a working group the Department proposed to establish to prepare a model agreement for local authority Gypsy and Traveller sites. The model agreement would seek to include some standard express terms on issues that are frequently covered in licences, such as behaviour on site and short term absence from site.

Question 6: Which of the two options do you think is the better option for moving from licenses to agreements? Do you agree with the assessment of the pros and cons of each option? Is there a further option we have not identified?

Out of the 48 respondents who answered this question, 46 preferred Option 1. One respondent (a local authority) preferred Option 2, but gave no reason. One respondent disagreed with both options arguing that licences should be maintained (see Part 4).

There was general agreement with the assessment of the pros and cons of each option.

The model agreement

Many respondents expressed their support for the idea of producing a model agreement and there was a consensus that it should be ready in advance of when residents would have agreements under the Mobile Homes Act 1983.

One respondent was concerned about the costs that could result from the provision in the Act that enables the resident to apply to the court for an order to change the express terms in the agreement during the first six months of an agreement. They proposed that the model agreement working group should therefore agree to any changes to the express terms rather than the court.

Government response

Having considered the responses and practicalities of both Options, upon reflection, the Government plans to proceed with a modified Option 2.

Existing residents on local authority Gypsy and Traveller sites

On the date section 318 of the Housing and Regeneration Act 2008 comes into force all existing licences will automatically become agreements to which the Mobile Homes Act applies. The implied terms of the Mobile Homes Act 1983 will be automatically incorporated into existing licences and the terms of the licence will automatically become the express terms of the agreement.

A requirement to provide a written statement to existing residents

In order to ensure that existing residents on local authority Gypsy and Traveller sites are aware of their rights and responsibilities under the Mobile Homes Act 1983, the Orders will include a requirement that local authorities provide existing residents with a written statement of the agreement within 28 days of section 318 coming into force. **If the written statement is not provided within 28 days of section 318 coming into force, the express terms of the agreement will be unenforceable.** This requirement will not apply to county councils.

A model agreement

A model agreement that would provide a set of standard express terms was suggested by the Department in the consultation as a way to reduce the burden on local authorities if the Government required that new agreements, containing new express terms, were made with existing residents (Option 1 of Q6). There will be no requirement to agree new express terms with existing residents and this takes away the need for a centrally produced model agreement. Instead, local councils will be compensated for fulfilling the requirement to issue a written statement to residents and to amend agreements for new residents on county council sites.

The Government is aware that terms in some existing licences may, as they become express terms, conflict with the implied terms of the Mobile Homes Act 1983. The implied terms strengthen residents' rights and the Government believes that disputes over terms are unlikely. Although there will be no right for existing residents to apply to the Residential Property Tribunal to vary or delete express terms in the agreement (as provided for in section 2(3) of the Act for new residents), in the event of a dispute either party will be able to apply to the Residential Property Tribunal for resolution under section 4 of the Mobile Homes Act 1983.

The local authority will only be able to vary or delete the express terms in the agreements of existing residents if the resident agrees to re-negotiation of the terms.

New residents on local authority and county council sites

Residents who move onto a pitch and make a new agreement on a local authority or county council site after section 318 comes into force will have an agreement that consists of the implied terms of the Act and any express terms agreed between the local authority and the resident.

Local authorities and county councils have an opportunity between now and the commencement of Section 318 to consider whether the terms used in their licences would still be appropriate as express terms in agreements with new residents.

If potential new residents agree, the written statement can be given to them on a date that is less than 28 days before the agreement is made. We suggested in the consultation paper that local authorities could provide the written statement to Gypsies and Travellers on their waiting lists to help meet this requirement.

Part 3

Other transitional provisions

The consultation outlined a number of additional transitional provisions that it was envisaged would be required when the implied terms in the Mobile Homes Act were applied to existing residents of local authority Gypsy and Traveller sites.

However, as set out in Part 2, as the implied terms of the Mobile Homes Act 1983 will be incorporated into existing licences, actions being undertaken under these licences when section 318 comes into force remain valid. Transitional provisions will also be required for actions under the licence that are ongoing when section 318 comes into force. Other transitional provisions will deal with those situations where the site owner or occupier cannot comply with certain obligations in the Mobile Homes Act 1983 on 'day 1'.

The transitional provisions are as follows:

- The implied terms in the Mobile Homes Act 1983 relating to termination will not apply to existing occupiers or to site owners where termination proceedings started before the commencement date.
- The terms relating to re-siting of a mobile home will not apply to a mobile home that is re-sited on the commencement date or where the process of re-siting it has already begun.
- Terms relating to pitch fee reviews will not apply where the pitch fee review date in the licence falls within 28 days of the commencement date.
- Matters to be considered when determining the new pitch fee will not include works relating to improvements to the site carried out before the commencement date.
- Obligations on the occupier to keep the mobile home in a sound state of repair and to maintain the outside of the mobile home and the pitch in a clean and tidy condition will only apply 3 months after the commencement date – although any terms relating to this in the licence (that will become the express terms in the agreement) may still apply.

- The requirement on the occupier to provide documentary evidence of any costs or expenses for which the occupier seeks reimbursement will not apply in relation to costs or expenses incurred before the commencement date.
- The requirement on the site owner to consult residents on improvements to the site or to consult a residents' association on matter relating to the site will not apply to improvements or matters that took place within the first 28 days following commencement.

Below is a summary of responses to the questions in the consultation that related to transitional provisions. The Government's response to each highlights any actions local authorities should take before or around the time when section 318 comes into force.

Breaches of licence relevant to the agreement

In order to ask the court to terminate the agreement, the local authority would be required, under the implied terms of the Mobile Homes Act 1983, to write to the resident asking them to remedy the breach. We proposed that where a local authority had written to a resident asking them to remedy a breach of a licence before the commencement date, that the local authority could begin proceedings, if necessary, to terminate an agreement without having to write to the resident again after that date.

<p>Question 7: Do you agree with this approach to breaches of a licence relevant to the agreement?</p>

Respondents agreed with this proposal mostly without comment. However, some respondents were concerned that the process of making an agreement only to terminate it would be a difficult concept to explain to those affected.

A few respondents thought the resident should still be written to again. One respondent (a group of local authorities) maintained that it would be more reasonable to write to the resident again.

Three local authorities raised the question of determining whether the term that was breached in the licence was also in the agreement but as the terms in the licence will automatically become the express terms in the agreement this will not be an issue.

Government response

Where a term of the licence has been breached and the local authority has written to the resident, but has not begun termination proceedings when section 318 is commenced the local authority would have to write to the resident again. This is because the implied terms of the Mobile Homes Act 1983, which require that the resident is written to, would apply once section 318 comes into force.

In order to avoid the confusion that could be caused by a resident receiving a written statement about the Mobile Homes Act 1983 agreement and then receiving a notice seeking to terminate it, we would recommend that the local authority accompany the written statement on the agreement with a letter. This should remind the resident that their licence had been breached and that while the local authority was obliged to provide them with a written statement they would still be pursuing the breach.

Overpayments

We proposed that any overpayments made under a licence which might cover the period after an agreement was terminated could be recovered under the implied terms of the Mobile Homes Act 1983 when the agreement was terminated.

Question 8: Do you agree with the proposal that residents should also be able to use the implied terms to recover any payments made under a licence that might cover the period after an agreement is terminated?

All those who responded to this question agreed with the proposal mostly without comment.

One respondent wanted assurance (to ensure that all rent and other payments were paid) that the termination date of the agreement is the date when the resident actually leaves the pitch.

Some respondents agreed to the proposal on the condition that any payments owed by the resident to the local authority, or money to pay for repairs to damage beyond 'fair wear and tear' could be deducted from any overpayments due to be paid back to the resident.

Government response

As the licence will automatically become an agreement, paragraph 7 of Part 1 of Schedule 1 of the Mobile Homes Act 1983 will provide for recovery of overpayments. Residents will be able to use the implied terms to recover any payments made under the licence that might cover the period after an agreement is terminated.

The termination date of the agreement is the date the agreement ends. Under the Mobile Homes Act 1983 residents are required to give notice of not less than four weeks to terminate the licence or agreement. It may therefore be unlikely that there will be an overpayment where a resident moves on after giving notice. If a resident moves on before the end of the notice period any payments made covering the period until the notice expires would not be an overpayment unless the site owner waives the notice requirement.

Where the agreement has been terminated by the court, the site owner is likely to have sought a possession order at the same time, and so the date the agreement ends is likely to be the date the court decides the resident is no longer entitled to remain on the pitch.

Pitch fees – review dates

The implied terms of the Mobile Homes Act 1983 require the pitch fee to be reviewed annually, on the review date, and include a presumption that the pitch fee will not change by more than any percentage increase or decrease in the retail price index (RPI) since the last review date.

We proposed that where a licence included a pitch fee review date this would continue to be the review date in the agreement, to ensure that there would not be more than one pitch fee review in a year. If the licence did not include a review date then for the purposes of calculating the change in RPI, we proposed that the last pitch fee review date should be a year prior to whatever review date is included in the agreement.

Question 9: Do you agree with the proposal that if a licence includes a review date for the pitch fee, this date should continue to be the review date in the agreement?

Do you also agree that if no review date is included in a licence then the last review date for the purposes of calculating the change in RPI should be a year prior to whatever review date is included in the agreement?

All except one response to this question agreed with both proposals. One respondent disagreed with the second part of the proposal, but gave no reason. Of those who commented many said they had a review date in their licences and would continue to use the same date in the agreement.

Respondents took the opportunity to set out their own policies on pitch fee reviews, for example, carrying out reviews on 1 April, or at the same time as social housing rent reviews. One respondent thought that changes in pitch fees should be allowed at other times of the year, with appropriate notice, if required in an emergency.

One respondent was concerned about the need for the agreement of residents to any proposed change to the pitch fee and expected that any proposed increase would attract objections.

Two respondents were concerned about an increase being in line with RPI, one respondent said they currently fixed their increases to the Housing Revenue Account increase which is usually higher than RPI. Another thought that the increase would need to be higher than RPI to pay for any damage caused by residents.

Government response

Licences will automatically become agreements. This means that where the licence includes a review date that date will continue to be the pitch fee review date in the agreement.

The implied terms of the Mobile Homes Act 1983 require the site owner to serve on the occupier a written notice setting out the proposals in respect of the new pitch fee. Where the licence included a pitch fee review date this will be in the express terms of the agreement. If the review date in the express terms falls within the first 28 days following commencement of section 318 the requirement to serve notice will not apply.

The pitch fee review date must be included in the written statement. Where the licence does not include a written review date:

- If the licence is verbal or the pitch fee review date has been agreed verbally that will be the review date in the agreement.
- If there is no review date in the licence but the local authority has previously reviewed the pitch fee, the date that review took place should be taken as the pitch fee review date and included in the written statement.
- If there has never been a pitch fee review, the local authority should use a date that is reasonable, for example the anniversary of the date when the pitch was first occupied.

The Mobile Homes Act 1983 protects residents from having their pitch fee reviewed more than once a year; it would be difficult to define what emergency situation would justify the local authority increasing the pitch fee more frequently and to justify putting the burden of this emergency on to residents.

There is scope for the site owner to increase the pitch fee above RPI if this increase is to cover expenditure on site improvements which were for the benefit of the residents (site improvements must have been consulted upon and a majority of residents must not have disagreed with them in writing). If residents do not agree to the pitch fee increase then the local authority can refer the matter to the Residential Property Tribunal for a decision. It would be unlikely that there would be any justification for disputing a proposed increase which was limited to the RPI, unless the resident identified (and the tribunal agreed) that there had been a decrease in the amenity of the site.

The implied terms which allow the site owner to take into account expenditure on site improvements when considering the pitch fee review will not apply to improvements made before section 318 comes into force.

Pitch fees – housing benefit

Question 10: Do you agree with the proposal to delay applying the implied term in the Mobile Homes Act 1983 that makes the presumption about pitch fee changes and the RPI to county council Gypsy and Traveller sites until after the Department for Work and Pensions has made the changes necessary to resolve the anomaly in the way housing benefit is paid for these sites?

Government response

The Housing Benefit and Council Tax Benefit (Amendment) (No. 2) Regulations 2008 were laid in Parliament by the Department for Work and Pensions on 6 November 2008 and came into force on 6 April 2009. Rents on county council sites will now only be referred to the rent officer for determination if the local housing authority considers them to be excessive. In the event, these regulations have come into force before section 318 is commenced.

Improvements proposed before agreement

The Mobile Homes Act 1983 requires the site owner to consult residents about improvements to the site in general and, in particular, about those which the owner wishes to take into account when determining the amount of any new pitch fee. We proposed that improvement works already proposed prior to the Mobile Homes Act 1983 being implemented on local authority sites and which residents had been consulted on could be continued without the further consultation that would be required under the Act.

Question 11: Do you agree that where a local authority has already consulted residents on proposed improvements to a site prior to an agreement being made they should not have to consult them again, as the implied terms would require?

All respondents to this question agreed to the proposal. Those who did comment thought that further consultation could delay planned site improvements.

Government response

A transitional provision will provide that further consultation will not be required for improvement works that start before or within 28 days of the commencement of section 318.

In some circumstances local authorities may be required to consult again under the terms of the Mobile Homes Act 1983 on improvements that were proposed, but not started, before the commencement of section 318.

The implied terms of the Act state that the site owner must give 28 days notice in writing of the proposed improvements which:

- describes the proposed improvements and how they will benefit the occupier in the long and short term
- details how the pitch fee may be affected when it is next reviewed; and
- states when and where the occupier can make representations about the proposed improvements and takes into account any representations made by the occupier about the proposed improvements.

Local authorities should already be consulting residents about site improvements as a matter of good practice. Consultation with residents in advance of improvements proposed to start between now and when section 318 comes into force should ensure that any delays can be kept to a minimum.

Other transitional provisions

Question 12: Do you think there are any other implied terms under the Mobile Homes Act 1983 which may require transitional provisions?

Respondents suggested five additional transitional provisions. These proposals are set out in italics below along with the Government's response.

Where a local authority has already commenced legal action for eviction against a current licensee and the legal action has not been concluded at the date the new agreement is due to take effect, there should be a provision that enables the legal action to continue in its present form notwithstanding the changes which are about to or have come into effect.

Government response

Where the local authority has terminated the licence before the commencement date the person would not therefore have a licence on the date that section 318 is commenced and would not have an agreement when section 318 comes into force. Without an agreement the person will not be covered by the terms of the Mobile Homes Act 1983. **As already indicated, where termination, rather than eviction or possession, proceedings are underway when section 318 comes into force, these proceedings can continue.**

The 14 days notice, referred to in paragraph 14 of the implied terms, needs to be suspended as in the lead up to implementation local authorities may need to enter at shorter notice to, for example, bring non-essential repairs up to scratch.

Government response

Although paragraph 14 of Part 1 of Schedule 1 to the Mobile Homes Act 1983 requires the site owner to give the resident 14 days notice of entry to their pitch for any reason other than delivering written communication, reading utility or service meters or carrying out essential or emergency works, where the occupier agrees, less notice can be given. We do not therefore think that such a transitional provision will be required.

Paragraph 21 of Part 1 of Schedule 1 to the Mobile Homes Act 1983 may need a 'lead in' time for occupiers to bring the outsides of mobile homes and pitches up to standard.

Government response

Paragraph 21 of part 1 of Schedule 1 to the Mobile Homes Act 1983 requires residents to maintain the outside of the mobile home, and the pitch in a clean and tidy condition.

As already indicated, the Government will put in place transitional provision that will provide that this requirement will not be enforceable for 3 months after section 318 comes into force – this will ensure that occupiers do not find themselves immediately in breach of the agreement.

Arrangements will have to be put in place to address those licence-holders who will not/do not sign the new agreements. The licence should be negated and the new agreement should not come into effect until it is signed. If licensees do not sign or cannot be found, then their licences should be automatically revoked by the new legislation and they become illegal occupants.

Government response

When section 318 comes into force, licences will automatically become agreements with the implied terms of the Mobile Homes Act 1983 incorporated into them.

There may be scope for transitional arrangements on the introduction of approval of pitch fees by the occupier. The requirement for the occupier to agree to the rent increase may cause local authorities some issues. Firstly there would be a requirement for the residents to understand the process they need to go through. Also for local authorities who run a number of sites there is a risk of an increased administrative burden in dealing with residents who do not agree to the increase in charges and therefore managing the collection of different amounts of rent or notifying housing benefit of rent changes.

Government response

A transitional provision will provide that the requirement on the site owner to consult the occupier will not apply to consultation on any improvements that start before or within 28 days of the commencement of section 318. A transitional provision will also provide that the requirement on the site owner to consult a recognised residents' association about matters relating to the running of the site will not apply to consultation on any matters before the commencement date, or within 28 days of the commencement date.

As explained in the Government response to Question 9 the date set in current licences for the pitch fee review will remain after section 318 comes into force. Local authorities should therefore use the time available before their next pitch fee review to explain to residents the processes that they have to go through in relation to pitch fees.

The costs of implementation are addressed in the final section of this summary of responses.

Part 4

Additional comments

A number of respondents had additional comments that went beyond the confines of the consultation questions. This section summarises these comments under a series of headings, followed by the Government's response.

The suitability of the Mobile Homes Act 1983 for local authority Gypsy and Traveller sites

Two respondents disagreed with the Government's decision to remove the exclusion for local authority Gypsy and Traveller sites from the Mobile Homes Act 1983. Both felt the Act was inappropriate but offered different alternatives. Some of the issues raised by these two respondents have already been included in Parts 1-3, and will be covered later in this section, but their general views are set out below.

One respondent argued that the Mobile Homes Act 1983 will make it very difficult for site owners to evict residents who may be causing problems on sites, who may drive other residents away and cause sites to close, and that the changes brought in as part of the Housing Act 2004 (which allowed the courts to suspend a possession order) should not have been implemented.

The other argued that the better option would have been to have brought local authority sites into line with local authority housing, as this would better meet the needs of Gypsies and Travellers living on these sites.

Other respondents, while supportive of the changes, contributed some further general comments. One thought that it would have been better to have had a 'Gypsy and Traveller Accommodation Act' rather than using existing legislation. Others wanted to see further implied terms added to the Mobile Homes Act 1983 to, for example, allow commercial vehicles to be parked on pitches or to allow space on sites for visitors, extra space for growing families.

Government response

The legislative changes in the Housing Act 2004, allowing the courts to suspend possession orders on local authority caravan sites, and the removal of the exclusion in the Mobile Homes Act 1983 for local authority Gypsy and Traveller sites are in response to the European Court of Human Rights judgement in *Connors v UK*. This ruled that the current lack of procedural

safeguards on these sites breached article 8 of the Convention (right to respect for private, family and home life).

These measures have and will increase the protection available to residents on local authority Gypsy and Traveller sites, but local authorities will still be able to terminate an agreement and obtain a possession order in the event of a breach of agreement and do this with less risk of legal challenge. Gypsies and Travellers are now gaining the right to defend themselves against eviction in the same way as those living on other residential caravan sites, and socially rented bricks and mortar housing.

Local authority Gypsy and Traveller sites share characteristics with other types of residential caravan sites, and with local authority bricks and mortar housing. The amendments proposed in this consultation were designed to ensure that the Mobile Homes Act 1983 will work on local authority Gypsy and Traveller sites and that the changes do not exacerbate some of the problems currently experienced due to a lack of authorised sites. The proposed amendments (although we will not adopt all of them) were generally supported in this consultation, alongside our response to the issue of transit sites, which is dealt with in Part 5, should ensure that the needs of those Gypsies and Travellers who are living on or travelling between local authority sites are met.

Costs

Some respondents were concerned that the Mobile Homes Act 1983 could impose additional financial burdens on local authorities and on Legal Aid. Concerns included:

- proving to a court that a resident has breached the terms of his or her agreement would be difficult and therefore costly
- the opportunities available for redress through the courts under the Mobile Homes Act 1983, coupled with the likelihood that Gypsies and Travellers will qualify for Legal Aid will lead to lengthy and expensive litigation for local authorities
- it would be difficult to recover court costs or rent arrears from nomadic Gypsies and Travellers
- if residents leave their pitches permanently without terminating the agreement there will be an additional cost of going to the court to do this and income would be lost from an empty pitch in the meantime
- the ability for a resident to challenge any proposed change to the pitch fee could lead to additional burdens in collecting different pitch fees for different sites and notifying housing benefit administrators of rent changes

- the costs of moving from licences to agreements had been underestimated (although no alternative estimate, or suggestion for calculating such an estimate was offered)
- pitch fee increases being pegged to RPI rather than decided by the local authority could cause problems covering running costs.

Government response

The impact assessment included in the consultation paper recognised and sought to quantify the additional costs that may arise from the need to terminate agreements through the courts; as a result of the other matters that could be considered by the courts (which will in future be considered by the Residential Property Tribunal); and the cost of the transition from licences to agreements. The impact assessment will be reviewed and finalised before the Orders making the amendments to the Mobile Homes Act 1983 are laid before Parliament and it will be kept under review.

The impact assessment took into account that there may be more work, and therefore additional cost, involved in proving breach of an agreement under the Mobile Homes Act 1983, compared to terminating a licence under the Caravan Sites Act 1968. However, this needs to be balanced against both the fact that fewer possession actions should end up in the higher courts (as a result of challenge under Convention rights, as currently happens) and the fact that fewer such actions may arise as a result of the need to prove grounds and reasonableness.

As already indicated in the introduction to this summary, the Government has decided that the jurisdiction for certain matters dealt with by the courts under the Mobile Homes Act should be transferred to low cost residential property tribunals. Where cases are heard in tribunals, legal help is available to provide advice and assistance (though not advocacy) for those who qualify; Legal Aid for legal advocacy can be granted but only in exceptional circumstances. This has been raised as an issue in itself by some stakeholders (see below).

Any difficulties experienced by local authorities in recovering court costs or rent arrears from nomadic Gypsies and Travellers are likely to exist irrespective of the implementation of the Mobile Homes Act 1983 on local authority sites. The Residential Property Tribunal does not routinely award costs against a losing party.

Under the Mobile Homes Act 1983 it is possible that different sites owned and managed by the same local authority could have different pitch fees if residents disagree with proposals for changes. However, we are aware that where local authorities run a number of sites they may already charge different pitch fees depending on the facilities available on the site. Pitch fees may also differ on the same site, for example between single and double pitches.

There is a presumption that the pitch fee will increase or decrease by no more than any retail price index since the last review date. However, the pitch fee can be increased by a higher rate if this restriction is unreasonable; that is, if the money spent by the owner on improvements which were not dissented to by a majority of the residents, were the subject of consultation and were for the benefit of the residents.

Consultation with residents

One respondent thought additional consultation with residents and residents' associations on improvements, as required under the Mobile Homes Act 1983, would not work as there would be no agreement about improvements and this will only make more work for local authorities. At worst residents' associations could, this respondent argued, lead to sites being broken up through disagreements over the way the site is run.

Another respondent however wanted to see the Government doing more to encourage the setting up of residents' associations.

Government response

The Mobile Homes Act requires site owners to take account of representations made in respect of proposals for improvements, but consultation with residents should not be an additional task for many (if not all) local authorities who would consult residents as a matter of good practice. It would be unusual in any consultation for every respondent to agree with what is proposed.

Jurisdiction

Changes planned to the way disputes are resolved under the Mobile Homes Act 1983 were set out in the Communities and Local Government consultation: *A new approach for resolving disputes and to proceedings relating to Park Homes under the Mobile Homes Act 1983 (as amended)*. This consultation proposed that jurisdiction for dealing with the majority of disputes under the Act should be transferred from the county court to the Residential Property Tribunal.

The Government has decided to transfer dispute resolution and other proceedings arising out of the provisions of the Act to Residential Property Tribunals.

A number of groups representing Gypsies and Travellers commented on these plans in response to this consultation, in particular on the fact that Legal Aid may not be available for all cases in the Residential Property Tribunal.

These comments are addressed in the summary of responses to the consultation *Dispute resolution under the Mobile Homes Act 1983 - a summary of responses* which includes an Equality Impact Assessment and an action plan for ensuring that any differential impact on Gypsies and Travellers as a result of these proposals is mitigated.

Sites run by Registered Social Landlords and privately-rented Gypsy and Traveller pitches

Some respondents were concerned that residents on Gypsy and Traveller sites, both public and private, were not aware of the agreement or licence they should have in order to live on their site or pitch. Respondents particularly wanted clarification about whether or not Gypsy and Traveller sites owned privately or by Registered Social Landlords (RSLs) are covered by the Mobile Homes Act 1983.

Government response

The Government wants to ensure that residents on all types of caravan site are aware of their rights and responsibilities. The Mobile Homes Act 1983 already applies to private Gypsy and Travellers sites (although it will not normally be applicable to family owned and occupied sites) and RSL sites, however, we believe that awareness of this is low, and we will consider the best way of increasing awareness.

Part 5

Transit sites

A number of local authority respondents pointed out that the consultation did not address transit sites and they asked for clarification about how this type of site would be affected by the implementation of the proposed amendments to the Mobile Homes Act 1983.

One respondent argued that the Mobile Homes Act 1983 does not facilitate 'nomadism' and therefore undermines equalities duties. They argued that the Act assumes the mobile home will be a static caravan, does not allow for exchanges and says nothing about transit, or short term, provision.

One local authority said it maintained a transit site in order to temporarily accommodate people who pass through the area, particularly in the summer, picking up temporary work on the way. These sites are not usually designed for permanent settlement (and planning permission may state that the site cannot be used as a permanent settlement) and local authorities do not want them to become unavailable to other people who want to use them as temporary accommodation. If these sites do become unavailable there is a risk that unauthorised camping could increase.

Government response

The Government agrees that applying the full implied terms of the Act to transit sites would undermine the purpose of such sites. We have considered how this issue should be reflected in the Order and made further enquiries with the National Association of Gypsy and Traveller Liaison Officers and with local authorities that have told us, through their caravan count return, that they have transit sites and/or pitches.

Six local authorities and the National Association of Gypsy and Traveller Liaison Officers responded to the Government's enquiries on transit sites.

The Act will apply to transit pitches but we plan to dis-apply certain implied terms in the Act in relation to these pitches to help ensure that they are able to continue to fulfil their important role. **Transit pitches will have different implied terms to residential pitches and as a consequence, a different written statement.**

Definition of 'transit accommodation'

In order to provide regulations specifically for transit pitches it is necessary to define them. We asked those we contacted to indicate their preferred definition of 'transit accommodation' from two options:

Option 1

"'transit accommodation' means accommodation provided for a fixed period of up to 3 months, renewable for further periods of up to 3 months, up to a maximum total duration of [6 months/12 months]"

Option 2

"'transit accommodation' means accommodation provided for a fixed period of up to 3 months, renewable for further periods of up to 3 months, and under which there is no intention for the person to station the mobile home for an indefinite period on the site."

Of those that responded directly to this question, two respondents opted for Option 1 arguing that it provided more certainty and two opted for Option 2 as it provided more flexibility. A fourth respondent disagreed with both options but argued that the time limit for this accommodation should be 3 months.

Respondents confirmed that where there was a time limit for staying on their transit pitches the limit set locally was anything up to 3 months. One respondent told us that their licence was open-ended.

One respondent wanted the renewal period to be 'in exceptional circumstances' only. Three respondents wanted the regulations to include a time frame during which there could be no return to the pitch which ranged from 6 to 18 months.

Three respondents specifically mentioned that their transit sites had planning permission restricting the use of the site to non-permanent accommodation.

The majority of respondents were concerned that there should be a limit on the length of stay. One respondent argued that the reliance on 'intention' in Option 2 was not robust enough. One respondent did think that it would be possible for local authorities to show they had no intention of allowing indefinite stays.

Government response

The Government plans to define transit accommodation as a 'transit pitch' rather than 'transit accommodation' as this is a term that is likely to be more widely understood.

After considering the responses received, we plan to define a 'transit pitch' in the regulations as a pitch where the agreement relating to the occupation of the pitch is for a fixed period of up to 3 months.

Local authorities have told us that licences on transit pitches are sometimes open-ended – allowing the resident to stay as long as they like until another person wants to move on to the site. It is likely that under the Mobile Homes Act 1983 these agreements would be regarded as agreements for permanent accommodation. Therefore, local authorities who offer open-ended licences on their transit pitches may wish to consider renegotiating these licences before section 318 comes into force.

The Government plans also to include an implied term providing that where there is a planning permission which restricts occupation of the site any agreement granted may not extend beyond that restriction.

If local authorities consider that it is necessary to include a timeframe for return to the site, this is a policy that should be set by the individual local authority rather than in the implied terms of the Act.

This means that for transit pitches:

- there would be an agreement to station the mobile home on the site
- the owner would have to provide a written statement of the terms of the agreement
- the terms of the agreement would include certain implied terms
- the agreement would be binding on any person that succeeds the site owner
- if the resident named on the agreement died during the period of the agreement, those entitled to, could succeed to the agreement but only for the remainder of its fixed term.

As on permanent pitches, licences held by residents living on transit pitches on the day section 318 comes into force, will have the implied terms for transit pitches incorporated into them and the terms of the licence will become the express terms of the agreement.

Implied terms for transit pitches

We also plan to dis-apply certain implied terms in Part 1 of Schedule 1 to the Mobile Homes Act 1983 to transit pitches. We originally proposed leaving, as a minimum, the three implied terms set out below. This would have essentially mirrored the provisions on licences in the Caravan Sites Act 1968.

Duration of agreement

1. The right to station the mobile home on land forming part of the protected site shall subsist until the agreement expires, or is determined under paragraph 2 or 3 below.

Termination by occupier

2. The occupier shall be entitled to terminate the agreement by giving not less than four weeks' notice to the owner.

Termination by owner

3. The owner shall be entitled to terminate the agreement by notice given not less than four weeks before the date on which it is to take effect.

Respondents did not agree with the proposed implied terms on termination. They argued that the four weeks notice period for the site owner would not work on transit sites as it would constrain local authorities who wanted to terminate agreements more quickly, particularly in the event of anti-social behaviour. They also argued that a four week notice period for termination by the occupier did not reflect the reality on transit sites where residents are currently able to give much shorter notice.

We also asked whether any of the other implied terms in the Mobile Homes Act 1983 could be equally applicable to transit provision – in particular paragraph 7 about overpayments and those terms (paragraphs 11 -15) on quiet enjoyment of the mobile home, and the owner's right of entry to the pitch.

One local authority did not agree with the proposal to apply further implied terms to transit pitches, while two others (of the three who answered this question) were happy for the additional terms mentioned to be included – one suggested additional terms that it felt would be applicable.

One respondent wanted the regulations to state that only touring caravans can be stationed on transit sites, not static caravans.

Government response

After consideration of these responses we plan for the implied terms on termination for transit pitches to be as follows:

Early termination by occupier

The occupier may terminate the agreement before the expiry of the fixed period set out in the agreement by giving written notice.

Termination by owner

The owner may terminate the agreement before expiry of the fixed period set out in the agreement:

(a) without being required to show any reason, by giving written notice not less than four weeks before the date on which that notice is to take effect, or

(b) forthwith where the occupier has breached a term of the agreement and after service of a notice to remedy the breach, has not complied with the notice

within a reasonable time, and the owner considers it reasonable for the agreement to be terminated.

Possession orders, where required, would continue to be granted by the Courts under the provisions of the Caravan Sites Act 1968. Where termination proceedings are already ongoing under the licence when section 318 commences transitional provisions would provide for those proceedings to continue, as on permanent residential pitches.

In addition to the implied terms already highlighted, we plan to apply the following additional implied terms in the Mobile Homes Act 1983 to transit pitches:

- where there is a planning permission which restricts occupation of the site any agreement granted may not extend beyond that restriction
- recovery of overpayments by occupier in the event of early termination of the agreement
- quiet enjoyment of the mobile home
- owner's right of entry to the pitch
- owner's name and address.

While in theory static caravans could be stationed on a transit site, the local authority will have the right to deny these caravans entry to a transit site and can indicate in the express terms that transit pitches are not open to static caravans. By definition all caravans must be capable of being moved and it would be difficult to satisfactorily distinguish between static and touring caravans in the regulations.

Part 6

List of respondents

Consultation responses were received from:

Eden District Council
Worcestershire County Council
Dorset County Council
Swindon Borough Council
Community Law Partnership
Gypsy Council Romani Kris (Hughie Smith)
Newark and Sherwood Homes
Bolton Council
UK Association of Gypsy Women
Tonbridge and Malling Borough Council
Pat Niner
Taunton Deane (Somerset Strategic Housing Partnership)
Gateshead Council
Brighton and Hove
Portsmouth City Council
Leeds City Council
Surrey Traveller Community Relations Forum
Barnsley Metropolitan Borough Council
Derbyshire Gypsy Liaison Group in agreement with:
 The National Federation of Gypsy Liaison Groups
 East Midlands Gypsy and Traveller Forum
 West Midlands Gypsy and Traveller Forum
 Northern Network
 Cheshire Voice
 Leeds Gate
 Society for the Promotion & Advancement of Romany Culture
 Southern Network
 Star Hill Association
 South Western Gypsy Liaison Group and Romany Advisory Service
 East Anglia Gypsy Council
North Housing Market Area West Midlands Authorities
Dartford Borough Council
London Borough of Sutton
London Borough of Hammersmith & Fulham
London Borough of Kensington and Chelsea
Wiltshire County Council
Mole Valley District Council
Independent Park Homes Advisory Service
Herefordshire Council
Irish Traveller Movement in Britain
Lancaster City Council
Telford Council

East Cambridgeshire District Council
Law Society
David Watkinson/Marc Willers - Barristers (HLPAs)
Equality and Human Rights Commission
Friends Families and Travellers
Redcar and Cleveland Borough Council
Stockton on Tees Borough Council
Northampton Borough Council
London Borough of Tower Hamlets
Cheshire Partnership
Kent County Council
London Gypsy and Traveller Unit
York City Council
Bristol City Council
National Association of Gypsy and Traveller Liaison Officers
Hackney Homes
Harrogate Borough Council
London Borough of Brent
Epsom and Ewell Borough Council
Birmingham City Council
South Norfolk Council

Further responses on the issue of transit sites were received from:

The National Association of Gypsy and Traveller Liaison Officers
Stoke on Trent City Council
Wiltshire County Council
Brighton & Hove City Council
Swindon Borough Council
Fenland District Council
Halton Borough Council

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Communities and neighbourhoods

Andrew Stunell: Rights for travellers who play by the rules and protection for councils

Published 11 October 2010

As part of a new fair deal for travellers and the settled community, Communities Minister Andrew Stunell today outlined plans for improved tenancy rights for travellers on authorised council sites.

Following consultation, legal changes are set to be made that will mean that those travellers who play by the rules will get more protection against eviction, putting them on an equal footing to those living on other residential caravan sites or in council houses.

At the same time councils will be able to take swift action against any travellers who flout the rules of their tenancy agreements and they will be able to obtain possession orders with less risk of legal challenge.

Councils will also be able to safeguard pitches for travellers who cannot afford to pay for a private pitch and who might be otherwise forced to camp on unauthorised sites, by not allowing tenancies to be automatically passed on when a caravan is sold or given to family members.

The changes come as part of the new Government's plan to improve community relations between travellers and the settled community, which has already seen councils freed from the top-down Regional Strategies and the associated building targets; which now means that councils can decide for themselves how many traveller pitches are necessary in their area according to local need and historic demand. And at the same time, Mr Stunell is looking at ways to strengthen the powers available to councils to more effectively tackle unauthorised developments and unscrupulous private developers.

Ministers have also confirmed that new authorised traveller pitches will be treated on an equal footing as new bricks and mortar homes, with councils getting financial benefits for building authorised sites where they are needed.

Communities Minister Andrew Stunell said:

"This is about redressing the balance, putting travellers and the settled population on a level playing field and bringing fairness back to communities.

"The message is clear whether you live in a caravan or a bricks and mortar house, if you are a law-abiding citizen you have a right to have safe place to live.

"But rest assured, we will not stand by and let people flout the planning rules that everyone else abides by, which is why we will strengthen the powers that councils have to take action against those who abuse the planning system."

Notes to editors

1. Following consultation, the Government intends to commence Section 318 of the Housing and

Regeneration Act 2008, designed to extend tenancy rights for travellers in authorised local authority traveller sites by including them in the Mobile Homes Act 1983.

2. The responses to the consultation can be found at:
www.communities.gov.uk/publications/planningandbuilding/implementinghomesresponses.
3. Further announcements will be made in due course on plans to increase planning enforcement powers; measures will be included in the Localism Bill this autumn.

Twitter

Keep up to date with the Department by following us on [Twitter](#) (external link).

Media enquiries

Visit our [newsroom contacts page](#) for media enquiry contact details.

Cottingley Springs Site Licence Agreement Leeds City Council Department of Housing and Environmental Health Services

THIS AGREEMENT IS BETWEEN LEEDS CITY COUNCIL (“The Council”)

and **(“You”)**

(If more than one person signs this Agreement each is responsible jointly and individually for keeping to the terms)

- This agreement commences on.....2010
- This Agreement is for a licence to occupy Plot No.....Cottingley Springs as shown on the attached plan.
- This licence covers one caravan.
- Additional caravans are not allowed, without obtaining permission from the site Management.
- The charge for the licence of one plot and one caravan is £.....every week payable for 48 weeks every year. Each additional caravan is £..... every week
- This Agreement contains the terms of the licence
- There are also other documents which set out rules and information and which you need to read. These are: -
 - The Site Regulations**
 - Health and Safety Regulations**
 - Fire Regulations**

Sample forms and letters requesting permission to alter things such as the number of vans on the plot, or make alterations, improvements or additions to your plot or amenity building are part of your Travellers handbook. The handbook also contain the site rules and regulations, health and safety and the fire regulations. There are also useful telephone numbers and information. Please keep this handbook as a helpful reference.

- You have been given..... sets of keys to the amenity block. You must return these and any extra sets you have had cut when your licence ends.

Applicant: Date:

Joint: Date:

1. Site and plot information

1.1 The plot and amenity building remains the property of the Council at all times and must not be altered without written permission from Leeds City Council. The Site Management will assist you to complete the appropriate application forms.

1.2 No other person can take over the licence agreement without the permission of Leeds City Council. A copy of the site allocation policy can be obtained from the site management.

2. Electricity

2.1 If your plot has been refurbished the electricity supply will be direct to your plot. The contract for electricity is therefore between the electricity suppliers and you. Payment for electricity will not be part of your agreement with the Council.

2.2 It will be your responsibility to choose your electricity supplier and deal directly with them about payments, charges and any problems with the meter and supply.

3. Wiring

3.1 Leeds City Council will be responsible for the wiring to sockets, switches, light fittings and electric cooker points in the amenity block. Normal wear and tear maintenance will be carried out as part of the maintenance of your plot.

3.2 Any alterations must comply with health and safety regulations, and prior permission must be obtained from Leeds City Council in writing. The Site Management will assist you to complete the appropriate application forms.

3.3 The Council is not responsible for appliances connected to the power supply unless it provides them. Connecting appliances such as cookers to power points is your responsibility and you should make sure this is done by a competent person.

4. Water Charges

4.1 You are responsible for paying water charges.

5. What YOU must do under the terms of this licence:

5.1 Pay Charges

You agree to pay the plot charges one week in advance, each Monday. Charges are reviewed annually in April each year. The charges may be increased or decreased.

5.2 Site Rules and Regulations

You agree to adhere to the Site Rules and Regulations, Fire Regulations and the Health and Safety regulations.

5.3 You are responsible for making sure that members of your family and your visitors keep to the site rules and regulations, the Fire and Health and Safety Regulations

5.4 Self employment

If you are self-employed and carry out a business on the site you must ensure that you keep to the rules and regulations, health and safety regulations and fire regulations and make every effort to ensure that your neighbours and other residents are not inconvenienced in any way.

5.5 Emergency Access

You must ensure that the amenity building is secured when you are away from the site. In the case of an emergency the site management can enter. The site management does not hold spare keys and therefore may have to force entry. Any damage caused by the site management will be repaired and/or compensated for at the cost of Leeds City Council.

5.6 Alterations

You must make sure any improvements or alterations to the fabric of the amenity building and hard standing are acceptable to Leeds City Council and written permission must be obtained. The site management will assist you to complete a form provided by them.

6. Absence from the plot

6.1 If you wish to use your caravan to travel and you will be away from the site for more than 28 days and you intend to return you must ensure that the site management know the period of absence, with approximate dates of return. This must be done in order to safeguard the plot from being permanently or even temporarily re-let and you returning to find there is no space for you on the site. You are responsible for charges whilst you are away. A form will be completed by the site management and you should obtain a receipt.

6.2 When you go away you must ensure that the amenity building is secured. The site management will enter in the case of an emergency. The site management does not hold spare keys and therefore may have to force entry.

Any damaged caused by the site management will be repaired and/or compensated for at the cost of Leeds City Council.

6.3 You must remove all livestock, including chickens, horses and dogs from the site during a period of absence.

7. To end the Agreement

7.1 You may end the agreement by giving four weeks' notice in writing to Leeds City Council. The site management will give you a form for this and if you want, will help you to complete it and give you a receipt.

8. When the licence is ended you must

8.1 Remove all caravans, vehicles, animals, goods and possessions from the site.

8.2 Return the amenity building keys to the site management.

8.3 You must remove any sheds or structures you have erected on the plot. If you do the Council may remove them and dispose of them within one month without any liability of the part of the Council.

8.4 You must leave the amenity building and plot in good condition but normal wear and tear is accepted. The Site Management will give you advice about this.

8.5 Remove all rubbish from the plot.

21. Council's Responsibilities

9.1 The Council will ensure the supply of water to the Amenity Block on the plot.

9.2 The Council will try to carry out repairs as soon as reasonably practical. You will receive a written form through the post when a repair has been logged. This will state what the repair is and classify the repair into one of three groups.

E – this is an emergency repair and is usually carried out within 24 hours

P – this is a priority repair and is usually carried out within 4 working days

G – this is a general repair and is usually carried out within 30 working days

If you are unsure when your repair will be done ask the site management

9.3 The Council may not refuse any permission needed under this agreement unreasonably and all reasons will be made known to the resident.

9.4 The Council retains the right to require the occupier(s) to move his caravan from the plot to another plot on site. The Council will give 48 hours written notice to the occupier, stating the reason for the requirement to move.

This right is exercisable:

- u) In the case of an emergency
- v) To allow repairs to be carried out
- w) To allow refurbishment of the site to be carried out.

22. What the Site Management will do

10.1 The site management will assist you in reporting anti social behaviour and take appropriate action where possible to help maintain the Site as a good community for all residents.

10.2 You will be helped to complete standard forms necessary under the terms of the licence. Whenever possible verbal communications will be accepted and confirmed in writing by the site management.

11. The Council may end this Agreement:

By giving four weeks' written Notice to Quit to the Occupier, stating fully the reasons why this Notice to Quit has been issued.

On one of the following grounds

- Breach of the terms of this licence
- Breach of the Site Rules and Regulations, Fire Regulations or Health and Safety Regulations after receipt of a final written warning
- Serious anti social behaviour (the definition of serious anti social behaviour can be found in the Site regulations)
- To change the terms of the licence after consulting the residents in accordance with clause 15 Variation of Terms.

12. Notices

12.1 Any Notices to be served by the Council will be given in writing to you, personally as the licensee.

13. When the licence is ended

14. Breaches of Site Rules and Regulations, Fire Regulations and Health and Safety Regulations.

14.1 The Council is committed to maintaining the Site as a safe and happy community for all who live there. It is also committed to ensuring that residents are made aware of acceptable standards of behaviour and are told when they, a member of their family, or their visitors, fall below these standards.

14.2 On the first occasion that there is a breach of the Regulations the site management will discuss this with you. If the site management believe that a breach has occurred they will give you a **verbal warning**. This warning will be noted on your file and will be valid for 6 months.

14.3 If another breach occurs within 6 months the site management will give you a **written warning**. This will be kept on your file and will be valid for 6 months.

14.4 If another breach occurs within 6 months the site management will give you a **final written warning**. This will be kept on your and will be valid for 6 months.

14.5 If another breach occurs within 6 months the site management will refer the matter to the Director of Housing and Environmental Health Services who may decide to issue a Notice to Quit

14.6 You have a right to inspect your file, to be provided with a copy of it free of charge, and to seek the correction of any facts in the file, which you think are not true. You should first speak to a member of Site Management and if you are still unsatisfied you should write your complaint to "The Director, Department of Housing and Environmental Health Services, Thoresby House, 2A Great George Street, Leeds LS2 8BB".

15. Variation of Terms

15.1 The terms of this agreement may be varied after the following procedures.

- () By written agreement of the Council and the Occupier or
- () And within the terms of Council Travellers Services policy and equal opportunities.

- () And after inviting the occupier to comment on the proposed variation within 28 days or such longer stated period as the Council considers reasonable.
- () Complaints will be dealt with through Leeds City Council's Corporate complaints procedure.

If you wish to give notice or obtain permission for something you want to do you can speak to the site management. You can give verbal information to one of the site managers in normal working hours. The site management will complete a form and give you a receipt. Or you can post written information to "The Director, Department of Housing and Environmental Health Services, Thoresby House, 2A Great George Street, Leeds LS2 8BB".

For help and clarification on any aspect of the licence please speak to the site management or contact the Department of Housing and Environmental Health Services.

Marion Horton, Community Development Consultant and Gill Marshall, Leeds City Council Legal Services wrote this licence, the rules and regulations, health and safety information and fire regulations. We are grateful to the people who took part in the consultation process and commented on the drafts of the document.

Copies are available on tape, in Braille and in large print and form part of a handbook called "Working Together" designed to provide helpful information for Travellers as part of the ongoing Leeds City Council Policy to provide better and improving services, making Cottingley Springs a good community to live in.

If you have any ideas or suggestions for improvement please speak to the Site Managers, Marion Horton or one of the organisations listed in the handbook that provide services to Travellers.

Cottingley Springs Travellers Site Rules and Regulations

The rules and regulations of the site are to help all the Residents to live with privacy and with homes to enjoy in a community where residents and management understand their own, and each other's, rights and responsibilities. The site management welcome the help of residents in making the site a safe and pleasant place to live. The rules and regulations can be updated, amended and altered from time to time with suggestions from the residents and with the agreement of the residents and site management.



The council's property

You must not make alterations to the council's property (including the amenity building, hard standing and drains on his or her plot) without written permission from Leeds City Council. The site management will assist you complete the correct paperwork and give you a receipt.

Access to the plot and amenity building for site management must be allowed for reasonable purposes during daylight hours. Access must be allowed at any time for essential repairs and dealing with an emergency.

You will be responsible for the cost of repairs when caused by misuse or deliberate damage to Council property, (including the amenity building, hard standing and drains on the plot), whether caused by you, a member of your family or by visitors.



Visitors

Visitors are guests who stay for a limited period, whether in your caravan(s) or in their own, on your plot or elsewhere on the site. No visitor may stay longer than 4 months.

You must inform the site management when you have visitors staying for longer than 7 days but less than 28 days.

You must gain written permission of Leeds City Council when you have visitors who wish to stay for periods longer than 28 days. The site management will provide an application form, give any assistance you require and a receipt.

You must ensure that your visitors' caravans are sited in accordance with the Fire Regulations and that the pitch is not made unsafe due to over-occupation. Residents are encouraged to consult with site management where they are uncertain about safety issues.



Vehicles

Vehicles must not exceed 10 mph when on the site. Drivers should take note of the fact that children play on the roads within the site and should drive at speeds, which are safe. You are encouraged to ensure that visitors are made aware of this and drive safely when inside the site.

Vehicles must not be parked so that they block any roads. You are responsible for ensuring that you have sufficient space on your pitch to park their own and visitors' vehicles.



Anti-Social Behaviour and the Law

You and your visitors are asked to remember that the site is a residential area and all residents and visitors have an equal right to quiet enjoyment of their pitch. You must not act in any way which is anti-social or which is, or is likely to cause, a nuisance to any other person. Nuisance includes behaviour that is harmful, offensive, annoying, disagreeable or interferes with the quiet enjoyment of any other person.

Serious anti social behaviour is behaviour, which involves violence or a threat of violence, which causes or is likely to cause significant harm to the victim. This includes racist behaviour or language, using abusive or insulting words, damaging or threatening to damage another person's home or possessions. Nuisance and anti-social behaviour may result in action being taken.

Illegal activities carried out on site may lead both to notification of the police and action being taken by the council, including the risk of removal from the site.



Animals

You must keep your dog on a lead or in a suitable pen and restricted from freely roaming the site. Dogs should not be allowed to harass visitors or other residents, or to foul the public areas of the site. Dogs must not be taken into or allowed into the fenced play area.

All horses and livestock are to be fed and stabled away from the plots and amenity buildings and only in designated areas on the site.

Fire regulations and Health and Safety regulations are provided separately and should be adhered to for the personal safety of residents and visitors

Cottingley Springs Travellers Site Health and Safety on Site

The Health and Safety regulations have been written as a guidance to help all residents; particularly children to live safely on site. Any alterations and additions you can suggest are welcome. The site management welcome your help in making the site a safe and good place to live.



Use of the pitch and roads

Vehicles should be parked on plots when not in use.

Accommodating visitors on site can lead to overcrowding, pressures on facilities and can also cause Health and Safety problems and fires hazards. It is therefore your responsibility to consider all aspects of safety before allowing visitors to reside anywhere on site. Advice on health and safety can be obtained from the site management.

Static caravans may be brought onto the plot with the permission of the site management. Siting should be carefully considered in relation to the Fire Regulations. Any plumbing or other alterations to the pitch must be checked with the site staff and must be returned as original prior to vacating the pitch.

Tampering with the electricity supplies is not only illegal but also extremely dangerous to everyone, particularly small children.



Activities on site

Breaking up of vehicles and machinery and other activities linked to self-employment may be carried out on site only with regard to the health and safety of everyone and within the fire regulations and other statutory restrictions.

Scrap metal, tyres, wire, trade refuse or waste paper, television sets and similar items may not be stored on site without due care and responsibility towards everyone. Stored items should be placed in an appropriate container, and the fire regulations must be observed.



Pets and other animals

As poultry can cause health problems to some people, they may only be kept and cared for on site in suitable pens. They must not cause a nuisance to other residents or be kept in a manner, which attracts vermin or foxes.

Dogs must be kept on a lead or in a suitable pen and restricted from freely roaming the site. Dogs should not be allowed to harass

visitors or other residents, or to foul the public areas of the site.
Dogs must not be taken into or allowed into the fenced play area.

Cottingley Springs Travellers Site Fire Regulations

The fire regulations have been drawn up with the advice of the Fire Service. The Site Staff welcome your help and advice on ensuring the fire regulations are kept and contribute to the smooth and safe running of the site. Any suggestions for further fire regulations are always welcome.

It must be your responsibility to ensure fire precautions are taken. If you require advice the site management will be pleased to assist you. **IN THE EVENT OF FIRE LIFE SAVING MEASURES ARE A PRIORITY**

Fire insurance is available through Leeds City Council and the site management will be pleased to give you details. The cost of the insurance will be your responsibility.



Safety of individuals

You are responsible for safety precautions inside your caravans, including static caravans, chalets and sheds. You are responsible for keeping smoke alarms (where fitted) in working order.

To ensure the safety of everyone on site you should explain and make sure your visitors know, understand and keep the fire regulations.

In the event of fire, life saving measures should be the priority.

Please ensure that caravans and the amenity block are evacuated, and dial 999 to call the emergency services.

Storage

Gas bottles should be stored in specially designed containers. Gas bottles must not be stored in the amenity blocks. Empty gas bottles must be removed from the plot and stored in the storage compound.

If you store hazardous materials, flammable materials or scrap metal you should make sure they are stored in an appropriate safety container and must not in the amenity block.

Sheds or containers should be sited on plots taking account of fire precautions. Site staff will be happy to advise where required.



Location of caravans

Caravans should be kept as far from each other as possible and not within 6 metres of any caravan on a neighbouring plot, nor within 2 metres of the access road. If this is not physically possible, please discuss the layout of your pitch with the site staff.

Lighting of fires

Outside fires of any kind may only be lit in areas designated by site staff.

Hazardous material, or material which creates hazardous fumes when burnt, may not be burnt at any time on site.



Domestic appliances may only be used for smokeless fuel.
No domestic waste is to be stored anywhere near an open fire.





LAND AT COTTINGLEY SPRINGS LEEDS LS27



← SUBJECT SITE



**LAND OWNED BY
LEEDS CITY COUNCIL**



**LAND LEASED OUT BY
LEEDS CITY COUNCIL**



**LAND SOLD BY
LEEDS CITY COUNCIL**



**LAND OWNED BY
APPLICANT**



Leeds
CITY COUNCIL

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Leeds City Council 100019567 2010

PREP BY ANNA GINNAW

DATE 28/04/2010

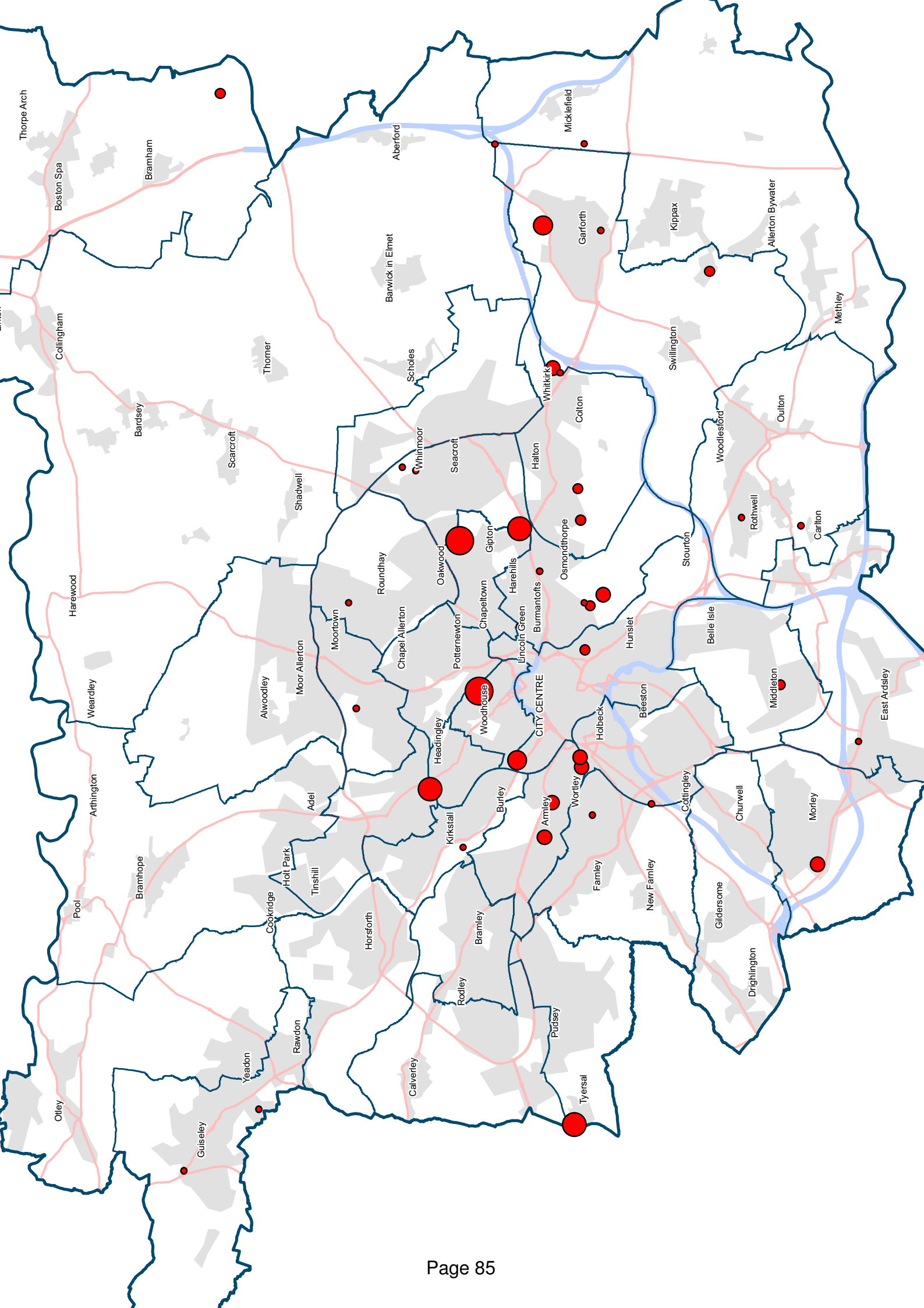
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PLAN No 11069

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**LAND AT
COTTINGLEY SPRINGS
LEEDS LS27**



← SUBJECT SITE



**LAND OWNED BY
LEEDS CITY COUNCIL**



**LAND LEASED OUT BY
LEEDS CITY COUNCIL**



**LAND SOLD BY
LEEDS CITY COUNCIL**



**LAND OWNED BY
APPLICANT**



Leeds
CITY COUNCIL

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Leeds City Council 100019567 2010

PREP BY B. HAZELWOOD

DATE 29/10/2010

OS No SE2630SW

Scale 1:10,000



PLAN No 11069/A

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Leeds Gypsy and Traveller Exchange (GATE)



Office: Ground Floor, Crown Point House,
169 Cross Green Lane, Leeds LS90BD
Phone: 01132402444
Fax: 01132485222
Email: info@leedsgate.co.uk

The **mission of Leeds Gypsy and Traveller Exchange** is to...

Improve the quality of life of Gypsies and Irish Travellers living in,
or resorting to Leeds.

To achieve this we will...

Promote the good health, decent homes and education of Gypsies
and Irish Travellers who are in conditions of need, hardship or
distress and also...

Promote equality of opportunity and good relations between
Gypsies and Travellers and the settled communities.

Leeds Gypsy and Traveller Exchange is a *value based organisation*. We
want everyone's experience of GATE to reflect these values...

That GATE belongs to Gypsies and Travellers.

GATE is welcoming

GATE respects people's privacy

GATE believes that people should be safe

GATE helps people to help themselves

GATE is honest and open

GATE doesn't make promises we can't keep

GATE is brave and creative

And GATE believes everyone is equal and can be included.

Leeds Gypsy and Traveller Exchange (GATE)



Governance

First constituted 2003

Charity registration number **1123374** (2008)

Company registration number **6386295** (2008)

Leeds GATE is managed by an Executive Board of Gypsy and Irish Traveller people.

Executive Board Chair (2009/2010) is Mrs Eileen Lowther.

Our 400+ members are 95% Leeds based Gypsies and Irish Travellers including young people.

We are working at PQASSO (Quality Assurance) Level 2

Previous funders

Joseph Rowntree Charitable Trust

The Irish Embassy

Comic Relief

Esme Fairburn Charitable Trust

Nationwide Foundation

Commission for Racial Equality

Lloyds TSB Foundation

Social Enterprise Investment Fund

Current funders

Joseph Rowntree Charitable Trust

The Irish Embassy

The Department of Health

Children in Need

Lloyds TSB Foundation

Equality and Human Rights

Commission

Current Contracts/SLA's

NHS Leeds (Strategic Health Advocacy)

Integrated Youth Support Services (Connexions)

Current Staffing

Chief Executive – Helen Jones

Administrator – Laura North

Advocacy/Development Manager – Claire Graham

Strategic Health Advocate – Cathy Griffiths

Connexions PA – Sara Blagbrough

Youth Inclusion – Kathleen Morrison

Student Placements (Social Work Students, Bradford University)

Sessional Creche and minibus drivers

Contact staff via their first name @leedsgate.co.uk

Leeds Gypsy and Traveller Exchange (GATE)



Our business plan (2009-2012) outlines four objectives:

Improving physical accommodation provision

Improving health and well being

Improving access to education, training and economic inclusion

Improving citizenship and social inclusion

To achieve these objectives GATE offers front line service delivery, community development, strategic input and awareness raising activities. In line with our value of 'helping people to help themselves', advocacy provision at GATE is substantially linked with community development work including personal development and citizenship opportunities, liaison, networking and dialogue.

We work closely with funders and agencies to ensure that our service provision contains a strong element of mainstreaming and working with the mainstream to improve access and effectiveness of services provided.

Networks, Forum and Stakeholders

Founder member of Leeds Gypsy and Traveller Partnership Forum

Member of Leeds Gypsy Roma and Traveller Strategic Group (Healthy Leeds)

Facilitator for DH of the National Pacesetters Gypsy and Traveller Quality Assurance Group

Leeds BME Strategy Group

Leeds IYSS Voluntary Sector Forum

Communities and Local Government G/T Stakeholder Group

National Federation of Gypsy and Traveller Liaison Groups

Northern Network of Travelling People

West Yorkshire Housing Partnership G/T Stakeholder Group (dormant)

Yorkshire and Humber G/T Stakeholder Group (dormant)

Yorkshire and Humber Forum VCS Equality and Human Rights Network

Leeds Gypsy and Traveller Exchange (GATE)



Resources produced by Leeds GATE

Leeds Baseline Census of Gypsies and Travellers
Maureen Baker (Leeds REC) 2004

Do Mang Mandy – Connexions development project report (with
DVD)
Violet Tucker 2005

Dying at Fifty (DVD)
Susan Radcliff 2005

Bradford Gypsy and Traveller Needs Assessment Pilot study
Helen Jones (Bradford Communities of Interest) 2006

One Punch Kills – domestic violence project report
Kathleen Morrison 2009

Other documents available on request

The Leeds GATE Business Plan 2009-2012
Anonimised demographic data
Annual Accounts
Case Studies

See also Companies House Register
Charities Commission Register

Leeds GATE does not currently host a website. Further useful
information is available at www.grtleeds.co.uk

COMPANY LIMITED BY GUARANTEE

Memorandum of Association of

Leeds Gypsy and Traveller Exchange

1. The company's name is Leeds Gypsy and Traveller Exchange (and in this document it is called the Charity).
2. The Charity's registered office is Ground Floor, Crown Point House, 169 Cross Green Lane, Leeds LS9 0BD.
3. The Charity's objects (the Objects) are:
 - a) To Promote the good health, decent homes and education of Gypsies and Travellers and Travellers who are in conditions of need, hardship or distress; and
 - b) To promote equality of opportunity and good relations between Gypsies and Travellers, Travellers and the settled communities.
4. (1) In addition to any other powers it may have, the Charity has the following powers in order to further the Objects (but not for any other purpose):
 - (a) to raise funds. In doing so, the Charity must not undertake any substantial permanent trading activity and must comply with any relevant statutory regulations;
 - (b) to buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;
 - (c) to sell, lease or otherwise dispose of all or any part of the property belonging to the Charity. In exercising this power, the Charity must comply as appropriate with sections 36 and 37 of the Charities Act 1993;
 - (d) to borrow money and to charge the whole or any part of the property belonging to the Charity as security for repayment of the money borrowed. The Charity must comply as appropriate with sections 38 and 39 of the Charities Act 1993 if it wishes to mortgage land;

- (e) to co-operate with other Charities, voluntary bodies and statutory authorities and to exchange information and advice with them;
- (f) to establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the Objects;
- (g) to acquire, merge with or to enter into any partnership or joint venture arrangement with any other Charity formed for any of the Objects;
- (h) to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves;
- (j) to employ and remunerate such staff as are necessary for carrying out the work of the Charity. The Charity may employ or remunerate a Director only to the extent it is permitted to do so by clause 5 and provided it complies with the conditions in that clause;
- (k) to:
 - (i) deposit or invest funds;
 - (ii) employ a professional fund-manager; and
 - (iii) arrange for the investments or other property of the Charity to be held in the name of a nominee;

in the same manner and subject to the same conditions as the Trustees of a trust are permitted to do by the Trustee Act 2000;

- (l) to provide indemnity insurance for the Directors or any other officer of the Charity in relation to any such liability as is mentioned in sub clause (2) of this clause, but subject to the restrictions specified in sub clause (3) of the clause;
- (m) to pay out of the funds of the Charity the costs of forming and registering the Charity both as a company and as a Charity;
- (n) to do all such other lawful things as are necessary for the

achievement of the Objects;

(2) The liabilities referred to in sub-clause (1)(I) are:

- (a) any liability that by virtue of any rule of law would otherwise attach to a director of a company in respect of any negligence, default breach of duty or breach of trust of which he or she may be guilty in relation to the Charity;
- (b) the liability to make a contribution to the Charity's assets as specified in section 214 of the Insolvency Act 1986 (wrongful trading).

(3) (a) The following liabilities are excluded from sub-clause (2)(a):

- (i) fines;
- (ii) costs of unsuccessfully defending criminal prosecutions for offences arising out of the fraud, dishonesty or wilful or reckless misconduct of the Director or other officer;
- (iii) liabilities to the Charity that result from conduct that the Director or other officer knew or must be assumed to have known was not in the best interests of the Charity or about which the person concerned did not care whether it was in the best interests of the Charity or not.

(b) There is excluded from sub-clause 2(b) any liability to make such a contribution where the basis of the Director's liability is his or her knowledge prior to the insolvent liquidation of the Charity (or reckless failure to acquire that knowledge) that there was no reasonable prospect that the Charity would avoid going into insolvent liquidation.

5. (1) The income and property of the Charity shall be applied solely towards the promotion of the Objects.

(2) (a) A Director is entitled to be reimbursed from the property of the Charity or may pay out of such property reasonable expenses properly incurred by him or her when acting on behalf of the Charity.

(b) Subject to the restrictions in sub-clauses 4(2) and 4(3), a Director may benefit from Trustee indemnity insurance cover

purchased at the Charity's expense.

(c) A Director may receive an indemnity from the Charity in the circumstances specified in Article 49.

(3) None of the income or property of the Charity may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the Charity. This does not prevent a member who is not also a Director receiving:

- (a) a benefit from the Charity in the capacity of a beneficiary of the Charity;
- (b) reasonable and proper remuneration for any goods or services supplied to the Charity.

(4) No Director may:

- (a) buy goods or services from the Charity;
- (b) sell goods, services or any interest in land to the Charity;
- (c) be employed by or receive any remuneration from the Charity;
- (d) receive any other financial benefit from the Charity;

unless the payment or transaction is previously and expressly authorised in writing by the Charity Commission.

(5) In sub-clauses (2)-(4) of this clause 5:

- (a) "Charity" shall include any company in which the Charity:
 - holds more than 50% of the shares; or
 - controls more than 50% of the voting rights attached to the shares; or
 - has the right to appoint one or more directors to the Board of the company;
- (b) "Director" shall include any child, parent, grandchild, grandparent, brother, sister or spouse of the Director or any person living with the Director as his or her partner.

6. The liability of the members is limited.
7. Every member promises, if the Charity is dissolved while he or she is a member or within twelve months after he or she ceases to be a member, to contribute such sum (not exceeding £10) as may be demanded of him or her towards the payment of the debts and liabilities of the Charity incurred before he or she ceases to be a member, and of the costs charges and expenses of winding up, and the adjustment of the rights of the contributories among themselves.
8. (1) The members of the Charity may at any time before, and in expectation of, its dissolution resolve that any net assets of the Charity after all its debts and liabilities have been paid, or provision has been made for them, shall on or before the dissolution of the Charity be applied or transferred in any of the following ways:
 - (a) directly for the Objects; or
 - (b) by transfer to any Charity or Charities for purposes similar to the Objects; or
 - (c) to any Charity for use for particular purposes that fall within the Objects;(2) Subject to any such resolution of the members of the Charity, the Directors of the Charity may at any time before and in expectation of its dissolution resolve that any net assets of the Charity after all its debts and liabilities have been paid, or provision made for them, shall on dissolution of the Charity be applied or transferred:
 - (a) directly for the Objects; or
 - (b) by transfer to any Charity or Charities for purposes similar to the Objects; or
 - (c) to any Charity or Charities for use for particular purposes that fall within the Objects.(3) In no circumstances shall the net assets of the Charity be paid to or distributed among the members of the Charity (except to a member that is itself a Charity) and if no such resolution is passed by the members or the Directors the net assets of the Charity shall be applied for charitable purposes as directed by the court or the

Commission.

We, the persons whose names and addresses are written below, wish to be formed into a company under this Memorandum of Association.

Names, Addresses and Signatures of Subscribers

1. Signature:

Name: Eileen Lowther

Address: 35 Cottingley Springs, Gelderd Road, Leeds, LS27 7NS

Date:

Witness to the above signature:

Signature:

Name:

Address:

2. Signature:

Name: Kim Maloney

Address: 35 Cottingley Springs, Gelderd Road, Leeds, LS27 7NS

Date:

Witness to the above signature:

Signature:

Name:

Address:

THE COMPANIES ACTS 1985 AND 1989

COMPANY LIMITED BY GUARANTEE

Articles of Association of

Leeds Gypsy and Traveller Exchange

Interpretation.

1. In these articles:

- "the Act" means the Companies Act 1985;
- "address" means a postal address or, for the purposes of electronic communication, a fax number, an e-mail address or a text message number in each case registered with the Charity;
- "the Charity" means the company intended to be regulated by these articles;
- "clear days" in relation to the period of a notice means a period excluding:
- the day when the notice is given or deemed to be given; and
 - the day for which it is given or on which it is to take effect;
- "the Commission" means the Charity Commissioners for England and Wales;
- "the memorandum" means the memorandum of association of the Charity;
- "officers" includes the Directors and the secretary;
- "the seal" means the common seal of the Charity if it has one;
- "secretary" means the secretary of the Charity or any other person appointed to perform the duties of the

secretary of the Charity, including a joint, assistant or deputy secretary;

"the Directors" means the directors of the Charity. The directors are Charity Trustees as defined by Section 97 of the Charities Act 1993;

"the United Kingdom" means Great Britain and Northern Ireland; and words importing one gender shall include all genders, and the singular includes the plural and vice versa.

Unless the context otherwise requires words or expressions contained in these articles have the same meaning as in the Act but excluding any statutory modification not in force when this constitution becomes binding on the Charity.

Apart from the exception mentioned in the previous paragraph a reference to an Act of Parliament includes any statutory modification or re-enactment of it for the time being in force.

Members.

2. (1) The subscribers to the memorandum are the first members of the Charity.
- (2) Membership is open to other individuals or organisations who:
 - (a) apply to the Charity in the form required by the Directors; and
 - (b) are approved by the Directors.
- (3) (a) The Directors may only refuse an application for membership if, acting reasonably and properly, they consider it to be in the best interests of the Charity to refuse the application.
- (b) The Directors must inform the applicant in writing of the reasons for the refusal within twenty-one days of the decision.
- (c) The Directors must consider any written representations the applicant may make about the decision. The Directors'

decision following any written representations must be notified to the applicant in writing but shall be final.

- (4) Membership is not transferable to anyone else.
- (5) The Directors must keep a register of names and addresses of the members.

Classes of Membership.

- 3. (1) The Directors may establish classes of membership with different rights and obligations and shall record the rights and obligations in the register of members.
- (2) The Directors may not directly or indirectly alter the rights or obligations attached to a class of membership.
- (3) The rights attached to a class of membership may only be varied if:
 - (a) three-quarters of the members of that class consent in writing to the variation; or
 - (b) a special resolution is passed at a separate general meeting of the members of that class agreeing to the variation.
- (4) The provisions in these articles about general meetings shall apply to any meeting relating to the variation of the rights of any class of members.

Termination of Membership.

- 4. Membership is terminated if:
 - (1) the member dies or, if it is an organisation, ceases to exist;
 - (2) the member resigns by written notice to the Charity unless, after the resignation, there would be less than two members;
 - (3) any sum due from the member to the Charity is not paid in full within six months of it falling due;

- (4) the member is removed from membership by a resolution of the Directors that it is in the best interests of the Charity that his or her membership is terminated. A resolution to remove a member from membership may only be passed if:
 - (a) the member has been given at least twenty-one days' notice in writing of the meeting of the Directors at which the resolution will be proposed and the reasons why it is to be proposed;
 - (b) the member or, at the option of the member, the member's representative (who need not be a member of the Charity) has been allowed to make representations to the meeting.

General meetings.

5.
 - (1) The Charity must hold its first annual general meeting within eighteen months after the date of its incorporation.
 - (2) An annual general meeting must be held in each subsequent year and not more than fifteen months may elapse between successive annual general meetings.
 - (3) All general meetings other than annual general meetings shall be called extraordinary general meetings.
6. The Directors may call an extraordinary general meeting at any time.
Notice of general meetings.
7. (1) The minimum periods of notice required to hold a general meeting of the Charity are:
 - twenty-one clear days for an annual general meeting and an extraordinary general meeting called for the passing of a special resolution;
 - fourteen clear days for all other extraordinary general meetings.
- (2) A general meeting may be called by shorter notice if it is so agreed:

- In the case of an annual general meeting, by all the members entitled to attend and vote; and
 - in the case of an extraordinary general meeting, by a majority in number of members having a right to attend and vote at the meeting who together hold not less than 95 percent of the total voting rights.
- (3) The notice must specify the date time and place of the meeting and the general nature of the business to be transacted. If the meeting is to be an annual general meeting, the notice must say so.
- (4) The notice must be given to all the members and to the Directors and auditors.
8. The proceedings at a meeting shall not be invalidated because a person who was entitled to receive notice of the meeting did not receive it because of an accidental omission by the Charity. Proceedings at general meetings.
9. (1) No business shall be transacted at any general meeting unless a quorum is present.
- (2) A quorum is:
- 3 members entitled to vote upon the business to be conducted at the meeting; or
 - one tenth of the total membership at the time whichever is the greater.
- (3) The authorised representative of a member organisation shall be counted in the quorum.
10. (1) If:
- (a) a quorum is not present within half an hour from the time appointed for the meeting; or
 - (b) during a meeting a quorum ceases to be present;
- the meeting shall be adjourned to such time and place as the Directors shall determine.

- (2) The Directors must reconvene the meeting and must give at least seven clear days' notice of the reconvened meeting stating the date, time and place of the meeting.
 - (3) If no quorum is present at the reconvened meeting with fifteen minutes of the time specified for the start of the meeting the members present at that time shall constitute the quorum for that meeting.
11.
 - (1) General meetings shall be chaired by the person who has been appointed to chair meetings of the Directors.
 - (2) If there is no such person or he or she is not present within fifteen minutes of the time appointed for the meeting a Director nominated by the Directors shall chair the meeting.
 - (3) If there is only one Director present and willing to act, he or she shall chair the meeting.
 - (4) If no Director is present and willing to chair the meeting within fifteen minutes after the time appointed for holding it, the members present and entitled to vote must choose one of their number to chair the meeting.
12.
 - (1) The members present at a meeting may resolve by ordinary resolution that the meeting shall be adjourned.
 - (2) The person who is chairing the meeting must decide the date time and place at which meeting is to be reconvened unless those details are specified in the resolution.
 - (3) No business shall be conducted at a reconvened meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.
 - (4) If a meeting is adjourned by a resolution of the members for more than seven days, at least seven clear days' notice shall be given of the reconvened meeting stating the date time and place of the meeting.
13.
 - (1) Any vote at a meeting shall be decided by a show of hands unless before, or on the declaration of the result of, the show of hands a poll is demanded:
 - (a) by the person chairing the meeting; or

- (b) by at least two members having the right to vote at the meeting; or
 - (c) by a member or members representing not less than one-tenth of the total voting rights of all the members having the right to vote at the meeting.
- (2)
 - (a) The declaration by the person who is chairing the meeting of the result of a vote shall be conclusive unless a poll is demanded.
 - (b) The result of the vote must be recorded in the minutes of the Charity but the number or proportion of votes cast need not be recorded.
- (3)
 - (a) A demand for a poll may be withdrawn, before the poll is taken, but only with the consent of the person who is chairing the meeting.
 - (b) If the demand for a poll is withdrawn the demand shall not invalidate the result of a show of hands declared before the demand was made.
- (4)
 - (a) A poll must be taken as the person who is chairing the meeting directs, who may appoint scrutineers (who need not be members) and who may fix a time and place for declaring the results of the poll.
 - (b) The result of the poll shall be deemed to be the resolution of the meeting at which the poll is demanded.
- (5)
 - (a) A poll demanded on the election of a person to chair a meeting or on a question of adjournment must be taken immediately.
 - (b) A poll demanded on any other question must be taken either immediately or at such time and place as the person who is chairing the meeting directs.
 - (c) The poll must be taken within thirty days after it has been demanded.

- (d) If the poll is not taken immediately at least seven clear days' notice shall be given specifying the time and place at which the poll is to be taken.
 - (e) If a poll is demanded the meeting may continue to deal with any other business that may be conducted at the meeting.
14. If there is an equality of votes, whether on a show of hands or on a poll, the person who is chairing the meeting shall have a casting vote in addition to any other vote he or she may have.
15. A resolution in writing signed by each member (or in the case of a member that is an organisation, by its authorised representative) who would have been entitled to vote upon it had it been proposed at a general meeting shall be effective. It may comprise several copies each signed by or on behalf of one or more members.

Votes of members.

16. (1) Subject to Articles 3 and 14 and the next paragraph, every member, whether an individual or an organisation shall have one vote.
- (2) No member shall be entitled to vote at any general meeting or at any adjourned meeting if he or she owes any money to the Charity.
17. Any objection to the qualification of any voter must be raised at the meeting at which the vote is tendered and the decision of the person who is chairing the meeting shall be final.
18. (1) Any organisation that is a member of the Charity may nominate any person to act as its representative at any meeting of the Charity.
- (2) The organisation must give written notice to the Charity of the name of its representative. The nominee shall not be entitled to represent the organisation at any meeting unless the notice has been received by the Charity. The nominee may continue to represent the organization until written notice to the contrary is received by the Charity.

- (3) Any notice given to the Charity will be conclusive evidence that the nominee is entitled to represent the organisation or that his or her authority has been revoked. The Charity shall not be required to consider whether the nominee has been properly appointed by the organisation.

Directors.

19. (1) A Director must be a natural person aged 18 years or older.
 - (2) No one may be appointed a Director if he or she would be disqualified from acting under the provisions of Article 31.
20. The number of Directors shall be not less than three but (unless otherwise determined by ordinary resolution) shall not be subject to any maximum.
21. The first Directors shall be those persons notified to Companies House as the first directors of the Charity.
22. A Director may not appoint an alternate director or anyone to act on his or her behalf at meetings of the Directors.

Powers of Directors.

23. (1) The Directors shall manage the business of the Charity and may exercise all the powers of the Charity unless they are subject to any restrictions imposed by the Act, the memorandum, these articles or any special resolution.
 - (2) No alteration of the memorandum or these articles or any special resolution shall have retrospective effect to invalidate any prior act of the Directors.
 - (3) Any meeting of Directors at which a quorum is present at the time the relevant decision is made may exercise all the powers exercisable by the Directors.

Retirement.

24. At the first annual general meeting all the Directors must retire from office unless by the close of the meeting the members have failed to elect sufficient Directors to hold a quorate meeting of the Directors. At each subsequent annual general meeting one-third of the Directors or, if their number is not three or a multiple of three, the number

nearest to one third must retire from office. If there is only one Director he or she must retire.

25. (1) The Directors to retire by rotation shall be those who have been longest in office since their last appointment. If any Directors became or were appointed Directors on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot.
- (2) If a Director is required to retire at an annual general meeting by a provision of these articles the retirement shall take effect upon the conclusion of the meeting.

The Appointment of Directors.

26. The Charity may by ordinary resolution:
 - appoint a person who is willing to act to be a Director; and
 - determine the rotation in which any additional Directors are to retire.
27. No person other than a Director retiring by rotation may be appointed a Director at any general meeting unless:
 - (1) he or she is recommended for re-election by the Directors; or
 - (2) not less than fourteen nor more than thirty-five clear days before the date of the meeting, the Charity is given a notice that:
 - (a) is signed by a member entitled to vote at the meeting;
 - (b) states the member's intention to propose the appointment of a person as a Director;
 - (c) contains the details that, if the person were to be appointed, the Charity would have to file at Companies House; and
 - (d) is signed by the person who is to be proposed to show his or her willingness to be appointed.
28. All members who are entitled to receive notice of a general meeting must be given not less than seven nor more than twenty-eight clear days' notice of any resolution to be put to the meeting to appoint a

Director other than a Director who is to retire by rotation.

29. (1) The Directors may appoint a person who is willing to act to be a Director.
 - (2) A Director appointed by a resolution of the other Directors must retire at the next annual general meeting and must not be taken into account in determining the Directors who are to retire by rotation.
30. The appointment of a Director, whether by the Charity in general meeting or by the other Directors, must not cause the number of Directors to exceed any number fixed as the maximum number of Directors.

Disqualification and removal of Directors.

31. A Director shall cease to hold office if he or she:
- (1) ceases to be a Director by virtue of any provision in the Act or is prohibited by law from being a director;
 - (2) is disqualified from acting as a Trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);
 - (3) ceases to be a member of the Charity;
 - (4) becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
 - (5) resigns as a Director by notice to the Charity (but only if at least two Directors will remain in office when the notice of resignation is to take effect); or
 - (6) is absent without the permission of the Directors from all their meetings held within a period of six consecutive months and the Directors resolve that his or her office be vacated.

Directors' remuneration.

32. The Directors must not be paid any remuneration unless it is authorised by clause 5 of the Memorandum.

Proceedings of Directors.

33. (1) The Directors may regulate their proceedings as they think fit, subject to the provisions of the articles.
- (2) Any Director may call a meeting of the Directors.
- (3) The secretary must call a meeting of the Directors if requested to do so by a Director.
- (4) Questions arising at a meeting shall be decided by a majority of votes.
- (5) In the case of an equality of votes, the person who chairs the meeting shall have a second or casting vote.
34. (1) No decision may be made by a meeting of the Directors unless a quorum is present at the time the decision is purported to be made.
- (2) The quorum shall be two or the number nearest to one third of total number of Directors, whichever is the greater, or such larger number as may be decided from time to time by the Directors.
- (3) A Director shall not be counted in the quorum present when any decision is made about a matter upon which that Director is not entitled to vote.
35. If the number of Directors is less than the number fixed as the quorum, the continuing Directors or Director may act only for the purpose of filling vacancies or of calling a general meeting.
36. (1) The Directors shall appoint a Director to chair their meetings and may at any time revoke such appointment.
- (2) If no-one has been appointed to chair meetings of the Directors or if the person appointed is unwilling to preside or is not present within ten minutes after the time appointed for the meeting, the Directors present may appoint one of their number to chair that meeting.

- (3) The person appointed to chair meetings of the Directors shall have no functions or powers except those conferred by these articles or delegated to him or her by the Directors.
37. (1) A resolution in writing signed by all the Directors entitled to receive notice of a meeting of Directors or of a committee of Directors and to vote upon the resolution shall be as valid and effectual as if it had been passed at a meeting of the Directors or (as the case may be) a committee of Directors duly convened and held.
- (2) The resolution in writing may comprise several documents containing the text of the resolution in like form each signed by one or more Directors.

Delegation.

38. (1) The Directors may delegate any of their powers or functions to a committee of two or more Directors but the terms of any delegation must be recorded in the minute book.
- (2) The Directors may impose conditions when delegating, including the conditions that:
- the relevant powers are to be exercised exclusively by the committee to whom they delegate;
 - no expenditure may be incurred on behalf of the Charity except in accordance with a budget previously agreed with the Directors.
- (3) The Directors may revoke or alter a delegation.
- (4) All acts and proceedings of any committees must be fully and promptly reported to the Directors.
39. A Director must absent himself or herself from any discussions of the Directors in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the Charity and any personal interest (including but not limited to any personal financial interest).
40. (1) Subject to paragraph 40(2), all acts done by a meeting of

Directors, or of a committee of Directors, shall be valid notwithstanding the participation in any vote of a Director:

- who was disqualified from holding office;
 - who had previously retired or who had been obliged by the constitution to vacate office;
 - who was not entitled to vote on the matter, whether by reason of a conflict of interest or otherwise;
- if without:
- the vote of that Director; and
 - that Director being counted in the quorum;
- the decision has been made by a majority of the Directors at a quorate meeting.
- (2) Paragraph 40(1) does not permit a Director to keep any benefit that may be conferred upon him or her by a resolution of the Directors or of a committee of Directors if, but for paragraph 40(1), the resolution would have been void, or if the Director has not complied with article 39.

Seal.

41. If the Charity has a seal it must only be used by the authority of the Directors or of a committee of Directors authorised by the Directors. The Directors may determine who shall sign any instrument to which the seal is affixed and unless otherwise so determined it shall be signed by a Director and by the secretary or by a second Director.

Minutes.

42. The Directors must keep minutes of all:
- (1) appointments of officers made by the Directors;
 - (2) proceedings at meetings of the Charity;
 - (3) meetings of the Directors and committees of Directors including:
 - the names of the Directors present at the meeting;

- the decisions made at the meetings; and
- where appropriate the reasons for the decisions.

Accounts.

43. (1) The Directors must prepare for each financial year accounts as required by section 226 (or, if applicable, section 227) of the Act. The accounts must be prepared to show a true and fair view and follow accounting standards issued or adopted by the Accounting Standards Board or its successors and adhere to the recommendations of applicable Statements of Recommended Practice.
- (2) The Directors must keep accounting records as required by sections 221 and 222 of the Act.

Annual Report and Return and Register of Charities.

44. (1) The Directors must comply with the requirements of the Charities Act 1993 with regard to:
- (a) the transmission of the statements of account to the Charity;
 - (b) the preparation of an annual report and its transmission to the Commission;
 - (c) the preparation of an annual return and its transmission to the Commission.
- (2) The Directors must notify the Commission promptly of any changes to the Charity's entry on the Central Register of Charities.
45. Any notice to be given to or by any person pursuant to the articles:
- (1) must be in writing; or
 - (2) must be given using electronic communications.
46. (1) The Charity may give any notice to a member either:

- (a) personally; or
 - (b) by sending it by post in a prepaid envelope addressed to the member at his or her address; or
 - (c) by leaving it at the address of the member; or
 - (d) by giving it using electronic communications to the member's address.
- (2) A member who does not register an address with the Charity or who registers only a postal address that is not within the United Kingdom shall not be entitled to receive any notice from the Charity.
47. A member present in person at any meeting of the Charity shall be deemed to have received notice of the meeting and of the purposes for which it was called.
48. (1) Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given.
- (2) Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given.
- (3) A notice shall be deemed to be given:
- (a) 48 hours after the envelope containing it was posted; or
 - (b) in the case of an electronic communication, 48 hours after it was sent.

Indemnity.

49. The Charity may indemnify any Director, Auditor, Reporting Accountant or other officer of the Charity against any liability incurred by him or her in that capacity: in the case of a Director, to the extent permitted by section 309A of the Companies Act 1985; in the case of an Auditor to the extent permitted by section 310 of that Act.

50. (1) The Directors may from time to time make such reasonable and proper rules or bye laws as they may deem necessary or expedient for the proper conduct and management of the Charity.
- (2) The bye laws may regulate the following matters but are not restricted to them:
- (a) the admission of members of the Charity (including the admission of organisations to membership) and the rights and privileges of such members, and the entrance fees, subscriptions and other fees or payments to be made by members;
 - (b) the conduct of members of the Charity in relation to one another, and to the Charity's employees and volunteers;
 - (c) the setting aside of the whole or any part or parts of the Charity's premises at any particular time or times or for any particular purpose or purposes;
 - (d) the procedure at general meetings and meetings of the Directors in so far as such procedure is not regulated by the Act or by these Articles;
 - (e) generally, all such matters as are commonly the subject matter of company rules.
- (3) The Charity in general meeting has the power to alter, add to or repeal the rules or bye laws.
- (4) The Directors must adopt such means as they think sufficient to bring the rules and bye laws to the notice of members of the Charity.
- (5) The rules or bye laws, shall be binding on all members of the Charity. No rule or bye law shall be inconsistent with, or shall affect or repeal anything contained in, the memorandum or the articles.

Names, Addresses and Signatures of Subscribers

1. Signature:

Name: Eileen Lowther

Address: 35 Cottingley Springs, Gelderd Road, Leeds, LS27 7NS

Date:

Witness to the above signature:

Signature:

Name:

Address:

2. Signature:

Name: Kim Maloney

Address: 35 Cottingley Springs, Gelderd Road, Leeds, LS27 7NS

Date:

Witness to the above signature:

Signature:

Name:

Address:

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Average number of caravans per residential pitch:

- Cottingley Springs 2.9 (120 caravans on 41 pitches)
- West Yorkshire 2.3
- Yorkshire & the Humber 1.9
- Total for England 1.8

Other regions:

- North East 1.6
- North West 1.8
- East Midlands 1.7
- West Midlands 1.8
- East of England 2.0
- London 1.5
- South East 1.4
- South West 2.0

It would appear Cottingley Springs has the largest caravan capacity of any site in England.

The next 2 largest sites are:

- Tewksbury – The Willows 2 (90 / 45)
- Stoke on Trent – Lime Houses 1.8 (80 / 45)

Birmingham has just one site, Castle Vale with 15 pitches and 15 caravans.

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**Meeting of Scrutiny Board (Environment and Neighbourhoods)
Gypsy and Travellers Working Group held at 2pm
on 15th November 2010**

Present:

Councillor B Anderson (BA), Chair
Councillor R Grahame (RG)
Councillor G Hyde (GH)
Councillor L Mulherin (LM)
Councillor P Ewens (PE)

Others Present

Mr R Powell (RP), Senior Research Fellow of the Centre for Economic and Social
Research at Sheffield Hallam University
Ms B Emery (BE), Head of Housing Strategy and Solutions
Ms K Murray (KM), Travellers Service Manager
Mr Gareth Self (GS) Liaison Officer
Mr I Spafford (IS) Head of Community Services & Litigation
Ms K Blackmore (KB) Team Leader, General Litigation Team
Mr R Mills (RM) Principal Scrutiny Adviser

No	Note	Action
1.0	Introduction and Welcome	
1.1	The Chair welcomed everyone to the meeting and briefly referred to the agenda and the issues before the Working Group today.	
2.0	Note of Last Meeting	
2.1	Members received the note of the meeting of the Working Group held on 1 st November 2010.	
3.0	Matters Arising	
3.1	There were no matters arising that were not included on the meeting's agenda.	
4.0	Presentation	
4.1	(RP) gave a powerpoint presentation on the West Yorkshire Gypsy and Traveller Accommodation Assessment (GTAA) final report which was published in May 2008. He gave an overview of the research which he and his fellow authors undertook in writing this report for the West Yorkshire Housing Partnership. He then drew out some findings particular to Leeds and explained the methodology for concluding that Leeds needed a further 48 pitches for gypsies and travellers. It was agreed that the slides of the presentation be circulated to all Members of the Scrutiny Board.	RM
4.2	(GH) stated that the figure of 48 additional pitches was purely aspirational and a snap shot in time. What we currently know from the information provided to us by officers and the West Yorkshire Police he stated was that there are 20 Leeds based families with 27 caravans who want to stay in Leeds and are currently moved from one unauthorised encampment to the next.	

- 4.3 (BA) spoke of the costs associated with unauthorised encampments. He stated that whilst this was a consideration we had to be realistic about what was achievable.
- 4.4 (BA) referred to the fact that there were up to 4 caravans per pitch at Cottingley Springs. Although in May 2008 the Department for Communities and Local Government published a document entitled Designing Gypsy and Traveller Sites, the fact remains that there is no definitive definition of a pitch in terms of size, layout or volume.
- 4.4 (BA) commented that as the gypsy and traveller community is close knit and family orientated smaller sites may not be appropriate for the number of caravans required.
- 4.5 (PE) raised the issue of inheritance in the gypsy and traveller community and transfer of the ownership of a caravan and licence on the Cottingley Springs site. (BE) and (IS) responded.
- 4.6 Reference was made to the shortage of affordable housing and an increasing number of people on the Council house waiting list. (RP) referred to the increase in gypsies and travellers requiring pitches and the opportunities that partnership working could have with for example Housing Associations who often have a number of ethical requirements in their business plan.
- 4.7 (BA) thought that there may be more opportunities to promote private initiatives for gypsy and traveller sites. He referred to the purchase of private land in Gildersome which had received planning approval to provide three pitches for gypsies and travellers. The application received no objections from residents. (PE) stated that the location and sensitivity of an area had much to do with whether people would object to an application of this kind. (LM) stated that only 4% of applications for private pitches were successful.
- 4.8 Members referred to the requirements of the Mobile Homes Act and it was agreed that a briefing paper be submitted to the next meeting. **BE**
- 4.9 Members discussed the fact that the GTAA report had not been adopted by the Council and that it was still marked confidential. (RP) stated that Leeds had not adopted this report and that the document was no longer confidential as Wakefield Council had published it on their internet site.
- 4.10 A Member asked where Councils had been more successful in providing gypsy and travellers sites. (RP) responded that the South West and South East had been more successful in this regard. (BE) was asked to provide a briefing paper on these areas. **BE**
- 4.11 (RG) asked for information on the Ofsted report regarding the education and attendance of gypsies and travellers children. (LM) was also interested in seeing a breakdown of gypsy and traveller children in higher education. (BE) agreed to provide this. **BE**

5.0 Information Previously Requested by the Working Group

- 5.1 Members received a report of the Director of Environment and Neighbourhoods providing information requested by the Working

Group on the following issues:

- The definition of a “pitch”.
- The possibility of extending the provision at Cottingley Springs.
- The cost of providing permanent provision at Cottingley Springs.
- The estimated cost of providing additional pitches within Leeds
- The number of travellers who have no permanent pitch within the city and who consider themselves to be residents of Leeds.
- Information from other local authorities regarding pitch capacity and other details.
- Further information on patterns of unauthorised encampments within the city since 2007.

5.2 Members agreed that Appendix E of the report was confidential.

5.3 Members discussed the possibility of remodeling the Cottingley Springs site to provide a further 7 pitches and 14 caravans including soft boundaries to provide privacy to the pitches. (BE) was asked to submit a paper to the next Working Group on the capital costs of providing an additional 7 pitches and 14 caravans on the Cottingley Springs site and report to the next meeting.

BE

5.4 (LM) asked that the Council should make more use of photographic evidence concerning unauthorised encampments. Photographs should be taken when the gypsies and travellers first move on to a site and then during and after they have left. This evidence could then be used to assess how tolerant the Council and police should be when they move on to another illegal site. (BE) agreed to discuss this with officers and our partners when the policy is next reviewed.

5.5 Members referred to previous discussions held concerning the legal costs of removing unauthorised gypsy and traveller encampments and whether any of these costs are recovered from individuals. (IS) agreed to circulate a note on this issue.

KB

6.0 Agenda Content Next Meeting and Witnesses

6.1 It was agreed that Councillors J L Carter and M Dobson be invited to attend the next meeting of the Working Group to give evidence to this inquiry. The Working Group would also consider the further information requested at today's meeting.

RM

7.0 Date and Time of Next Meeting

7.1 It was noted that the next meeting of the Working Group will be held on Monday 29th November 2010 at noon in Committee Room 3, Civic Hall.

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West Yorkshire Gypsy and Traveller Accommodation Assessment

Final Report

May 2008

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West Yorkshire Gypsy and Traveller Accommodation Assessment

Final Report

Ryan Powell, Rionach Casey and Kesia Reeve
Centre for Regional Economic and Social Research
Sheffield Hallam University

with

Phil Brown, Jenna Condie and Lisa Hunt
Salford Housing and Urban Studies Unit
University of Salford

and

Pat Niner
Centre for Urban and Regional Studies
University of Birmingham

May 2008

The Study Team

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Phil Brown
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Pat Niner
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West Yorkshire Housing Partnership
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Northern Network of Travelling People
Stonham (Home Group)
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Wakefield MDC
Kirklees MDC
Showmen's Guild
Leeds CC
New traveller
Leeds GATE
Bradford MDC
Leeds GATE
Calderdale MDC
Showmen's Guild
Leeds CC
Leeds CC

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This research was dependent on the help and assistance of a number of individuals and organisations without whom the study could not have been completed. Special thanks must go to the many Gypsies and Travellers and Travelling Showpeople who found the time to talk to us and answer our questions in an open and honest manner. We hope that we have been able to accurately reflect their experiences and needs in this report. We are particularly indebted to the members of the steering group who provided insightful comment, guidance and support throughout the project. We are also grateful to the range of stakeholders who gave up their time to contribute to the research and share their knowledge and viewpoints. Thanks also to Emma Smith and Sarah Ward for invaluable administrative support throughout.

We would like to make it clear that this report is based on research undertaken by the authors and the analysis and comment therein does not necessarily reflect the views and opinions of the West Yorkshire Housing Partnership, or any of the participating researchers, stakeholders and agencies. The authors take responsibility for any inaccuracies or omissions in the text.

Ryan Powell

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Summary of Key Findings

- nationally, a lack of new provision, the gradual erosion of traditional 'stopping places' and population growth amongst the Gypsy and Traveller community have contributed to a mismatch in the supply and demand of adequate site provision
- this Report presents the findings of the West Yorkshire GTAA and provides a quantitative assessment of pitch requirements for Gypsies and Travellers and Travelling Showpeople. Findings are based on a survey of the Travelling population, a survey of local authorities, stakeholder interviews and interviews with the community. The findings show a substantial need for residential pitches in West Yorkshire in order to meet the backlog of unmet need and provide for new forming households.

Policy Framework

- addressing Gypsy and Traveller accommodation needs is at the forefront of measures to tackle the deep-seated social exclusion experienced by this diverse group. Adequate provision is seen as imperative in facilitating access to employment opportunities, formal education, healthcare and other key services
- as a result conducting a GTAA is a statutory obligation under sections 225 and 226 of the Housing Act 2004
- central government has attempted to create more of a level playing field in accommodating the Travelling community through separate planning circulars for Gypsies and Travellers and Travelling Showpeople. As yet, this has not resulted in the necessary increase in provision
- this study updates the findings of the initial regional assessment conducted in 2006 which understated accommodation needs within the region. The pitch requirements presented here must be translated into the allocation of sites for development in DPDs which form part of LDFs.

The Current Picture

- West Yorkshire has a much higher proportion of socially rented provision (81 per cent) compared to the regional (53 per cent) and national (40 per cent) pictures and contains only a small proportion of private provision (4 per cent)
- the distribution of the Gypsy and Traveller population across West Yorkshire is relatively uneven with heavier concentrations in the larger authorities of Bradford, Leeds and Wakefield. This pattern is mirrored in terms of the incidences of unauthorised encampments
- currently, Calderdale and Kirklees do not provide any local authority provision for Gypsies and Travellers. Bradford, Leeds and Wakefield currently provide a total of 126 pitches on their local authority sites. There are a further 17 pitches on private authorised sites in the sub-region concentrated in Bradford and Kirklees
- there is a great deal of variation from one authority to the next in terms of the priority and resources afforded to Gypsy and Traveller accommodation. This broadly reflects the population distribution and geography of unauthorised encampments
- in all five authorities there is a sizeable population in bricks and mortar housing but existing information on these households is very poor
- there are approximately 85 Travelling Showpeople households across 18 different yards in West Yorkshire. Provision for Travelling Showpeople is more evenly spread across the sub-region than that for Gypsies and Travellers and the Showmen's Guild is prominent in the provision of yards for the community. No Showpeople yards are

managed by the local authority, though several are leased to the Guild from respective Councils

- historically, yards lost by the Showmen's Guild have not been replaced and consequently demand for yards is significantly greater than supply
- many Travelling Showpeople had negative experiences of the complexities of planning process and viewed it as a major barrier to securing new provision for the community
- as a result of these processes, the Showpeople of West Yorkshire are living in the worst and most overcrowded conditions the research team has witnessed on any Traveller or Showpeople site or yard in the country.

Key Survey Findings

- a survey of 198 households was conducted as the primary research exercise of the study. Respondents were dominated by three main groups: English Gypsies (43 per cent); Irish Travellers (25 per cent); and Travelling Showpeople (15 per cent)
- familial networks emerged as key factors influencing residential choices for Gypsy and Traveller households. Nearly 80 per cent of households stated a local connection to their current area of residence and a little over that proportion cited having family in West Yorkshire as the primary reason for residing in or resorting to the sub-region. Employment opportunities appear to be less of a factor bringing Travelling households into the sub-region
- households generally reported travelling less due to the loss of traditional stopping places and a lack of alternative temporary accommodation. Almost 50 per cent of Gypsy and Traveller households never travel. The main factors precipitating travel were attendance of fairs, holidays and visiting relatives. Travelling Showpeople reported changes in travelling patterns related to their employment: less fairs; a competitive environment; and increasing costs. Employment for Travelling Showpeople was now more localised than in the past
- in terms of the previous location of households 57 per cent had moved from elsewhere within West Yorkshire and 8 per cent from elsewhere within Yorkshire and Humber
- responses on experiences of sites suggest much room for improvement in terms of site design, location and quality of facilities. Health and safety on site is also a concern for the majority of households (57 per cent). These experiences were even more negative for Travelling Showpeople for whom conditions are more severe
- there is a relatively high degree of movement between different accommodation types. 54 per cent of households stated the 'roadside' as their last accommodation type
- owner-occupation and the private rented sector are important tenures for housed Gypsies and Travellers but Council tenants (45 per cent) are the largest group of households resident in bricks and mortar housing
- there is a clear accommodation preference among the community for family owned private sites, which received a mean score of 9.4 out of 10. Local authority sites were next with a score of 7.5. Similarly, private yards dominated the preferences for Travelling Showpeople with a mean score of 10
- Gypsy and Traveller households tended to have set ideas on location preferences whereas Travelling Showpeople were more likely to consider the West Yorkshire area in general
- there was a lack of support towards the idea of transit sites from both stakeholders and the community with concerns related to the management of such sites. A pragmatic approach to accommodating transient households appears more appropriate. This could include short-term pitches on residential sites, the use of appropriate stopping places and short-term 'doubling up' on the pitch of a relative

- there are a number of statutory and voluntary agencies and individuals currently active in providing valuable services to the community. This provision is not co-ordinated however, and there is a lack of integration in delivery with the result that many providers feel relatively isolated and unable to effect the changes they think are possible
- service providers do not appear to be reaching Gypsies and Travellers. There is the need for a more focused and collaborative approach to Gypsy and Traveller needs. The findings suggest a demand for services related to filling in forms, finding accommodation, settling into accommodation, legal services, accessing benefits and harassment among others. A more tailored support would improve the take up of services and help integrate communities into the wider society
- the lack of sufficient accommodation in West Yorkshire has a detrimental effect on household access to key services with those on unauthorised encampments particularly affected. For example, just 41 per cent of Traveller children on the roadside attend school regularly compared to 80 per cent of those on sites and in bricks and mortar housing.

An Assessment of Needs for Gypsies and Travellers and Travelling Showpeople

- there is a need for a further 124 residential pitches in West Yorkshire to accommodate the Gypsy and Traveller population to 2015. This need comprises concealed households, family growth, net movement between sites and housing and the demand from unauthorised encampments
- there is also the need for the provision of 19 transit pitches across West Yorkshire to accommodate transient households passing through the sub-region
- the assessment of need for Gypsies and Travellers at the local authority level has been done on a 'need where it is seen to arise' basis consistent with CLG guidance. In some cases this distribution reflects the current uneven distribution of pitch provision and the Gypsy and Traveller population across West Yorkshire
- there is a need for 40 pitches on Travelling Showpeople yards to meet the accommodation needs of the population up to 2015. This need is comprised of concealed households and family growth
- the assessment of pitch requirements for Travelling Showpeople at the local authority level is based on a 'fair shares' basis given the relatively even distribution of the population across West Yorkshire. Thus, each authority has a requirement of 8 pitches to 2015
- the over-arching and most pressing recommendation from the study is the development of new provision. Other recommendations in the Report pertain to five key areas: strategy, systems and policy; developing accommodation; Travelling Showpeople; Housing-related support; and consultation and engagement.

A note on terminology

There are important distinctions between different travelling communities, which call for a terminology sensitive to diversity and signalling that any collective term denotes a range of *different* population groups. Romani Gypsies, Irish Travellers, new travellers, as well as other groups associated with a nomadic way of life, such as Travelling Showpeople and circus travellers, have different needs, preferences and cultural heritage, such that conflating these groups within the catch-all term 'Travellers' is inappropriate. In particular, a crucial distinction between Gypsies and Irish Travellers on the one hand, and all other travelling populations on the other, lies in the *ethnic minority status* of the former two populations (as set out in the Race Relations Act 1976, amended by the Race Relations Act 2000). That said, researchers and practitioners should also pay attention to the ways in which Gypsies and Travellers define themselves as opposed to seeking to codify difference.

The terminology employed to refer to 'Gypsies and Travellers', then, is an emotive and controversial issue packed with cultural and political significance and, while different populations share commonalities in terms of their nomadic, semi-nomadic, or previously nomadic way of life, recognising their difference remains crucial. In this report, the term 'Gypsies and Travellers' is therefore used as a collective term to refer to all Gypsy and Traveller populations. The term 'Traveller' is never used without an identifying prefix ('new', 'Irish') other than to quote individuals using this terminology, but the term 'Gypsy' is used alone, to refer to Romani Gypsies (regardless of their nationality). Where reference is being made to a particular group, or where an issue is discussed that is relevant to one group and not others, the proper name is used – e.g. Gypsy, new traveller, Show person and so on. Capitalisation of the collective term reflects the ethnic minority status of Gypsies and Irish Travellers.

Certain colloquialisms and Romani words in common usage amongst Gypsies and Travellers have also been used at times in this Report. The glossary below provides definitions for these.

Glossary

to 'double up': to share a *single* pitch on an authorised site, more often than not for a set period of time.

'gorger': Romani word for a member of the non-Gypsy community, primarily used by Gypsies. The spelling of this word varies (sometimes appearing as gauje, gaje, gorgio or gaujo among other variations) but 'gorger' is preferred amongst the community as this better conveys the pronunciation.

to 'pull up', 'to pull', or 'to pull on': to park up a trailer, or set up an encampment, regardless of whether the site is authorised or unauthorised (e.g. 'we pulled on a site' or 'we pulled on some open land').

to be **roadside:** a term used to describe living or 'stopping' in places not authorised for residential encampment - i.e. unauthorised sites or encampments. 'Roadside' does not necessarily denote locations literally by the side of the road, although it can do. Also referred to as 'unauthorised sites or encampments'

roadside Gypsies and Travellers: Gypsies and Travellers living on unauthorised encampments.

settled population: the term used to refer to the collective non-Gypsy and Traveller population. While we recognise that this is a heterogeneous group and a variety of attitudes towards Gypsies and Travellers exist, a term is required and 'settled population' is used in many studies.

slab: a term for a pitch on a site.

stopping places: unauthorised locations frequented by Gypsies and Travellers, not usually for very long and often on the roadside.

unauthorised encampment: a caravan/trailer or cluster of caravans/trailers on land not owned by Gypsies and Travellers.

unauthorised development: a caravan/trailer or cluster of caravans/trailers on land owned (and sometimes developed) by Gypsies and Travellers without planning permission. The term unauthorised is used as opposed to 'illegal' to reflect the fact that retrospective planning permission is allowed under the procedures of the planning process.

yard: refers to the sites accommodating Travelling Showpeople. A yard can be relatively small comprising several plots for the nuclear family or as a larger 'site' divided into plots and accommodating a larger number of households.

List of Acronyms

CSA: Caravan Sites Act 1968

CSCDA: Caravan Sites and Control of Development Act 1960

CJPOA: Criminal Justice and Public Order Act 1994

CLG: Communities and Local Government.

CRE: Commission for Racial Equality

CRESR: Centre for Regional Economic and Social Research

CURS: Centre for Urban and Regional Studies

DPD: Development Plan Document

EiP: Examination in Public (of the RSS)

GOYH: Government Office for Yorkshire and Humber

GTAA: Gypsy and Traveller Accommodation Assessment

LDF: Local Development Framework

Leeds GATE: Leeds Gypsy and Traveller Exchange

LGA: Local Government Association

ODPM: Office of the Deputy Prime Minister (now CLG)

REC: Racial Equality Council

RHB: Regional Housing Board

RSL: Registered Social Landlord

RSS: Regional Spatial Strategy

SHUSU: Salford Housing and Urban Studies Unit

TES: Traveller Education Service

UDP: Unitary Development Plan

YHRA: Yorkshire and Humber Regional Assembly

1. Introduction

This research was commissioned by the West Yorkshire Housing Partnership in August 2007 and was managed by a steering group comprising representatives from the five West Yorkshire authorities, other sub-regional stakeholders and members of the Gypsy and Traveller community. The study was conducted by a team of researchers from: the Centre for Regional Economic and Social Research (CRESR) at Sheffield Hallam University; the Salford Housing and Urban Studies Unit (SHUSU), University of Salford; and the Centre for Urban and Regional Studies (CURS), University of Birmingham. Research support was provided by members of the Gypsy and Traveller community of West Yorkshire who were involved in the project as community interviewers.

This research was led by CRESR, a multi-disciplinary research centre in the field of housing, regeneration, urban and regional policy.

1.1. The research brief

The accommodation and related support needs of Gypsies and Travellers have risen up the policy agenda in recent years with the establishment of the Gypsy and Traveller Unit within the Office of the Deputy Prime Minister (now CLG) in 2005 bearing testament to this new impetus.

Nationally, a lack of new provision, the gradual erosion of traditional 'stopping places' and population growth amongst the Gypsy and Traveller community have contributed to a mismatch in the supply and demand of adequate site provision. One of the outcomes of this is increasing incidences of unauthorised encampments and unauthorised developments as accommodation choices for Gypsy and Traveller households are increasingly constrained. This has been identified by central government as a particular source of tension between the Gypsy and Traveller community on the one hand and the settled population on the other. The financial costs to local authorities associated with the management of such encampments have also been highlighted (Clements and Morris, 2002).

However, the human and social costs represent the most pressing concern (Clements and Morris, 2002) as the accommodation situations of many Gypsies and Travellers have accentuated processes of marginalisation and social exclusion. So much so that the Commission for Racial Equality (CRE) recently concluded that Gypsies and Irish Travellers are the most excluded ethnic groups in today's society (2006). Addressing accommodation needs is at the forefront of measures to tackle this deep-seated social exclusion with adequate provision seen as imperative in facilitating access to employment opportunities, formal education, healthcare and a range of other key services. Indeed, there is a growing body of research on the established links between the level and quality of site provision on the one hand, and access to employment (Sibley, 1981), education (Derrington and Kendall, 2007) and standards of health (Van Cleemput and Parry, 2001) on the other.

As a result of these developments it is now a statutory obligation for local authorities to carry out a Gypsy and Traveller Accommodation Assessment (GTAA) under sections 225 and 226 of the Housing Act 2004. Previously, the accommodation

needs of Gypsies and Travellers were insufficiently addressed within broader housing needs assessments and the specific GTAA's are intended to rectify this by providing the evidence base for the development of a specific Gypsy and Traveller strategy as a clear strand within overall Housing strategies. As the CLG guidance on GTAA's states, local authorities can conduct this assessment individually or in partnership - the latter option being preferred in West Yorkshire.

This Report presents the findings from the West Yorkshire GTAA. The study incorporates a quantitative assessment of accommodation need in terms of the number of pitches required to address the shortfall within the sub-region, with figures disaggregated to the local authority level. The findings presented here update the regional GTAA (Powell, 2006) which was the first phase in moving towards the development of a Gypsy and Traveller strategy for incorporation into the Regional Spatial Strategy (RSS) (see Chapter 2). The Report also provides a qualitative assessment of the housing-related support needs of Gypsies and Travellers in West Yorkshire, which builds on and complements the 2006 *Supporting People* study (Lovatt, 2006).

1.2. Aims and objectives

The primary aim of the research is:

- to inform officers working in a range of sub-regional stakeholder organisations in West Yorkshire about the current and future accommodation needs and aspirations of Gypsies and Travellers, and the need and demand for support services.

The objectives of the research are:

- to produce a quantitative assessment of pitch requirements capable of disaggregation to local authority level up to 2015
- to assess the current need for different types of accommodation across the sub-region
- to assess the mobility patterns of Gypsies and Travellers within West Yorkshire and the drivers of mobility
- to develop an understanding of the demographic profile of the Gypsy and Traveller population; and
- to devise a tailored methodology for carrying out future GTAA's for the West Yorkshire authorities.

1.3. The research approach

The findings presented in this Report are derived from a number of research activities. The methodology developed has attempted to consider the preferences of the Gypsy and Traveller community in relation to the research approach adopted. Our experience suggests the need for a qualitative element to the study which allows for a better understanding of the views, attitudes and experiences of respondents. The approach adopted is consistent with the GTAA guidance published by CLG in October last year (see CLG, 2007c).

It should be noted that the study has engaged with the Gypsy and Traveller community from the beginning of the research process and great benefits have been derived from including members of the community on the study team. Representatives from the Gypsy and Traveller community have not only sat on the steering group but have played a central role in identifying and accessing

interviewees and sensitising the research to cultural considerations. For instance, the representation of Travelling Showpeople within the study has been greatly bolstered by the assistance of the Showmen's Guild. It is unlikely that we would have received the same level of response without this help.

Four community interviewers were also part of the fieldwork team which conducted the questionnaire surveys (see below). These team members attended a specialised training event, held at Leeds City Council offices, specifically aimed at Gypsy and Traveller community interviewers. The course has been developed by SHUSU at the University of Salford and attendees receive an official accreditation on completion.

A phased approach to the study was devised to respond to the research objectives, involving five overlapping stages:

1. Literature review
2. An audit of current provision
3. Stakeholder consultation
4. Quantitative questionnaire survey
5. Qualitative in-depth interviews

These stages, and the tasks involved in each are detailed below.

1.3.1. Literature review

Given the raft of documents published in relation to Gypsy and Traveller accommodation issues and policy in recent years it is necessary to situate the sub-regional assessment for West Yorkshire within the wider regional and national policy context. To this end the literature review focussed on the regional and national policy frameworks affecting Gypsies and Travellers. This included CLG publications on guidance to local authorities, planning circulars and consultation documents as well as various Reports from bodies such as CRE and the Gypsy and Traveller Task Group. As well as recent documents there is a brief discussion in the review on some of the more historical legislation which has influenced and shaped the current position with regards to levels of provision.

Attention was also given to more localised research, and documents such as the *Leeds Baseline Census* (Baker, 2005) and the Supporting people study on *The Housing Support Needs of Gypsies and Travellers in West Yorkshire, North Yorkshire and York* (Lovatt, 2005) were also reviewed. Where relevant, such documents are referred to throughout the Report.

1.3.2. Audit of current provision

This stage of the research was two-fold. Firstly, a desk-based exercise was conducted which gathered relevant data and information on Gypsies and Travellers within the sub-region. This included datasets such as the bi-annual CLG caravan count, schools census data on pupil ethnicity and a range of local authority documents such as housing strategies and Unitary Development Plans (UDPs). Such documents help to ascertain the degree to which Gypsy and Traveller issues are incorporated within wider local authority plans and give an indication of the relative approaches towards the communities and their accommodation.

Secondly, given that existing datasets on Gypsies and Travellers are few and far between, the desk-based exercise was supplemented by a questionnaire which was

sent to the Lead Officers in each of the five local authorities. This sought information in the broad areas of:

- local authority sites
- planning and private sites
- unauthorised encampments
- Gypsies and Travellers in social housing
- good practice on Gypsy and Traveller accommodation issues; and
- Travelling Showpeople and circus families.

The findings from this stage of the research are presented in Chapter 3 on the assessment of the current sub-regional position.

1.3.3. Stakeholder Consultation

The information and insights garnered from the audit of the current situation then provided the basis for discussion with various local stakeholders. A total of 18 stakeholder interviews were conducted. Interviews served to plug some of the gaps in the survey responses and also to corroborate and contextualise the information provided. This proved a very useful exercise in terms of understanding the situation 'on the ground' as most stakeholders were engaged with Gypsies and Travellers on a day-to-day basis. Consequently they tended to have a wealth of local knowledge and a high level of understanding of the needs and issues facing the Gypsy and Traveller community. Given the variety of organisations and interviewees consulted, the topics and focus of discussion varied from specific interest areas to general views; and from the local to the sub-regional context. Key stakeholders included:

- Local Gypsy and Traveller groups
- Showmen's Guild
- Traveller Education Service
- Gypsy Liaison Officers
- Site managers
- Local authority housing officers
- Local authority enforcement officers
- Local authority planning officers
- Health visitors
- West Yorkshire Police
- Family workers
- Local community and voluntary sector agencies.

Interviews typically lasted 45 minutes to an hour. All interviews were recorded, transcribed and analysed using a coding framework. Findings and illustrative quotes from the stakeholder consultation phase are presented throughout the Report where relevant.

1.3.4. Quantitative questionnaire survey

The questionnaire survey forms the basis of the quantitative assessment of Gypsy and Traveller accommodation need. For example, data on demographics, caravans

per pitch and housing intentions feed into the calculations on estimated pitch requirements (see Chapter 6). The questionnaire used has been developed over the course of the last two years given the involvement of research team members in a number of GTAA's over this period. It has been continually revised and edited and consequently represents a very useful and functional research tool. The main topic areas of the questionnaire include:

- current and future accommodation requirements including tenure preferences, location and reasons for moving or staying
- household composition and general demographic information
- the expected rate of new household formation and future composition
- migration patterns into and out of the areas and reasons for locating in the area/districts
- plot/pitch accessibility issues on public/private sites for sections of the Gypsy and Traveller population
- barriers to access and/or transfer between tenure/site
- seasonal travelling patterns to, from and within the areas of study
- employment trends
- health issues that impact on housing needs
- condition of accommodation
- need for housing-related support in line with Supporting People
- any possible variation in requirements of different groups within the Gypsy and Traveller communities
- educational requirements, accessibility and peer group integration
- number and size of existing and potential households with an 'accommodation need' that cannot be met without Council or other social agency intervention
- number of households requiring physical adaptations or supported accommodation
- movement between types of accommodation and tenure
- evidence of recent moves to housing and any demographic, household or health related reasons for doing so
- attitudes to key local facilities (transport, health, leisure, education, employment, shops, banks, social services, advice provision); and
- suitability, design and construction of existing/future sites.

A total of 198 interviews were conducted by community interviewers and members of the core research team - a large sample for a GTAA, even at the sub-regional scale. Every effort has been made to ensure an appropriate spread across the different groups falling within the broad definition of Gypsies and Travellers so it is representative of the picture in the sub-region. All questionnaire surveys were quality checked and the data were input into the software Statistical Package for the Social Sciences (SPSS), cleaned and analysed. Therefore, there is every reason to be confident in the robustness of the data and analysis. Findings from the questionnaire are presented in Chapters 5 and 6.

As with any questionnaire there is a limit to the kinds of information which can be gathered: generally confined to 'closed' questions and tick-box answers, although there were some more open-ended questions too. Complex issues requiring a more

detailed level of inquiry such as attitudes towards services, community cohesion and drivers of mobility were addressed in more detail in the qualitative phase of the study (see 4.1 below for details on the sampling frame).

1.3.5. Qualitative in-depth interviews

A more exploratory qualitative interviewing technique was used for this element of the study. Experience of past GTAA's suggests that a quantitative questionnaire survey can be quite limited in developing a sufficiently nuanced understanding of the complex issues facing Gypsies and Travellers. The standard questionnaire approach, while appropriate for any quantitative assessment, is unable to account for the cultural differences within the population and the subtle ways in which these are manifested. Furthermore, as the mobility patterns of Gypsies and Travellers change in the face of different employment opportunities and lifestyles, a qualitative approach can capture such changes more effectively. Crucially, an in-depth interviewing approach also enables the respondent to define the issues for themselves rather than have these dictated to them by the research team. In total, 21 in-depth interviews were carried out and the findings from these are presented in Chapters 4 and 5 to supplement the survey findings and provide a more nuanced understanding of the more complex issues and attitudinal aspects.

The remainder of this Report is divided into 8 further Chapters. Chapter 2 briefly reviews the policy context with regards to Gypsy and Traveller accommodation at the national, regional and local levels. Chapter 3 provides an overview of the current picture within the sub-region in relation to existing provision, accommodation situations and trends. The household survey findings are then presented in Chapter 4 and with separate analyses of findings on Travelling Showpeople in Chapter 5. Chapters 6 and 7 set out the pitch requirements to 2015 for Gypsies and Travellers and Travelling Showpeople respectively. Finally, Chapter 8 presents the recommendations. Pitch estimates have also been estimated to 2026 based on a simple projection of household growth (see Appendix G). While this comes with several caveats the purpose is to provide a figure which is consistent with the RSS period. This estimate is therefore indicative and should be revisited after the next round of GTAA's.

2. Policy and Legislative Context

This section reviews past and current policy on Gypsies and Travellers, paying particular attention to planning and site provision. It incorporates the raft of documents published over the last 18 months including those by central government, the Commission for Racial Equality and the Local Government Association. It is important to review the policy landscape, as past and existing legislation has a significant bearing on the current context in which Gypsy and Traveller accommodation issues need to be understood.

Gypsies and Travellers are affected by most legislation in much the same way as the 'settled population'. The policy realms of planning and housing, however, do contain requirements and guidance specific to Gypsies and Travellers and the recent establishment of the Gypsy and Traveller Unit within the Office of the Deputy Minister (ODPM) (now the Department for Communities and Local Government (DCLG)) suggests that central government is beginning to develop a more focused response to specific Gypsy and Traveller issues.

Numerous documents have been published by central government in recent months which affect policies towards Gypsies and Travellers. Recent publications have included final guidance on undertaking accommodation needs assessments, planning circulars, a consultation document on the definitions of 'Gypsies and Travellers' and various local authority guidance notes on powers and responsibilities. Regional and local planning policies regarding Gypsy and Traveller site provision are also considered.

This brief review of relevant policy and legislation is not exhaustive, but it provides a context for understanding some of the issues facing Gypsies and Travellers and local authorities today. Most of the documents and legislation discussed below can be obtained from local authority websites, the DCLG website (communities.gov.uk) or by contacting Her Majesty's Stationery Office.

2.1 Legislative Definitions of 'Gypsies and Travellers'

Variable definitions of the collective term 'Gypsies and Travellers' are applied for different legislative purposes: one in relation to planning and one to housing. 'Gipsies' [sic] were first defined for legislative purposes in Part 2 of the 1968 Caravan Sites Act, later repealed in 1994, and the definition was consequently inserted into the Caravan Sites and Control of Development Act (CSCDA) 1960. This stated that *"gipsies' [sic] are persons of nomadic habit of life, whatever their race or origin, although not including travelling showmen or circus people"* (ODPM, 2006a, p.8). This definition was later modified by case law to specify that *'gipsies [sic] travel for the purposes of work'*, and again amended following consultation in December 2004 in recognition of the fact that many Gypsies and Travellers stop travelling temporarily or permanently (ODPM, 2006a). This became the planning definition of 'Gypsies and Travellers'. The function differs from the housing definition in that it *'seeks to capture those with specific land use requirements arising from their current or past nomadic way of life'* (ODPM, 2006a, p. 9). Hence the planning definition refers to:

'Persons of nomadic way of life whatever their race or origin, including such persons who on grounds of their own or their family's or dependant's educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.' (ODPM, 2006a, p.9)

This definition contains no ethnic component, largely because some Gypsies and ethnic Travellers have no personal history of travelling and therefore no requirements under this legislation, while other non-ethnic travelling population groups (for example new travellers) may have.

The definition of 'Gypsies and Travellers' for the purposes of the GTAA process was revised after consultation. The current definition is as follows:

- (a) a person with a cultural tradition of nomadism or 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 Showpeople or circus people (whether or not travelling together as such).*

This broader, more inclusive housing definition has been devised with some pragmatism, to ensure it captures all nomadic groups whose accommodation needs must be assessed. It is important to emphasise that this definition, outlined in the ODPM consultation paper, *Definition of the term 'gypsies and travellers' for the purposes of the Housing Act 2004* is, as the title suggests, a legislative definition: policy-makers and practitioners also need to consider the ways in which Gypsies and Travellers define themselves.

2.2 Planning and Site Provision: National Context

One of the most significant historical developments in terms of site provision for Gypsies and Travellers was introduced in part 2 of The 1968 Caravan Sites Act (CSA) which placed a requirement on local authorities to provide sites for local Gypsies 'residing in or resorting to their areas'. At the same time, however, it gave local authorities the right to request designation, effectively resulting in 'no-go' areas for Gypsies and Travellers.

The obligation on local authorities in England and Wales to provide sites for Gypsies and Travellers ceased in January 1994 with the introduction of the Criminal Justice and Public Order Act (CJPOA). The CJPOA was seen by many as a response to increasing incidences of rural gatherings and trespass linked to the rave culture of the early 1990s; the participants were not the archetypal Gypsy or Traveller. The Act strengthened the law related to trespass, which the then Conservative Government deemed necessary to tackle 'the destruction and distress caused mainly to rural communities by trespassers' (the then Home Secretary, Michael Howard MP, cited in Sibley, 2001, p.425). The Act repealed part 2 of the 1968 CSA and also repealed section 70 of the Local Government, Planning and Land Act 1980, which gave powers to central government to meet the capital costs of the development of sites. Although local authorities still had powers to provide caravan sites for Gypsies and Travellers under section 24 of the 1960 Caravan Sites and Control of Development Act (CSCDA), they were under no legislative *obligation* to do so, and few used this power.

The detrimental effects of the 1994 CJPOA on Gypsies and Travellers, including the criminalisation of these populations and resultant insecurity have been well documented (Halfacree, 1996; Morris and Clements, 1999; Sibley, 2001): suffice to say here that it left a large proportion of *'the families counted in the government's own six-monthly census of Traveller caravans without a legal stopping place'* (Sibley, 2001, p.425). The result of this legislation was a shift in responsibility for site provision from local authorities to Gypsy and Traveller communities, who now effectively had to provide for themselves in the form of private sites, usually involving the purchase of land and subsequent application for retrospective planning permission. The Department of the Environment (DoE) Circular 1/94 *Gypsy Sites and Planning*, which set out planning policy in relation to site provision, did encourage local authorities to assess Gypsy and Traveller accommodation needs and to identify appropriate locations for sites in their development plans (as well as deeming the development of Traveller sites on green belt land inappropriate). However, Circular 1/94 ultimately proved ineffective: the majority of planning applications from Gypsies and Travellers were unsuccessful.

DoE Circular 1/94 was replaced in February 2006 by ODPM Circular 01/06 *Planning for Gypsy and Traveller Caravan Sites* (following the introduction of the Planning and Compulsory Purchase Act in 2004) in acknowledgement of the failure of the former to deliver adequate sites:

'Since the issue of Circular 1/94, and the repeal of local authorities' duty to provide Gypsy and Traveller sites there have been more applications for sites, but this has not resulted in the necessary increase in provision' (ODPM, Circular 01/2006, p.4).

The intention of the new planning Circular is to create a level playing-field between Gypsies and Travellers on the one hand and the 'settled population' on the other. Key aims set out in the document include:

- ensuring that Gypsies and Travellers have fair access to suitable accommodation, education, health and welfare provision
- reducing the number of unauthorised encampments
- increasing the number of sites and addressing under-provision over the next 3-5 years
- the protection of the traditional travelling way of life of Gypsies and Travellers
- underlining the importance of assessing accommodation need at different geographical scales
- the promotion of private site provision
- avoiding Gypsies and Travellers becoming homeless where eviction from unauthorised sites occurs when there is no alternative to move into.

Circular 01/06 outlines how establishment of the required number of pitches in Regional Spatial Strategies (RSSs) must translate into the allocation of sites in Development Plan Documents (DPDs) and that the two must generally conform. Of particular significance for local planning authorities is the requirement to actually identify land for sites based on the number of pitches in the RSS. It states that *'criteria must not be used as an alternative to site allocations in DPDs where there is an identified need for pitches'* (p.9). DPDs must also specify how land will be made available and the timescales for provision. The circular also goes on to say that *'planning policies that rule out, or place undue constraints on the development of [G]ypsy and [T]raveller sites should not be included in RSSs or DPDs'* (p.9). Examples of unacceptable reasons for refusing planning applications are also

provided in an Appendix to the document. For instance, citing the lack of a local connection to an area is considered too restrictive given the nomadic way of life of many Gypsies and Travellers. The Circular also encourages dialogue between local authorities and Gypsies and Travellers about accommodation needs prior to the development of RSSs and DPDs.

A key theme in the various recent publications about Gypsies and Travellers is the need for robust evidence to inform strategies and DPDs, primarily derived from housing needs assessments. However, transitional measures can be taken if other information points to the need for provision (for example the existence of significant unauthorised encampments) but the housing needs assessment has yet to be carried out. In such cases, site allocations can be made in advance of needs assessments, and other sources of information should be utilised, including:

- a continuous assessment of incidents of unauthorised encampments
- the numbers and outcomes of planning applications
- levels of occupancy, plot turnover and waiting lists for public sites
- the status of existing sites
- the biannual ODPM caravan count.

The above data sources should also be utilised for continuous monitoring of Gypsy and Traveller accommodation needs.

2.2.1. Planning for Travelling Showpeople

A separate planning document applies to Travelling Showpeople, Circular 04/07 *Planning for Travelling Showpeople*, which was published in August 2007 and replaces Circular 22/91. Similarly, this new circular was necessary because 'evidence shows that the advice set out in Circular 22/91 has failed to deliver adequate sites for Travelling Showpeople' (CLG, 2007a, p.5). While much of the content of Circular 04/07 replicates that of Circular 01/06 applying to Gypsies and Travellers, there are some key distinctions which require the planning needs of Travelling Showpeople being met separately. Circular 04/07 states the reasons for the separate Circular (CLG, 2007a, p.5):

- the different culture and tradition from that of Gypsies and Travellers
- Showpeople sites being of mixed residential and business use to enable storage and repair of equipment
- the nature of business requiring the repair and maintenance of equipment which can cause noise and impact visually on surrounding areas; and
- for clarity and ease and to ensure that all relevant guidance on planning for Travelling Showpeople is contained within one document.

In terms of the planning process the Circular is much the same as that applying to Gypsies and Travellers. That is, the accommodation needs of Travelling Showpeople are assessed through the GTAA process which then informs housing policy within the RSS. The requirement for the number of plots set out in the RSS must then be translated into site allocations in local authority DPDs which form part of the LDF. The Circular also lists ways in which local authorities may make land available including the exercise of compulsory purchase powers.

2.2.2. *Guidance on Gypsy and Traveller Accommodation Assessments*

Draft practice guidance for local authorities on undertaking accommodation assessments was released by the ODPM Gypsy and Traveller Unit in February 2006. The final document was released in October 2007 during the course of this study. As the guidance states, assessments of Gypsy and Travellers' accommodation needs are a statutory requirement under section 225 of the Housing Act 2004, which also requires local authorities to produce a housing strategy informed by the needs assessment. Previously, many local authority housing needs assessments were failing to assess or identify the needs of Gypsies and Travellers.

The definition of housing need in this guidance is varied slightly to acknowledge the different contexts in which Gypsies and Travellers live. The broad CLG definition of housing need is 'households who are unable to access suitable housing without some financial assistance' (ODPM Gypsy and Traveller Unit, 2006a, p.7). The guidance sets out some of the distinctive requirements of Gypsies and Travellers which necessitate moving beyond this definition. It states that housing need may also be evident in the context of caravan dwellers:

- who have no authorised site anywhere on which to reside
- whose existing site accommodation is overcrowded or unsuitable, but who are unable to obtain larger or more suitable accommodation
- who contain suppressed households unable to set up separate family units and who are unable to access a place on an authorised site, or obtain or afford land to develop one.

And in the context of bricks and mortar dwellers:

- whose existing accommodation is overcrowded or unsuitable (including unsuitability by virtue of psychological aversion to bricks and mortar housing)
- that contain suppressed households who are unable to set up separate family units and who are unable to access suitable or appropriate accommodation.

The main purpose of the accommodation needs assessment is to quantify the needs of Gypsies and Travellers and to distinguish the types of provision required - that is, whether private sites, transit sites, socially rented sites or bricks and mortar housing, or a combination of these, are needed. The guidance acknowledges that different approaches may be required in different local contexts. For example, there are obvious difficulties with assessing the needs of a semi-nomadic population, such as determining the most appropriate geographical scale for the assessment, and the most suitable timeframe, given seasonal fluctuations in the population. Consequently the guidance suggests that it is important to update regularly the assessments, where they are less precise for certain groups, and where long-term forecasting is more difficult. This is a crucial requirement if accommodation needs are to be met in a coherent and consistent manner.

2.3 **The Regional Policy Context**

The Yorkshire and Humber Plan is well advanced in the process of review. The Draft Revised Regional Spatial Strategy incorporating the Secretary of State's proposed changes includes Policy H5 Provision of Sites for Gypsies and Travellers. This states that:

- A. *The Region needs to make additional provision to meet the housing needs of Gypsies and Travellers to address an overall shortage of at least 255 pitches*

across the region and at least the following shortfalls in each sub-region by 2010:

- Humber 34 pitches
- North Yorkshire 57 pitches
- South Yorkshire 78 pitches
- West Yorkshire 86 pitches

B. Local authorities should carry out an assessment of the housing needs of Gypsies and Travellers by July 2008. Collaboration between authorities on these studies is encouraged in order to more fully understand the patterns of need and the adequacy of current provision. LDFs, housing investment programmes, and planning decisions should ensure there is an adequate provision of sites for Gypsies and Travellers.

The accompanying text notes a shortage of suitable sites in all parts of the region and that some authorities, including Calderdale and Kirklees, have no authorised sites. There is no reference in the policy to any distinction between residential and transit pitches.

Thus West Yorkshire has the single largest requirement. These figures, from a regional needs assessment, are to be superseded by the findings of local assessments. It is assumed that these will conclude that greater numbers of pitches are required as the regional assessment only provides a 'minimum count' and acknowledges that this understates need.

2.4 Local Planning Policies

The position of the 5 local planning authorities (LPAs) in this transitional stage in the development planning process is complex and varied. The position of each is summarised in Table 2.1 below. The planning context is developing but has some way to go to create the positive and pro-active framework envisaged in Circular 01/2006. Only Leeds refers to any positive actions at present in searching for sites.

Table 2.1: Local planning policies on Gypsy and Traveller site provision

Bradford	
	<p>Unitary Development Plan The UDP does not include a specific policy on provision of Gypsy sites. However, paragraph 6.43 notes the existence of 2 local authority sites providing 47 pitches. Paragraph 6.44 says:</p> <p><i>Applications for additional sites will be tested against Urban Renaissance policies. Policies UR2, UR3 and UR4 will be particularly important [to do with social and economic impact and impact on adjoining uses]. Provision should be made within the site for a satisfactory amount of land for work and play space and where appropriate land for the grazing of horses. Particular attention will be given to ensuring that the location of development and the use of landscaping or other forms of screening are such that visual and vehicular impact of any development is acceptable.</i></p> <p>Paragraph 6.47 says that similar Urban Renaissance Policies will be used to assess any applications for additional sites for Travelling Showpeople.</p> <p>Local Development Framework There are currently no relevant policies.</p> <p>Site Locations No sites are being considered as suitable for Gypsy and Traveller site development. The sorts of areas suitable will be addressed in the LDF Core Strategy and in particular allocations DPDs.</p>
Calderdale	
	<p>Unitary Development Plan (August 2006) Policy H17 Gypsy Sites <i>Planning applications for Gypsy sites will be permitted where they comply with the following criteria:</i></p> <ol style="list-style-type: none"> <i>i. sites are located so as to have a minimal impact upon the environment and the surrounding areas, particularly nearby residential areas;</i> <i>ii. adequate access is available;</i> <i>iii. the necessary utilities (electricity, water, gas and drainage) are provided or are readily available;</i> <i>iv. the site is accessible to schools and other community facilities;</i> <i>v. the development creates no unacceptable environmental, amenity, traffic, safety, or other problems;</i> <i>vi. the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings, where these are material considerations; and</i> <i>vii. the development complies with the requirements of other relevant UDP Policies.</i> <p>Local Development Framework There are currently no relevant policies.</p> <p>Site Locations No sites are being considered as suitable for Gypsy and Traveller site development. The sorts of areas suitable for development would be assessed in the light of the criteria in H17 above.</p>
Kirklees	
	<p>Unitary Development Plan 1999 Policy H14 Proposals for the use of land for Gypsy caravans will be considered having regard to:</p> <ol style="list-style-type: none"> <i>i.) Access to a surfaced road;</i> <i>ii.) Availability of a water supply;</i> <i>iii.) Access to schools, shops and essential services; and</i>

	<p>iv.) <i>The prevailing numbers and distribution of Gypsy caravans within the District.</i></p> <p>This policy has not been saved beyond September 2007.</p> <p>Local Development Framework LDF Core Strategy: Preferred Options Policy H5: <i>In collaboration with the Regional Assembly and other West Yorkshire Authorities, Kirklees Council will establish the extent of need of provision for Gypsies and Travellers. If a need is established the Council will work with the Gypsy and Traveller community to identify suitable locations.</i></p> <p>Site Locations No sites are being considered as suitable for Gypsy and Traveller site development. The sorts of areas suitable for development would take account of the concerns of Circular 01/2006 and National Planning Policy in advance of the adopted LDF Core Strategy setting out a criteria-based policy.</p>
Leeds	
	<p>Unitary Development Plan Review 2006 Policy H16 <i>The City Council will continue to search for suitable permanent, temporary stopping and transit sites to provide accommodation for Travellers and Travelling Showpeople, and will encourage suitable private sites to be advanced, in order to provide a balanced distribution throughout the District which will supplement existing provision in south west Leeds.</i></p> <p><i>Suitable sites will need to be:</i></p> <ol style="list-style-type: none"> <i>I. Acceptable to the Travellers' community itself;</i> <i>II. Within easy reach of community and other facilities;</i> <i>III. In locations where the environment provides acceptable living conditions, and where the development will not have unacceptable environmental consequences.</i> <p><i>Sites for Travellers will not normally be acceptable in the Green Belt, on playing fields and other sites identified for greenspace purposes, on the best and most versatile agricultural land, or where they would result in detrimental impact on a site of nature conservation interest protected under Policy N50.</i></p> <p>Local Development Framework LDF Core Strategy: Issues and Alternative Options – Shaping the Future Under the heading Housing for All, paragraph 4.47 reads: <i>Furthermore there is a need for the Core Strategy to address the need for potential Gypsy and Traveller accommodation across Leeds.</i></p> <p>Consultation question 12 asks: <i>Leeds must provide new accommodation for Gypsies and Travellers. Should this be through:</i></p> <ol style="list-style-type: none"> <i>a) A variety of small sites spread around the city close to existing communities, services and infrastructure, or</i> <i>b) On a large site on the fringe of the City, or</i> <i>c) Extension of the existing site at Cottingley Springs.</i> <p>Site Locations No sites are currently being considered as suitable for Gypsy and Traveller site development. The sort of areas suitable for development is being considered in the public consultation above. Applicants currently must satisfy criteria in Policy H16.</p>

Wakefield	
	<p>Unitary Development Plan No information was provided by Wakefield on planning matters in the questionnaire. The UDP is not available on the webpage. However, there is no policy specifically on Gypsy site provision among policies saved beyond September 2007.</p> <p>Local Development Framework LDF Core Strategy: Preferred Options Section 5.7 deals with Accommodation for Gypsies and Travellers. Paragraph 5.7.1 summarises the national and regional policy background. 5.7.2 states that Wakefield is currently meeting the demonstrated need for permanent accommodation for Gypsies and Travellers at Heath Common. Travelling patterns indicate distinct seasonal trends with a high number of Gypsies and Travellers passing through the District in summer and very few in winter. There is little evidence to suggest a need for further permanent accommodation in the District. Needs will be assessed in the latest Housing Needs Survey. 5.7.3 proposes that an appropriate criteria-based policy be included in the Development Control Policies DPD to assess the suitability of proposed sites.</p> <p>Site Locations No information provided in survey.</p>

As can be seen, there is a great deal of variation in relation to planning policies and the various stages reached in the process by each of the five local authorities. The evidence base provided in this Report should provide authorities with a grounding from which to move forward in the development of local planning policies relating to Gypsies and Travellers (see 6.1.1 below for an explanation of how the GTAA process feeds into the RSS Review).

3. Gypsies and Travellers in West Yorkshire: The Current Picture

Assessing the current and future accommodation needs of the Gypsies and Travellers of West Yorkshire requires an understanding of the current position in terms of the spatial distribution of the population, the supply of different accommodation types and geographical variations. This section of the Report presents findings from analysis of the bi-annual caravan count and the Lead Officer questionnaire survey to establish the West Yorkshire context.

The survey was intended to provide baseline and contextual information on current accommodation provision and related policies and procedures for the assessment of Gypsy and Traveller accommodation needs. All five local authorities completed and returned the questionnaire which was sent out by e-mail. Several authorities had difficulty in providing all the information requested and in some sections responses were incomplete. This is a finding in itself and reflects the variation in terms of the different levels of resources local authorities allocate to Gypsy and Traveller accommodation issues. For example, Leeds City Council has the second largest local authority budget in the country, significant incidences of unauthorised encampments and a large council site. It follows that more resources are dedicated to Gypsy and Traveller issues there than in Calderdale for instance.

Unless otherwise stated the source of the material presented in this section is the local authority questionnaire completed by Lead Officers. The data gathered is also supplemented by findings from stakeholder interviews where appropriate.

3.1. Site Provision

The bi-annual caravan count provides a snapshot of the local context in terms of the scale and distribution of caravan numbers across the sub-region. Though there are well documented issues with the robustness of the count (Niner, 2002), which require any analysis to be treated with a degree of caution, it nevertheless provides a useful starting point in assessing the current picture and recent trends. Indeed, in the absence of other datasets it is virtually the only source of information on Gypsy and Traveller caravan data. The caravan count does not include Travelling Showpeople yards. The current position with regards to accommodation for Travelling Showpeople is discussed in sub-section 3.1.4.

The mix of existing site provision in West Yorkshire varies markedly from the regional and national pictures. Table 3.1 below shows the number of caravans in the sub-region by type of site as at January 2007. The figures are compared with the Yorkshire and Humber and national equivalents.

Table 3.1: Caravans by type of site, January 2007

Type of site	West Yorks		Y&H	England
	Number	%	%	%
Social rented	220	81	53	40
Private	12	4	35	39
Unauthorised – own land	2	1	5	14
Unauthorised – other land	39	14	7	8
TOTAL	273	100	100	100

Source: CLG Caravan Count.

Yorkshire and the Humber has a profile which is rather different from the national with higher than average proportions of caravans on socially rented sites and lower than average proportions on unauthorised developments on Gypsy and Traveller-owned land. The Study Area demonstrates these features to a still greater extent. Four-fifths of caravans counted in West Yorkshire were on socially rented sites and only five per cent on authorised private sites or unauthorised developments, compared with 40 per cent regionally and 53 per cent nationally. It should be noted however, that the figure for private sites does not reflect actual provision since Kirklees provided information in the survey on 4 sites providing 12 pitches (though temporary permission for one site comprising two pitches has now expired) or caravans which do not appear in the January 2007 caravan count figures (see Table 3.9 below). Those caravans were not at the respective sites on the day of the count. The proportion of caravans on unauthorised encampments on land not owned by Gypsies in West Yorkshire was significantly above the regional and national averages at 14 per cent.

Even when accounting for the additional pitches in Kirklees the relative dearth of private provision in West Yorkshire is still the most striking aspect of the comparison. It is difficult to pin-point why this should be the case but three inter-related factors are likely contributors to this trend:

- *affordability issues* - the low proportion of private sites coupled with the prevalence of social rented accommodation as the dominant tenure suggests that for many households purchasing and developing their own land is not a financially viable option. Set in the context of rising land costs as a result of the national property boom the situation is likely to have been accentuated in recent years
- *land availability* - of the survey respondents that could afford their own land many reported great difficulties in finding suitable land available for development within West Yorkshire. The lack of available land also contributes to affordability pressures
- *the planning system* - even where financial resources and land availability were not an issue survey respondents who had applied for planning permission to develop a site or yard were invariably refused.

There are obvious complexities for all groups engaged with the planning system and the different experiences of Gypsies and Travellers are likely to be related to a number of different factors including knowledge of the system and process. The planning application success rates for Gypsies and Travellers are, however,

significantly lower than that of the settled population. Data on this is hard to come by but in the European Court of Human Rights judgement in the case of Chapman v The UK (1991) it is quoted that 10 per cent of Gypsy and Traveller planning applications are successful compared to 80 per cent for the UK population as a whole. These issues are addressed further in Chapters 4 and 5 below on the survey findings, suffice to say here that many Gypsies and Travellers, and particularly Travelling Showpeople, require assistance and support in negotiating the complexities of the planning system.

Table 3.2 summarises caravan numbers for the Study Area by type of site for January 1994 and 2007, and July 1994 and 2006. The different types of unauthorised sites were not distinguished in 1994 and 'unauthorised site' includes both Gypsy-owned and other land.

Table 3.2: Summary of Caravan Numbers 1994 and 2007

Type of site	1994	January 2007	% change	1994	July 2007	% change
Social rented	212	220	+4%	192	186	-6%
Private	9	12	+33%	8	10	+25%
Unauthorised	121	41	-66%	126	84	-33%
TOTAL	342	273	-20%	326	280	-13%

Source: CLG Caravan Count.

The table shows:

- overall caravan numbers have decreased by between 13% and 20% depending whether the January or July measure is used
- caravans on authorised pitches have been broadly stable over the period, showing a small numerical and percentage increase. The apparently large proportionate increase in caravans on private sites is misleading given the low base of just nine caravans. This increase may have been slightly larger given the under-counting in Kirklees
- the number of caravans on unauthorised sites has decreased quite significantly over the period. In January 1994, 35 per cent of caravans were on unauthorised sites compared to 15 per cent in January 2007.

Appendix A illustrates the Study Area changes in caravan numbers by type of site over time which amplifies the apparent trends revealed in Table 3.2. It shows the relative dominance of socially rented sites. However, the general downward trend to the total line is due to falling numbers on unauthorised sites.

3.1.1. Local Authority Sites

All social rented sites within West Yorkshire are local authority sites: there are currently no sites run by registered social landlords (RSLs) or housing associations. That said, according to some stakeholders there was expressed interest from the RSL sector in the provision of Gypsy and Traveller sites in the future. At present, however, there are four local authority sites in three authorities:

- **Esholt Lane**, Bradford, owned and managed by Bradford Council

- **Mary Street**, Bradford, owned and managed by Bradford Council
- **Cottingley Springs**, Geldard Road, Leeds, owned and managed by Leeds Council
- **Heath Common**, Doncaster Road, Wakefield, owned and managed by Wakefield Council

Technically, Cottingley Springs is divided into two separate sites: Site A and Site B, but for the purposes of the caravan count and the findings presented here it is considered as one site. Pitch numbers at the 3 local authority sites are summarised in Table 3.3 below. Numbers were combined for the Bradford sites and figures are presented under local authority headings.

There are a **total of 126 pitches on local authority sites**, all of which are residential. No pitches were identified as 'closed' (not currently in use and not available for letting) but four were 'vacant' (empty but available for letting) in Bradford. Some, but not all, of these were expected to be let within a month which one would expect given the waiting list policy in place. All local authority pitches are therefore assumed occupied for the purposes of the assessment of need in Chapter 6.

Table 3.3: Council Gypsy and Traveller sites at October 2007

	Bradford	Leeds	Wakefield	West Yorks
Total pitches	47	41	38	126
Residential:	47	41	38	126
Occupied	43	41	38	122
Vacant	4	0	0	4
Closed	0	0	0	0
Transit:	0	0	0	0
Occupied	0	0	0	0
Vacant	0	0	0	0

These sites are large by national standards and occupancy rates are relatively high across all sites. There has been no change in the number of pitches over the past 5 years at any of the sites. All these sites are currently managed by a site manager or warden employed by the local authority, however the post at Mary Street in Bradford is presently vacant. The previous site warden at Mary Street was a site resident but resigned in 2005 and has not been replaced. The intention is to find a replacement from the same source if possible.

Sites in all three areas have been the subject of successful bids for Gypsy and Traveller Sites Grant (formerly Gypsy Sites Refurbishment Grant). These bids relate solely to refurbishments on the existing sites and none of the bids have resulted in additional pitches. Leeds and Wakefield intend to make further grant applications in the current bidding round: Leeds for new kitchens, bathrooms and resurfacing; Wakefield for a children's play area.

Facilities and Environment

A series of questions was asked about site facilities and assessments on a number of criteria. Responses to these are detailed in Table 3.4 below.

Table 3.4: Facilities and Assessment of Quality: Council Gypsy and Traveller Sites

	Bradford	Leeds	Wakefield
Site facilities	Amenity units for each pitch; Site office; Animal grazing (Esholt Lane only).	Amenity units for each pitch; Site office; Unofficial animal grazing area.	Amenity units for each pitch; Site office; Meeting room; Animal grazing area.
Facilities in amenity units	Bath and shower; WC with access from lobby; Space/provision for cooking and laundry; Space for eating/sitting; Effective heating in bathroom.	Bath and shower; WC with entrance from outside (part site only); Space/provision for cooking and laundry; Space for eating/sitting (part site only); Effective heating.	Bath and shower; WC with entrance from outside; Space/plumbing/provision for laundry; Space for eating/sitting; Effective heating; Storage.
Quality of surroundings /environment	Very good (Esholt Lane) Very poor (Mary Street)	Poor	Average
Location and access to schools/shops	Very good (Mary Street) Good (Esholt Lane)	Very poor	Good
Site condition and maintenance	Very good (both sites)	Maintenance very good; Condition poor due to litter, tipping etc.	Good
Any known disputes etc over last year?	Disputes between residents (Esholt Lane) Vandalism (Mary Street).	Disputes between residents, intimidation, vandalism and other ASB.	Disputes between residents, intimidation, vandalism and other ASB.

Amenity provision on the sites appears to be good, but there are environmental and access issues at Mary Street in Bradford and Cottingley Springs in Leeds. At Cottingley Springs accessibility issues were deemed particularly problematic: there are poor public transport links, no shop or school within safe walking distance, and no safe open play spaces.

It was also reported that all sites have experienced disputes between site residents, intimidation, vandalism or other anti-social behaviour. Cohesion issues sound more prominent in Leeds and Wakefield with more intensive engagement, meetings and multi-agency involvement including the police. Such issues present obvious problems for site managers and for site residents whether directly involved in disputes or not.

Travelling and Visitors

One of the ways in which site rules can help or hinder Gypsy and Traveller lifestyles is restrictions placed upon absence for travelling and ability to accommodate visitors on site in caravans. Table 3.5 summarises the answers given to questions on the permitted absence of residents and allowances for visitors.

Table 3.5: Permitted Absence and Visitors: Council Gypsy and Traveller Sites

	Bradford	Leeds	Wakefield
Normal maximum absence allowed in a year	4 weeks	Not specified	6 weeks
Rent payable during absence?	Full	Full	Full
Can licensees have visitors with caravans?	Yes, with some restrictions	Yes, sometimes with restrictions	Yes
Circumstances	With the agreement of the manager. Length of stay depends on nature of reason for visit	May depend on size of visiting family, any previous history, time of year, impact on site dynamics	

Permitted absence periods are relatively short where specified. This has implications for site residents who wish to pursue a semi-nomadic lifestyle in terms of security of tenure. If permanent residents are travelling for longer than the specified absence period then, theoretically, they could lose their pitch even though they are still paying full rent. This is a common complaint from site residents who perceive a lack of a level playing field in comparison to council housing tenants who have enjoyed the 'right to buy' since 1991 (subject to being a council tenant for a specified duration, currently for 2 years prior to January 2005 or for five years after this date).

Visitors are permitted for a period on all sites, sometimes with restrictions aimed to make sure the visit is not permanent or disruptive. The length and circumstances of stays for visitors are largely at the discretion of site wardens and managers which allows for flexibility. Yet at the same time there was an acknowledged need to balance flexibility for visitors with ensuring fairness and that other residents were not unduly affected. The following quote from a site manager typifies the general approach:

“[Visitors] are only allowed to come once a year, but there are some cases when it’s a daughter, you just relax it a little bit, but cousins and second cousins and people that just turn up overnight, no. We’ve got to be a bit firmer, tell them they’ve got to go, otherwise it’d be overcrowded”

Waiting Lists and Pitch Allocation

A sequence of questions explored pitch allocation policies, waiting lists and numbers of pitches allocated. These are all relevant factors in understanding both demand for and access to existing local authority sites. Table 3.6 summarises answers and indicates a positive demand for pitches.

Table 3.6: Waiting Lists and Allocation Policies: Council Gypsy and Traveller Sites

	Bradford	Leeds	Wakefield
Waiting list	Informal list (Mary Street)	Formal list	Formal list
Numbers on list	10	12	18
Trends in numbers	Static	Static	Increased
Pitches vacated 2004-2006 (3 years)	Not known	12 (all let)	5
Formal allocation policy	No	Yes	Yes
Most important factors taken into account	Family/personal compatibility; Need for accommodation; Previous known behaviour/ references.	Family/personal compatibility; Need for accommodation; Family size/ composition.	Need for accommodation; Medical/special health needs; Time on waiting list.

Waiting lists also show a significant demand for pitches accentuated by the fact that turnover is relatively low given the size of the sites involved. In Bradford and Leeds compatibility is among the most important factors taken into account when making pitch allocations. This is perhaps understandable given the reported incidents of disputes and behaviour issues. There is no waiting list for the Esholt Lane site in Bradford.

Licence Fees or Rents

Technically the charges paid by site residents are licence fees, but they are commonly referred to as rents, and this term is used below. Table 3.7 shows rents charged, damage deposits charged, proportion of residents receiving housing benefit and any Supporting People payments received.

Table 3.7: Weekly Pitch Rent and Other Financial Matters: Council Gypsy and Traveller Sites

	Bradford	Leeds	Wakefield
Pitch rent	£52.50 (double pitch both sites)	£98.12 (single) £121.88 (double) £24 for additional caravans	£70.00 (single or double pitch)
Damage deposit	£50	N/A	£100
% of residents receiving Housing Benefit	Over 90%	Over 90%	Over 90%
Supporting People payments?	No	No	Yes

Rents vary widely and are significantly higher in Leeds where there must be serious affordability issues for anyone not on Housing Benefit. Supporting People payments

are received for site residents only in Wakefield. Almost all (over 90%) of residents receive housing benefit towards their rent; HB is obviously important in making site places affordable.

Site Residents

Respondents were asked about the characteristics of site residents in terms of their ethnicity, ages and whether they had resided on the site for five years or more. Other information was also sought on pitch occupancy, the extent of 'doubling up', living units and the number of persons per pitch. This information is presented in Table 3.8 below.

Table 3.8: Details of Site Residents: Council Gypsy and Traveller Sites

	Bradford	Leeds	Wakefield
Site population	135	133	153
Number of children	55	47	70
% children	41%	35%	46%
Average persons per occupied pitch	3.1	3.2	4.0
Doubled-up pitches**	0	20	3
Number of living units	35% static (2 chalets); 65% trailers/tourers	13% static; 87% trailers and statics	20% static; 80% trailers/tourers
Ethnic groups among site residents	English Gypsy/ Traveller; Irish Traveller	English Gypsy/ Traveller; Irish Traveller	English Gypsy/ Traveller; Scottish Gypsy/ Traveller; Irish Traveller
Pitch occupancy in year	75% to 100% most of year	100% most of year	100% most of year
% of site residents lived on site 5+ years	Over 90%	60% to 90%	60% to 90%

** It should be noted that 'doubling up' in this context refers to a residential pitch containing two separate households over the long-term: it does not include pitches temporarily doubled-up to accommodate short-stay visitors.

The total site population across the four sites at the time of the survey was 421 people, of whom 172 (41%) are children aged up to 16. Significant points worth noting from the table are:

- the sites are quite similar in terms of proportion of children in the population and average number of people per pitch
- answers suggest a high number of 'doubled up' households who would ideally like a separate pitch or house of their own in Leeds but very few in either Bradford or Wakefield
- all sites are ethnically mixed and turnover is relatively stable in terms of the majority of residents having been on site for 5 or more years.

Future Plans for Local Authority Sites

Respondents were asked whether certain specified changes were planned during the next three years. No plans were reported in Bradford and Wakefield but Leeds plans to undertake major repairs or improvements. All five authorities, including those currently without a site, were asked if they had any current plans to provide additional local authority Gypsy and Traveller sites in their area over the next five years. There was no new additional provision under consideration in the sub-region.

3.1.2. Private Authorised Sites

The survey included a series of questions about private Gypsy and Traveller sites, planning applications and development of sites without planning permission. Table 3.9 summarises reported authorised private sites showing a total of 9 sites providing less than 20 pitches. All the reported sites were in Bradford or Kirklees and the Kirklees sites do not appear in the Caravan Counts. It was also reported that the number of private sites/pitches had changed since 2001 in Kirklees increasing by 2 sites and 6 pitches. However, it should be noted that the temporary permission at Sands Road has now expired with a subsequent loss of two pitches. Of the other four authorities only Calderdale specifically said that there had been no change in private site provision over the last 5 years; but did not expect any change in the next 5 years.

Table 3.9: Authorised Private Sites in West Yorkshire

Site	Pitches/caravans	Planning Status
Bradford		
Raglan Terrace	1 pitch	Approved
Square Street	1 pitch	Approved
Mill Car Hill Road	2 pitches	Application submitted
Westgate Hill Street	2 pitches	Approved
Westgate Hill Street	1 pitch	Approved
Calderdale		
None		
Kirklees		
Land to rear of Hunsworth Lane	4 pitches	Licence issued 1995 for 3 caravans after appeal
Sands Road, Earlsheaton	2 pitches	Approved 2002, expired December 2006
Near Fieldhead Lane, Drighlington	4 pitches	Restricted approval after appeal, restricted to owner and dependants
Bow Street, Springwood, Huddersfield	2 pitches	Granted under Reg 3 General Regulations 1992
Leeds		
No information provided, but no caravans on private sites counted in January 2007		
Wakefield		
No information provided, but no caravans on private sites counted in January 2007		

As well as the private authorised sites listed above discussions with stakeholders and members of the Gypsy and Traveller community have revealed four further private sites within West Yorkshire which were not included in the local authority questionnaire returns or the official Caravan Counts.

These are very small encampments, usually only consisting of one or two caravans or trailers and in every case just one family/household. Two of these sites are in Calderdale, one is in Kirklees and the fourth is in Wakefield. It is likely that these small sites are unknown to the respective local authorities and that the residents occupying them wish this to remain the case for fear of being moved on. Each of these households was interviewed as part of the survey and the findings reveal that they have been there for quite some time. Residents of the Kirklees and Wakefield sites had been there over five years, one of the Calderdale sites has been there over three years and the other over six months.

Given the sheer geographical scale of the sub-region and the infrequency of the caravan count it is possible that there are more 'hidden' private sites within West Yorkshire. These sites may serve a positive function in terms of addressing unmet need and preventing households from resorting to unauthorised encampments. The fact that these sites are unknown to the respective local authorities suggests that they are not causing any inconvenience and the relatively long durations of stay suggest that households are happy there and are tolerated by the wider community. This is also supported by the survey findings which show that households have no intention of moving anywhere else.

Overall, it can be said that private provision is dominated by small, family sites often in discreet locations. **The total private authorised provision in West Yorkshire currently stands at approximately 17 pitches.** This figure is an approximate one due to some site occupancies being provided in pitches and some in caravans.

3.1.3. Unauthorised Developments

Table 3.1 above illustrates that incidences of unauthorised developments in West Yorkshire are not as common as they are in the wider region or in the national context. Figures from the caravan count show that just one per cent of caravans in the sub-region were on unauthorised developments compared to five per cent in Yorkshire and Humber and 14 per cent nationally. Certainly, West Yorkshire has avoided the high profile and damaging disputes over unauthorised developments prevalent in other parts of the country such as Essex and parts of the South East.

In terms of the local authority survey only Kirklees had a response to the section on unauthorised developments. Kirklees Council had taken enforcement action twice since 2001:

- an enforcement notice was served on a site with five caravans. The enforcement notice was appealed resulting in the notice being varied subject to conditions
- an enforcement notice was served on a site with two caravans. This was complied with.

No current incidents of unauthorised development were reported in Kirklees or any other authorities. However, in a similar vein to the private authorised sites, our survey contains six respondents all resident on different unauthorised developments within West Yorkshire. Again similar to the 'hidden' private sites, these are all small family sites comprising one or two caravans. Three of these are in Bradford, and the other three are in Calderdale, Kirklees and Leeds. With the exception of the Kirklees development all the households have been resident on their respective sites for at least six months and three for more than a year. Thus, the **approximate figure for households on unauthorised developments in West Yorkshire stands at 6 pitches.**

3.2. Unauthorised Encampments

A section of the LA questionnaire dealt with responses to unauthorised encampments and levels of encampment experienced, including an assessment of trends. This sub-section sets out the responses to this section of the questionnaire alongside the views of stakeholders and particularly those working with unauthorised encampments on a day-to-day basis.

3.2.1. Policies on Managing Unauthorised Encampments

The survey showed that all 5 authorities have written policies for managing unauthorised encampments. Common features are a stress on inter-agency working and a description of circumstances in which encampments will be moved as quickly as possible (using court orders) and in which encampments might be tolerated for a period. This distinction depends on both the location of the encampment and the nuisance caused by those involved. The stakeholder below provides a typical illustration:

“If the travellers go on council land we’ve got more of an input to be able to allow certain toleration, if it’s high impact council land then obviously we have to have a different approach. If they go on private land then they are at the mercy of the landowner. I mean at present we’ve got one encampment on private land which we’re happy to just leave where it is at the minute because the landowner’s happy as well.” (LA officer).

The Bradford policy defines ‘sensitive land’ where encampments will be moved as quickly as possible and this was the case across all authorities. This includes council-owned land that is used for recreational purposes, such as sports pitches, parks or school playing fields, land that is used for raising revenues such as car parks, or land adjacent to residential or nursing homes, hospitals etc. The Bradford policy distinguishes between encampments by Gypsies and Travellers and by new travellers on sensitive land. The latter will be referred to the police for action while the local authority will normally take the lead on the former.

All authorities except Kirklees are currently party to joint agreements or protocols with the Police. Consultation with the Police revealed a general two-fold approach to Gypsies and Travellers involving the promotion of engagement and cohesion on the one hand and enforcement related to unauthorised encampments on the other. On the latter, there was a view that police are contacted too readily and often unnecessarily:

“When it comes to unauthorised encampments West Yorkshire Police have a policy which in the main puts emphasis back on local authorities and landowners to actually deal with the issues in the first instance, unless they come on what we call primary land. That said in the main I suspect West Yorkshire are no different from any other area in so much as some local authorities and land owners tend to call the police as the first port of call, prior to them trying themselves to resolve any issues.” (Inspector, WY Police).

This was deemed to be a potential problem or source of conflict in the sense that Traveller experiences of the Police are negative and this *“has the potential to undermine any engagement work you’re doing”*. Wakefield and Leeds have joint agreements or protocols with other agencies as well. First contact with Gypsies and Travellers on unauthorised encampments is normally made by:

Bradford	Council officer
Calderdale	Police

Kirklees	Council officer
Leeds	Council officer, police or Traveller Education
Wakefield	Council officer or police

In all areas except Calderdale council officers are said to be normally involved in the first contact. No authority uses a bailiff as the first contact on an unauthorised encampment.

3.2.2. *Good Practice on Managing Unauthorised Encampments*

Bradford and Leeds identified some aspect of the way they managed unauthorised encampments as good practice:

Bradford: Approach travellers as one human being to another. Be polite; ask intentions regarding occupation of site, their expected length of stay, purpose for visit etc. Explain reason for visit and, if land is sensitive, the need for it to be vacated immediately. Explain processes but do not make promises that cannot be kept. Respect from the Travellers has to be earned but is essential to the process.

Leeds: Officers aim to complete a welfare needs assessment at each encampment. If an assessment is completed and needs are identified and substantiated, these are considered prior to any decision.

3.2.3. *Incidence of Unauthorised Encampments*

All authorities keep a log of unauthorised encampments: Calderdale log some encampments while others log all that are known. The number of separate encampments experienced during 2006 was:

Bradford	53 (normally more than 2 in the area at any time)
Calderdale	0 (normally none in the area)
Kirklees	14 (normally 1 in the area at any time)
Leeds	59 (normally 2-4 in the area at any time)
Wakefield	50 (as many as 5 in the area at any time)

The distribution is thus quite uneven with relatively fewer encampments occurring in Calderdale and Kirklees. Authorities were also asked to provide details of encampment location, land ownership, number of caravans, duration and an indication of action taken in respect of encampments during 2006. Information was provided with some differences of detail for 171 encampments:

- **Bradford:** 53 encampments, no information on number of caravans
- **Calderdale:** 0 encampments in 2006 (there have been 3 encampments during 2007, each lasting 24 hours and on an industrial estate, involving 5, 8 and 3 caravans)
- **Kirklees:** 14 encampments, no information on land ownership
- **Leeds:** 60 encampments during year April 2006 to March 2007
- **Wakefield:** 44 encampments, no information on action taken.

This data chimes with the views of stakeholders on the geography of unauthorised encampments:

“The predominant area for us if I’m honest is Leeds, whether that’s linked to the fact that there’s a large settled community in Leeds that would draw people in there I don’t know” (WY Police Inspector).

“It’s the geography. For economic reasons Wakefield is an ideal stopping place because of those main supply routes really to other cities like Manchester, Hull, Leeds, Bradford, Birmingham - they’re all within an hour or so, couple of hours’ drive” (LA officer, Wakefield).

“Gypsies and Travellers have such a low profile in Calderdale it’s generally 24 hour stay and it’s generally the M62 - coming off onto the industrial estates around Brighouse and Elland and that seems to have been the majority of [unauthorised encampments]” (LA officer, Calderdale).

The average encampment size in areas excluding Bradford (total = 110) was almost exactly 8 caravans with a range from 1 to 34 (Wakefield). There was a spread of sizes:

1-5 (caravans)	42 encampments	38%
6-10	41 encampments	37%
More than 10	27 encampments	25%

Average encampment size was similar in Kirklees and Leeds at around 7 caravans, but larger in Wakefield at almost 10 caravans. Duration was given for 162 encampments across all areas. The average was almost 11 days with a range from less than 1 day to 118 days (an encampment on private land in Wakefield which was still in place at the end of 2006). The distribution by duration was:

Up to 7 days	88 encampments	54%
8 to 14 days	40 encampments	25%
Over 14 days	34 encampments	21%

Over half of encampments were there for less than a week which is probably as much a reflection of enforcement as household choices.

Average duration by authority was:

- **Bradford:** 10.1 days (53 encampments)
- **Kirklees:** 7.4 days (14 encampments)
- **Leeds:** 11.3 days (57 encampments)
- **Wakefield:** 12.2 days (43 encampments)

In Leeds there was a definite concentration of encampments to the south of the city linked to key transport routes and the concentration of housed Gypsies and Travellers in the south of the District (see also 3.3.3):

“I think there’s quite a large community of Gypsy and Traveller people living in housing as well, so you still get those extended members of the family wanting to come to visit, so I think there are those connections.” (LA officer, Leeds).

Insufficient information was given by other authorities about locations to form a clear impression of areas most commonly subject to encampment. It is apparent that highway land, industrial and retail estates, playing fields and recreation grounds have been affected at times. Several of these are likely to have been high profile. A wide variety of locations are involved with very few experiencing more than two encampments in the year.

In areas excluding Kirklees, there were more encampments on private land (54%) than on local authority or highways land (46%). This was the case across all areas. The duration of encampment was the same on both types of land at around 11 days.

In Wakefield, where encampments are charted each month, it is apparent that during the winter months the proportion of encampments on private land is unusually high. It is not clear why this should be so. Information on action taken is very incomplete. The following points emerge:

- in Bradford, the majority of encampments on LA land are resolved by negotiation. Only four encampments out of 25 involved a court order
- there were four recorded uses of section 61 by the Police in 2006, three in Leeds and one in Bradford. Two involved schools, one playing fields and one a sports stadium (i.e. those 'sensitive' or 'primary' land uses outlined above).

In answer to more general questions in the LA survey:

- all authorities noted more encampments in summer than in winter (Calderdale have too few to identify patterns)
- most involved in unauthorised encampments are said to be 'in transit' in Calderdale and Kirklees. In the remaining areas Gypsies and Travellers 'local' to the area and 'in transit' are said to be equally common.

3.2.4. Trends in Unauthorised Encampments

Authorities were asked how the number of unauthorised encampments has changed over the past 5 years. Experience seems to have varied: numbers have decreased in Bradford and Kirklees, increased in Wakefield and remained broadly the same in Calderdale and Leeds. Though numbers had not changed much there were differences relating to the loss of traditional stopping places i.e. unauthorised sites frequented by Gypsies and Travellers over the years:

"Travellers have got a huge problem because of land issues, they're running out of land and wherever a Traveller [pulls on an unauthorised encampment], all the local authority does is identify that land and then make it impregnable for the next time round." (LA officer).

In terms of size of group, most said that encampments had remained broadly the same size over the past 5 years (Bradford, Calderdale and Kirklees); Leeds said they had decreased and Wakefield that they had increased in size. Other comments on local patterns and/or changes over time were noted only by Leeds:

- one large family has now been housed at Cottingley Springs which has reduced encampment numbers
- the same areas will continue to be encamped unless secured
- a percentage of Travellers are unknown to the authority and generally do not engage; they are passing through from other areas.

When asked how they expect the number of encampments to change over the next 5 years, Calderdale, Kirklees and Leeds expected numbers to be broadly similar. Other authorities either did not know (Bradford) or expected an increase (Wakefield).

3.3. Gypsies and Travellers in Bricks and Mortar Housing

Getting a handle of the situations and needs of the population resident in bricks and mortar housing is notoriously difficult given the paucity of information relating to this section of the population. This lack of information is reflected in the partial survey responses on the housing section from local authorities, which is generally the norm in GTAAs. Sections of the questionnaire referring to Gypsies and Travellers in social

and other forms of housing were completed only by Calderdale and Leeds. Housing strategies were sought for all authorities on the internet.

3.3.1. *Housing Policies*

The Regional Housing Strategy 2005-2021 for Yorkshire and The Humber makes several references to the needs of Gypsies and Travellers. There is an Action Point under the heading of 'Ensuring fair access to quality housing':

All local authorities to carry out an effective needs analysis of Gypsy and Travellers sites to determine the number of additional static and transit sites that are required. This will lead to specific outcomes and sites that will address the housing needs of this specific group.

The position with individual authorities appears to be as follows:

- **Bradford:** No specific reference in the Joint Housing Strategy for Bradford 2003-2010 or the Bradford District Homelessness Review July 2003
- **Calderdale:** The Housing Strategy 2005-2010 states the intention to find out more about support requirements of Gypsies and Traveller and to commission joint research with partners in West and North Yorkshire and the City of York. A priority for the next 5 years is: *To make sure that we are meeting the needs of all our communities including Gypsies and Travellers.* There is no specific reference in the homelessness strategy
- **Kirklees:** No specific reference in the Housing Strategy 2004-2007 or in the Homelessness Strategy 2003-2008
- **Leeds:** Includes specific references in the Housing Strategy 2005/06-2009/10 and 'A BME Housing Strategy and Action Plan for the Leeds Housing Partnership 2005-2010'. There is a specific action in the Housing Strategy *to review provision for travelling communities and make appropriate provision available.* There are references throughout the BME Housing Strategy, including comments that many Gypsies and Travellers wish to live in extended family groups. The Strategy also draws attention to the negative effects of problematic unauthorised encampments in alienating the wider community
- **Wakefield:** Apparently no specific reference in the Housing Strategy 2004-2008 or the Homelessness Strategy 2003.

Clearly Gypsies and Travellers are most closely integrated into current strategies in Leeds. The LA survey also asked whether Gypsies and Travellers were identified in ethnic records and in the monitoring of social housing applications and allocations. Only Calderdale and Leeds answered; both keep such records. However, even for these authorities the picture derived is likely to be partial at best as many Gypsy and Traveller families conceal their ethnicity for fear of harassment and will therefore not appear on ethnic monitoring records.

3.3.2. *Homelessness*

Authorities were asked to provide details of how homeless Gypsies and Travellers are supported through the homelessness process, and any steps taken to provide Gypsies and Travellers with housing advice and assistance. In both Calderdale and Leeds it was reported that normal generic support arrangements are in place rather than specific targeted provision. Though not responding to this section of the questionnaire, discussion with stakeholders revealed that the same is also true of the three other West Yorkshire authorities.

3.3.3. Gypsies and Travellers in Social Housing

There was a sequence of questions about Gypsies and Travellers in social housing and among applicants and allocations. This was answered only by Calderdale and Leeds:

- 5 Gypsy Traveller families are currently registered for social housing in Calderdale and 6 in Leeds
- Calderdale said that no Gypsy Traveller family was housed in 2006. Leeds was unable to say how many had been housed
- no homelessness presentations had been made by Gypsies and Travellers in the previous 12 months in Calderdale while one such presentation had been made in Leeds. The main reasons for presenting were noted as having no fixed abode, health concerns, educational concerns and domestic violence. The Leeds respondent noted that many families presenting as homeless do not self-identify as Gypsies or Travellers
- Calderdale was unable to say whether/how the number of Gypsies and Travellers moving into social rented housing had changed over the past 5 years. Leeds said that it had increased, and they also expected an increase over the next 5 years (Calderdale were unable to say).

Calderdale and Leeds identified the main reasons why Gypsies and Travellers move into housing (from a list of 8 potential reasons):

- **Calderdale:** want to 'settle'; unable to find stopping places while travelling; want to move nearer to family/friends
- **Leeds:** unable to find stopping places while travelling; for children's schooling; want to move nearer to family/friends; harassment or other problems on a site.

Neither authority gave 'unable to get a place on a site' as a reason for moving into housing; and neither authority was able to estimate how many Gypsies and Travellers live in social housing in their area. Leeds said that there was some concentration in the South of the City and this was also supported by interviews with stakeholders. There was also anecdotal evidence of concentrations in Bradford: "*I think we know that there are Gypsy families living in the Holme Wood and Bierley areas both of which are to the south-east of the City*" (LA officer, Bradford).

3.3.4. Gypsies and Travellers in Private Housing

Only Calderdale and Leeds answered questions about Gypsies and Travellers in other forms of housing. Neither was able to say whether significant numbers of Gypsies and Travellers live in private housing in their area. Calderdale was not aware of any issues arising in relation to Gypsies and Travellers in private housing; Leeds identified issues around isolation, harassment, and inability to sustain tenancies without support, for example on paying bills.

Calderdale said that Gypsies and Travellers live on caravan or mobile home parks in their area which are not specifically designed for them. Leeds said they did not.

3.3.5. Housing-Related Support

The Supporting People 5 Year Strategies for all authorities have been examined and they all refer to Travellers in some context. At the time the Strategies were produced, no services were being provided specifically targeted to Travellers. The Strategies refer to the need for further research to explore needs and possible

service provision. The Leeds 5 Year Strategy Client Group Plan is more positive referring to:

- *undertake research into the housing and support needs of Travellers*
- *develop a service which can support around 30 Travellers (subject to further evaluation).*

The Calderdale strategy also calls for research into the housing needs of Travellers and states the need to commission a cross-authority GTAA (i.e. this study). It also presents Caravan Count figures for Calderdale and concludes that there is "not a strong case" for the development of Gypsy and Traveller provision within the District.

In the LA survey, only Calderdale and Leeds answered questions about housing-related support. When asked to give examples of housing-related support services for Gypsies and Travellers, neither gave an example. Calderdale was unable to say which services Gypsies and Travellers most frequently approach the Council about (with a list of general housing-related support categories provided). Leeds identified applying for social housing, Housing Benefit and other benefits advice as the main services taken up by Gypsies and Travellers. Currently there seem to be no services particularly aimed at facilitating Gypsy and Traveller access to housing or offering support once there.

3.3.6. Estimating the Size of the Gypsy and Traveller Population in Housing

The general lack of answers provided in the survey means that we have very little information about Gypsies and Travellers in housing. This seems likely to reflect a lack of information and awareness on the part of the authorities themselves which is relatively consistent up and down the country in the absence of reliable datasets. As one stakeholder acknowledged:

"I think there's much more than we know about, I'm sure there are. People who are on this site will talk about relatives who've got houses in Castleford or Normanton, not so very far away" (Health Worker, Wakefield).

Consequently there is the need for a pragmatic approach to estimating the size of the population in bricks and mortar housing.

With the exception of Leeds, where a baseline Census of the Gypsy and Traveller population was conducted in 2004 finding 199 households in bricks and mortar, no other local authority has an indication of the total number of households in housing in their district. Based on stakeholder interviews, community interviewer knowledge and the final sample of housed households in the survey **we estimate that there a total of 400 Gypsy and Traveller households currently resident in bricks and mortar housing** within the sub-region. It is likely that this is more a conservative estimate if anything but until the next Census of Population in 2011, in which additional ethnic categories will be included for Gypsies and Irish Travellers, there is no means of arriving at an accurate figure in any systematic way. The estimated distribution across the five local authorities is as follows:

Bradford:	80 households
Calderdale:	40
Kirklees:	40
Leeds:	160
Wakefield:	80

Leeds has the largest share of the housed population (40 per cent) by some margin and this is supported by the household survey (41 per cent of housed respondents

were resident in Leeds) and consultation with stakeholders and the community. For whatever reason there is a relatively large community in bricks and mortar housing in Leeds in comparison to the four other authorities. Leeds' role as the largest city in the region and an economic hub serving a much wider locality than the immediate City may be one explanation. Bradford and Wakefield both have a 20 per cent share of the housed population and Calderdale and Kirklees 10 per cent.

3.4. Travelling Showpeople

While there are important distinctions between all travelling groups this is a particular issue in terms of accommodation for Travelling Showpeople. Travelling Showpeople differ from other travelling groups in the sense that their accommodation needs are heavily influenced by their employment practices. They need larger spaces for the storage of heavy machinery and equipment and often need to carry out testing, repairs and maintenance to equipment within their yards.

Travelling Showpeople are also regulated by the Showmen's Guild (previously the Van Dwellers Association), a national organisation which has been representing the interests of Travelling Showpeople since 1889. The Showmen's Guild developed as a trade protection association from its predecessor the Van Dwellers Association, which was initially established in direct response to the proposed Movable Dwellings Bill.

The Guild enforces a strict code of conduct enforced by fines and penalties and ultimately disqualification from the Guild which would result in individuals being unable to pursue their traditional livelihood. Travelling Showpeople have designated stopping places for the duration of fairs and events and the Guild does not permit Members to resort to unauthorised encampments. Furthermore, Travelling Showpeople do not tend to reside on local authority sites. Indeed, virtually all of those households in our survey were resident on Showmen's yards leased to, or owned by, the Showmen's Guild or Guild members. There were no circus people found to be resident within the sub-region.

In terms of the information derived from the survey of local authorities, very little was provided on Travelling Showpeople and their accommodation. Only Calderdale answered the relevant section of the survey questionnaire. Provision in that District has remained static since 2001 and there have been no instances of planning applications or of unauthorised development of sites by Travelling Showpeople. Limited information was available about two sites:

- **Bradford:** the Replacement Unitary Development Plan in paragraph 6.46 refers to a site of 1.97 hectares for Travelling Showpeople at Paley Road in Bowling, Bradford West constituency
- **Calderdale:** Atlas Mill, Atlas Mill Road, Brighouse is a site of 20 pitches with residential planning permission (LA survey).

Given this lack of response, it was necessary to consult with the Showmen's Guild in order to build up a comprehensive picture of current site provision for Travelling Showpeople in West Yorkshire. The Yorkshire section of the Guild holds records on all its members and the Guild's involvement in provision and planning issues means that staff at the section office have a comprehensive and up-to-date knowledge of the location and size of yards. Table 3.10 below summarises the distribution of households by local authority given in absolute terms and as a percentage of the overall Showpeople population.

Table 3.10: Distribution of Travelling Showpeople Households by LA

Local authority	Number	%
Bradford	17	20
Calderdale	12	14
Kirklees	16	19
Leeds	14	16
Wakefield	26	31
<hr/>		
WEST YORKSHIRE	85	100

Source: Showmen's Guild

As can be seen, unlike the distribution of authorised Gypsy and Traveller sites, provision for Travelling Showpeople is generally more even in terms of the spread across the five local authorities. Wakefield leads the way in terms of provision with a cluster of yards in the Castleford area and two others together accommodating 26 households comprising nearly a third of the sub-regional population. The number of households in the other four authorities is more even, ranging from 12 in Calderdale to 17 in Bradford. The estimated total number of Travelling Showpeople households in West Yorkshire is 85. Though information here has been provided in terms of households, the household survey reveals an average household size of 3.4 persons (see Table 4.6 below). The total population can be derived by multiplying these two figures (85 households x 3.4) which gives a total of 289 people. It is reasonable to assume that one household is equivalent to one residential plot providing there is acknowledgement of the extent of overcrowding on yards (see below on conditions on yards). Thus there are **approximately 85 plots for Travelling Showpeople** across 18 separate yards in West Yorkshire.

The table below shows the general location of yards by local authority and by the number of households resident at each.

Table 3.11: Travelling Showpeople yards by LA and number of households

Local authority	Location/Address	No. of households
Bradford (17 households)	Paley Road, Bowling (owned by Bradford MDC and rented to the Guild - also used as parking space for vehicles)	15
	Gain Lane	2
Calderdale (12)	Atlas Mill Road, Brighouse (2 yards)	12
Kirklees (16)	Red Dales Lane, Huddersfield	1
	Ridings Rd, Dewsbury (owned by Kirklees MDC and rented to the Guild)	12
	Batley	1
	Cleckheaton	2
Leeds (14)	Whitehall Road, Drighlington	7
	Birstall	4
	High Street, Yeadon	3
Wakefield (26)	Louise Street, Castleford	1
	Pottery Street (1), Castleford	1
	Pottery Street (2), Castleford	3
	Pottery Street (3), Castleford	8
	Pottery Street (4), Castleford	5
	Gwent View, Doncaster Road, Upton	6
	Normanton (owned by Wakefield MDC and rented to a family)	2
TOTAL	18	85

Source: Showmen's Guild

Though a handful of yards are rented from the local authority by the Guild or Guild members (e.g. Bowling in Bradford and Dewsbury), Councils are not responsible for their upkeep and maintenance and so these are considered private yards. Table 3.11 illustrates that Travelling Showpeople yards tend to be relatively small in terms of the number of households they accommodate, but even the smallest yards will be relatively large in comparison to Gypsy and Traveller sites due to the need to store vehicles and fairground equipment.

3.4.1. Conditions on Travelling Showpeople Yards

As well as the conventional research tools used in this study such as data collection, surveying and interviewing, the research team are also able to draw on a wealth of experience researching Gypsies and Travellers. The research team involved in this study have experience on a large number of Gypsy and Traveller research projects

at the local, regional and national levels including 15 different GTAAs. From our perspective, as researchers who have visited a large number of Gypsy and Traveller sites and Showpeople yards all over England and Wales, **the Showpeople of West Yorkshire are living in the worst and most overcrowded conditions we have witnessed**. This is not a statement to be taken lightly given some of the marginal locations and sub-standard conditions of many sites up and down the country. That is not to say that other Travelling groups are happy with their accommodation situations and environments - far from it in fact (see Chapter 4). However, it is clear from the briefest of visits to the Showpeople yards in the sub-region that accommodation needs are particularly acute. There are several critical issues which were evident in many of the yards visited:

- **overcrowding** is as severe as we have witnessed and at a critical point on some yards. In one case residents were wary of what they said in the interviews for fear of the yard being condemned and subsequently closed down. In another, the yard is so full that there is no room to work and build up equipment
- **amenities** are often extremely poor. On many yards temporary permissions and planning restrictions dictate that no work can be carried out to address basic problems such as access and water supply. In one case not all residents have their own water supply and many fill up water tanks by buckets
- **displacement** is a major problem as other yards have closed reducing (or even eliminating) any accommodation options open to residents and further accentuating overcrowding on remaining yards.

The current situation is no doubt a result of the gradual erosion of traditional Showpeople yards over the years and the lack of replacement accommodation. Table 3.12 below is a list of the winter quarters lost by the Showmen's Guild from the 1960s to the present along with the reason. The list was compiled by the Guild retrospectively and the exact timing of the closure of yards is not known. The most recent closure was the yard at Wakefield market in 2006.

Table 3.12: Closure of Travelling Showpeople yards, 1960 to present

Local authority	Location/Address	Reason for closure
Bradford (1 yard)	Bradford Moor, Thornbury	Council-owned site for the use of Showpeople. Sold to an engineering firm
Leeds (7)	Ainsworth Yard, Holbeck	Redevelopment
	Balm Walk, Holbeck	Housing development.
	Bannister's Yard, Hunslet	Site sold by owners.
	Brewery Yard, Hunslet	No longer available
	Commercial Road, Kirkstall	No information on this
	Corporation Street, Morley	No information on this
	Elland Road	No information on this
	Kirkstall Brewery	Redevelopment
Wakefield (2)	Holbeck Moor corner	Now a park
	Castlefields, Castleford	Compulsory purchase order - now a car park
	Wakefield market	Regeneration development – no longer available

Source: Showmen's Guild

When considered against just two new yards which have come into use over the same period (Ridings Road, Dewsbury and Bowling - both in Bradford) it is clear that there is a long-term mismatch between demand and supply which has gradually become more acute over the years. The lack of new yards and population growth

among the Travelling Showpeople community has further accentuated the situation to the point where accommodation needs are critical. The evidence presented in Chapter 5 elaborates on the accommodation situations of Travelling Showpeople in the sub-region.

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4. West Yorkshire's Gypsies and Travellers: Survey Findings

This section presents the findings from the questionnaire survey conducted between August and December 2007. The majority of interviews were conducted in people's own homes and typically lasted 20 to 25 minutes. The survey team was comprised of a mix of researchers and community interviewers. This information provides a baseline of indicators from which future studies and GTAAs can draw upon. Survey findings which feed directly into the quantitative assessment of pitch needs are set out in Chapter 6.

Given the differences in accommodation situations and needs it was necessary to conduct surveys with Travelling Showpeople using a different questionnaire which was more tailored to the specific accommodation needs of Showpeople households. As such, with the exception of general tables on the entire sample (Tables 4.1, 4.2 and 4.3) the data tables in this section exclude Travelling Showpeople respondents as some questions were not applicable and analysis of the different questionnaires was conducted separately. The findings from the survey results specific to Travelling Showpeople are presented in Chapter 5.

4.1. Sampling Frame

Sampling the Gypsy and Traveller population in any locality is inevitably problematic due to the absence of robust data on the size and spatial distribution of the population. As such a pragmatic approach is necessary which combines official datasets with other information and local knowledge. The sampling frame for this survey was based on information derived from the caravan count and that provided by local authorities and other key stakeholders. These disparate information sources were pooled to arrive at quota targets which were set by accommodation type. The initial target was 180 interviews but this was revised mid-way through the survey and increased to 210 reflecting larger populations of Travelling Showpeople and households in bricks and mortar housing than was first envisaged.

For social rented sites a sample frame was derived based on a quota of 50 per cent of occupied pitches with this information garnered from the caravan count. Access to social rented sites was relatively straight forward and often facilitated through the site manager or local authority representatives. Repeat visits were made in instances where households were away from the site or if the timing of the visit was inconvenient for respondents.

The samples for private authorised sites and unauthorised developments were primarily derived from information provided by local authorities. Access to these sites proved more difficult with households more likely to decline to participate in the research. This was not a major concern given the very small numbers of households in these accommodation situations.

For households on unauthorised encampments the research team relied heavily on local authority officers informing of any new encampments as and when they occurred with the aim of responding to these within 48 hours. Some authorities did this more consistently than others. In some cases, even where encampments were

reported promptly households had moved on by the time members of the fieldwork team had gone to visit them. These factors, coupled with the fact that the research was commissioned towards the end of the summer period when travelling and unauthorised encampments are more common, meant that the survey target was missed.

The sample frame for Travelling Showpeople was compiled using information provided by the Showmen's Guild of Yorkshire. Contacts at the Guild were able to provide information on the number of Showpeople households and yards within West Yorkshire from which a quota was established. The Showmen's Guild also helped in identifying and locating yards and facilitating access to Guild members for interview.

The most problematic accommodation type to incorporate into the sample was undoubtedly bricks and mortar housing. Given the lack of records on Gypsy and Traveller households living in bricks and mortar it was not possible to derive a sample in any systematic way. As a result a more pragmatic approach to identifying these households was adopted, which relied on the local knowledge of stakeholders and, crucially, community interviewers. Indeed, the majority of interviewees resident in housing were contacted through Leeds GATE and community interviewers.

Table 4.1 below presents the target and number of achieved household interviews by accommodation type.

Table 4.1: Achieved household interviews by target

Accommodation Type	Target	Achieved	
		No.	%
Bricks and mortar housing	75	73	97
Socially rented sites	65	61	94
Travelling Showpeople	30	29	97
Unauthorised encampments	30	22	73
Unauthorised developments	5	6	120
Private authorised sites	5	5	100
Other	n/a	2	n/a
TOTAL	210	198	94

The final total of 198 interviews falls a little short of the revised survey target of 210 (the target was increased from an initial 180) with most of this shortfall accounted for by the discrepancy between the target and achieved number of unauthorised encampment interviews. Bricks and mortar housing was the most prevalent accommodation type accounting for over a third of survey respondents. Households resident on socially rented sites were the other sizeable group representing over 30 per cent of total survey respondents. Across all accommodation types the survey responses are broadly representative of the accommodation situations of the population within West Yorkshire.

Table 4.2 shows the distribution of completed household surveys across the five local authorities. Leeds, which is the largest of the five, accounts for over a third of survey responses while respondents resident in Bradford and Wakefield comprise around 25 per cent of the total each. Significantly fewer interviews were conducted with Gypsies and Travellers in Calderdale and Kirklees.

Table 4.2: Achieved interviews by local authority area

Accommodation Type	Local authority area					TOTAL
	Bradford	Calderdale	Kirklees	Leeds	Wakefield	
Bricks and mortar housing	10	10	4	30	19	73
Socially rented sites	21	0	0	21	19	61
Travelling Showpeople	6	3	5	5	9	28
Unauthorised encampments	6	1	0	11	4	22
Unauthorised developments	3	1	1	1	0	6
Private authorised sites	1	2	1	0	1	5
Other	0	2	0	0	0	2
TOTAL	47	18	11	68	52	197*

* Note: Interviews do not total 198 as one respondent (Travelling Showperson) was resident outwith the study area.

Again, the number of interviews achieved by local authority can be considered a relatively accurate reflection of the spatial distribution of the Gypsy and Traveller population across West Yorkshire. The discussion of caravan count trends in Chapter 3 above would seem to bear this out.

4.2. Characteristics of the Gypsy and Traveller Population

The collective term of Gypsies and Travellers should not disguise the fact this refers to a heterogeneous group. There is a great deal of diversity within the Gypsy and Traveller population and a failure to recognize this ignores the different cultural needs and requirements of different sections of the community. As Table 4.3 shows, this diversity is reflected in the population of West Yorkshire with survey respondents identifying with 8 different categories of Traveller group.

Table 4.3: Interviewees by Gypsy and Traveller group

Traveller Group	Number	%
Romany/Gypsy (English)	86	43
Irish Traveller	50	25
Travelling Showpeople	29	15
Traveller (not specified)	14	7
Welsh Gypsy/Traveller	5	3
Scottish Gypsy/Traveller	6	3
Bargee/Boat dweller	2	1
New Traveller	1	1
Refused	5	3
TOTAL	198	100

Gypsies and Irish Travellers were the two largest groups, comprising 43 and 25 per cent of survey respondents respectively. These two groups combined account for over two thirds of the entire Gypsy and Traveller population of West Yorkshire. The 29 Travelling Showpeople respondents make up a further 15 per cent of survey households. The other significant group are those self-identifying as "Traveller". This collective comprises Travellers who would have once identified as new travellers but no longer do so due to lifestyle changes, and also a sizeable minority for whom the label "Traveller" is deemed sufficient in denoting their identity.

Table 4.4 gives the age groups of household survey interviewees. As is consistent with other GTAA's the 25-39 age group were the most consulted during the assessment accounting for almost 50 per cent of Gypsy and Traveller respondents. Coupled with the 40-49 group these two comprise over two thirds of all Gypsies and Travellers interviewed. Fewer interviews were conducted with elderly respondents which probably reflects the age structure of the Gypsy and Traveller population. For instance, the *Leeds Baseline Census* of Gypsies and Travellers found that the over 60s represent a little over two per cent of the population compared to 20 per cent for the Leeds population as a whole (Baker, 2005).

Table 4.4: Age of interviewees

Age group	Number	%
16 – 24	10	6
25 – 39	78	46
40 – 49	35	21
50 – 59	19	11
60 – 74	21	12
75 – 84	5	3
85 and over	1	1
TOTAL	169	100

Young adults were slightly under-represented in the survey but this was in part due to the relatively large number of 'younger' families living with parents due to difficulties in accessing a permanent residential pitch of their own. Indeed, this factor also has an affect on household size. Table 4.5 below gives the household size distribution, that is, the frequency of the different household sizes. This illustrates the variation in terms of household structure and living arrangements with households ranging from those living alone to those with up to ten household members. A quarter of households contain only two people which is a reflection of older couple households where young adults have 'flown the nest' and started their own families.

Table 4.5: Household size distribution

Household size	Number	%
1 person	16	9
2 persons	42	25
3 persons	24	14
4 persons	32	19
5 persons	15	9
6 persons	17	10
7 persons	13	8
8 persons	5	3
9 persons	3	2
10 persons	2	1
TOTAL	169	100

In terms of household size Gypsy and Traveller households tend to be larger than those of the settled population. The overall average of 3.8 persons per household is significantly higher than the sub-regional and national averages for the population as a whole of 2.4 persons (2001 Census of Population). There are also differences by accommodation type as illustrated in Table 4.6 below. These range from an average household size of 3 for households on private sites to 4.5 for those on unauthorised encampments. It is worth noting that this larger average is some way above the average household size found on socially rented sites of 3.7. This may have implications for larger families wishing to stay together in terms of finding suitably large pitches on local authority sites which are in high demand and where vacancies are infrequent.

Table 4.6: Average household size by accommodation type

Accommodation type	Household size
Unauthorised encampment	4.5
Bricks and mortar	4.0
Residential LA/RSL site	3.7
Unauthorised development	3.5
Travelling Showpeople	3.4
Residential private sites	3.0
OVERALL AVERAGE	3.8

Table 4.7 below gives the breakdown of responses to the question 'Would you say you are local to this area?' Almost four-in-five respondents stated a connection to

the locality they were currently residing in with a fifth reporting no connection to the local area. Interestingly, of households on unauthorised encampments over 95 per cent said that they were local to the area, significantly more than those on residential sites (80 per cent).

Table 4.7: Local connection to the area

	Number	%
Yes	154	78
No	43	21
Don't know	1	1
TOTAL	198	100

Following on from that, respondents were asked about their reasons for living or stopping in the area. The table below gives the breakdown of reasons given with proportions shown for all respondents and also for households the sub-set on unauthorised encampments. The similarity in the responses is striking. Having family resident in the area is the primary motive for living in or resorting to West Yorkshire for the majority of respondents. Other significant factors include wishing to reside/return to one's place of birth, and children settling into local schools. One major difference in the reasons given by households on unauthorised encampments is that their current location was the only place they could find. This was the second most prominent reason for being in the Study Area for households on unauthorised encampments but was much further down the list for the survey group as a whole. This suggests that many households on the roadside are there as a last resort rather than out of choice.

Table 4.8: Reasons for residing in or resorting to West Yorkshire

Reason	All households (%)	Unauthorised encampments (%)
Family living here	82	82
Place of birth	27	32
Schools	15	23
Only place I could find	13	40
Work opportunities	11	9
Family/community event	8	9
Other	13	14

NB: Columns do not add to 100 because respondents could give more than one answer.

The importance of family networks as a factor influencing residential choices and travelling patterns is not particularly surprising. However, what is a novel finding is the relatively low importance of work opportunities as a factor pulling Gypsies and Travellers into the sub-region. Only 11 per cent of households cited work

opportunities as a particular reason for living in or travelling to, West Yorkshire. The above table, however, does not include responses from Travelling Showpeople for whom work was more of a central factor informing residential location (see Table 5.2 below).

4.3. Authorised Site Provision

Given the lack of provision in terms of private sites and the subsequently small sample size for private authorised sites it is not possible to derive any meaningful conclusions from the handful of private site respondents. Therefore this sub-section addresses site issues in general. The total sample size here is 66 households, of which 5 are resident on private sites.

Resident perspectives of authorised sites are varied but there are three particular aspects where there dissatisfaction appears to be relatively widespread. Firstly, two-fifths of respondents stated that the design of their site was either poor or very poor. Secondly, a similar proportion expressed the same view on the location of the site which is unsurprising given that sites are, in the main, in marginal locations with poor environments. Thirdly, facilities were considered to be poor by 30 per cent of interviewees. These findings imply the need for extensive consultation with the community on the design and location of future sites in order to avoid the repetition of marginalisation and exclusion and to foster interaction with the 'settled population'. On a more positive note the majority of respondents were of the opinion that their neighbours, site management, the size of their pitch and facilities on site were either 'good' or 'very good'.

Table 4.9: Perspectives on authorised sites

	V. good	Good	Neutral	Poor	V. poor	Total
Site design	9	29	22	9	31	100
Location	15	32	15	14	23	100
Facilities	18	37	15	8	22	100
Size of pitch	31	34	16	8	11	100
Management	23	32	28	11	6	100
Neighbours	22	49	26	2	2	100

Asked what the maximum number of pitches on a residential site should be respondents gave answers ranging from 4 to 60 (this question was asked of the entire sample regardless of their accommodation type). The overall average was 24 pitches. It should be noted that this is an *average maximum figure*: a third of respondents gave a figure of 12 or less which is consistent with findings in other GTAAs in terms of perspectives on the *ideal* size for a residential site.

Respondents on sites were also asked about access to a range of facilities and these are shown in Table 4.10 below. Generally, access is good but there are particular areas of concern for residents. It should be noted that responses here relate only to *access* to facilities. Responses in Table 4.9 above suggest that there is significant room for improvement in terms of the *quality* of these facilities. A lack of heating in sheds was common at almost half of residents – this caused much discomfort in the winter months. Over a third of respondents did not have access to fire precautions which is a worry when one considers issues of 'doubling up' and

overcrowding on some sites. Play spaces for children on sites were the least common facility to be found on sites (just 19 per cent of households had access to these) and this in turn raised issues about health and safety on sites.

Table 4.10: Access to facilities on authorised sites

Facility	Yes	No
Water supply	98	2
WC	98	2
Postal delivery	98	2
Electricity supply	97	3
Shed/amenity building	97	3
Bath	97	3
Rubbish storage and collection	95	5
Laundry facilities	95	5
Shower	94	6
Kitchen facilities	86	14
Space for eating or sitting	78	22
Fire precautions	65	35
Heating in shed	52	48
Somewhere for children to play	19	81

Of site respondents 57 per cent stated that they had concerns over health and safety on their site. The responses can be grouped into three main areas of concern. Firstly, and most commonly reported, were fears over the lack of fencing and gates around plots but also around site perimeters and entrances. Parents were of the opinion that if these were in place then their children would be much safer on site. Secondly, and related to the first issue, was the problem of cars speeding on the site which again was a major concern for parents who feared for their children's safety. There were also several reports of "strange" cars coming onto sites in the evenings and it was thought that such events could be easily prevented with the imposition of gates and fencing. The final issue was the general environment on sites which were often characterised by dirt and pollution and deemed detrimental to the health of residents. Specific problems cited were: dirt from nearby quarries; refuse tips near sites; rodent problems; and electricity pylons on or near sites.

63 per cent of respondents said that they would consider moving to a/another residential site in the future and the same proportion expressed a preference to remain in the same local area as shown in Table 4.11 below. There was some variation by local authority. In both Leeds and Wakefield around three quarters of households would not consider moving to a site outside the local area (i.e. the district in most cases). Only a quarter of respondents would consider moving to a site outside of West Yorkshire with half of these wishing to reside elsewhere within the Yorkshire and Humber region.

Table 4.11: Location preferences for residential sites

	Number	%
Within the same local area	52	63
Within West Yorkshire	10	12
Within Yorkshire and Humber	10	12
Other parts of the UK	9	11
Abroad	1	1
TOTAL	82	100

In terms of length of stay, those who would consider moving to a/another site at some point in the future were overwhelmingly thinking of long-term residences. 82 per cent said that, if they did move to another site, they would like to stop there for five years or more. This finding is consistent with the relatively low turnover on sites discussed in Chapter 3 (see also length of stay at current residence, Table 4.16 below).

Table 4.12: Preferred length of stay on residential sites

	Number	%
Less than 3 months	2	2
1 year or more but less than 3	1	1
5 or more years	94	82
Don't know	18	16
TOTAL	115	100

4.4. Gypsies and Travellers in Bricks and Mortar Housing

As mentioned above the most prevalent accommodation type within the sample was bricks and mortar housing which accounted for over a third of all respondents.

Table 4.13 combines the responses to two questions asked of households in bricks and mortar: one on dwelling type and the other on tenure.

Table 4.13: Dwelling type and tenure of bricks and mortar households

Dwelling/Tenure	Number	%
House	57	78
Bungalow	13	18
Flat/maisonette	3	4
TOTAL	73	100
Council tenant	33	45
Owner-occupier	20	27
Private tenant	19	26
RSL/HA Tenant	1	1
TOTAL	73	100

Most of these households, around four-in-five, were resident in conventional houses (detached, semi-detached or terraced properties) with bungalows the other significant dwelling type at 20 per cent. This is some way above the national average and reflects the fact that bungalows are often the preferred dwelling type for Gypsies and Travellers moving from sites as these moves are often triggered by health concerns or accessibility problems due to old age. Furthermore, the transition from trailer or caravan accommodation to the relative unknown of bricks and mortar is often deemed less difficult and alien when the property is a bungalow. So the relatively high occupancy of bungalows among the population is not surprising.

In terms of housing tenure the Gypsy and Traveller population of West Yorkshire differs markedly from the population as a whole. Social rented accommodation (i.e. renting from the Council, a housing association or RSL) is dominant amongst Gypsy and Traveller households at 45 per cent compared to 22 per cent for the sub-region. Owner-occupation among Gypsies and Travellers is just 27 per cent - much lower than the West Yorkshire average of 67 per cent, or two-thirds of all households. Given that housing tenure is often used as a social indicator, these figures would suggest a higher proportion of deprivation among housed Gypsies and Travellers in comparison to the 'settled population'. Interestingly, the private rented sector appears to play a key role in accommodating Gypsies and Travellers. 26 per cent of housed respondents were renting from a private landlord, some way above the West Yorkshire average for the entire population of just 9 per cent.

Table 4.14: Housing tenure by Traveller group

Traveller group	Owner-occupier	Council tenant	RSL/HA tenant	Private tenant	Total Number	%
Romany/Gypsy (English)	11	20	0	11	42	58
Irish Traveller	7	7	0	6	20	27
Scottish Gypsy/Traveller	1	3	0	1	5	7
Traveller (not specified)	0	2	1	0	3	4
Welsh Gypsy/Traveller	0	1	0	1	2	3
Other	1	0	0	0	1	1
TOTAL	20	33	1	19	73	100

Table 4.14 above considers housing tenure by Traveller group and is illustrative rather than comprehensive. Differences in tenure by Traveller group among the sample of housed respondents are not that discernible given the smaller sample sizes when disaggregated. That said, the Table does tentatively suggest a greater tendency for Gypsies to be resident in Council housing.

In contrast to site residents Gypsies and Travellers in bricks and mortar housing appear to be more content with their accommodation situation. Table 4.15 shows that although around 10 per cent of bricks and mortar respondents are unhappy with their neighbours most consider other aspects of their property to be 'very good' or 'good'; or remain neutral on the matter.

Table 4.15: Perspectives on housing

	V. good	Good	Neutral	Poor	V. poor	Total
Neighbours	16	42	30	8	3	100
Location	24	46	24	6	1	100
House design	29	48	16	5	1	100
State of repair	27	53	16	3	0	100
Facilities	32	48	15	5	0	100
Size of house	37	45	14	4	0	100

4.5. Accommodation Histories and Preferences

A section of the questionnaire focused on the recent housing histories of households. Table 4.16 gives the length of residence at the current site or house with responses given by broad accommodation type. There are some key differences here. Households on local authority sites are the most settled with 84 per cent having resided at their current address for five years or more – further evidence of the relative lack of turnover on these sites. Taking sites as a whole this figure drops to 58 per cent given the shorter stays on unauthorised encampments.

Table 4.16: Length of residence at current site/house

	Housing	Sites	LA sites
Up to 1 week	0	10	0
2 to 4 weeks	0	6	2
1 to 3 months	3	6	0
3 to 6 months	11	2	2
6 months to a year	19	5	2
1 to 3 years	25	5	3
3 to 5 years	19	6	7
5 years or more	22	58	84
Don't know	1	0	0
Total	100	100	100

The picture is much more varied for families in bricks and mortar suggesting a more transient group. Just over a fifth of respondents had been in their current house for more than five years and these were skewed towards owner-occupiers. For households in social rented accommodation moves appear to be more regular.

Table 4.17: Previous location

Previous location	%
Within the same local area	37
Within West Yorkshire	20
Within Yorkshire and Humber	8
Other parts of the UK	35
Total	100

Table 4.17 above gives the previous location of all Gypsy and Traveller households regardless of accommodation type. 57 per cent of households had moved from elsewhere within West Yorkshire and a further 8 per cent from within the region. This again illustrates the importance of attachment to place for respondents who often have quite clear ideas about where they would like to reside. Over a third had come from other parts of the UK suggesting a sizeable in-flow to West Yorkshire, though this is likely to be at least partially off-set by a significant out-flow.

Table 4.18: Last accommodation type

Last accommodation	U/E	U/D	LA/RSL	Pri	B&M	TOTAL
Roadside	77	50	66	20	40	54
Council/RSL site	5	17	18	20	18	16
Bricks and mortar	9	17	9	60	10	11
Private site	0	0	4	0	16	9
Farm land/Farm	5	0	0	0	8	4
Caravan park	0	0	0	0	5	2
Council/RSL transit site	5	0	2	0	3	2
Other	0	17	2	0	0	1
TOTAL	100	100	100	100	100	100

NB: U/E = unauthorised encampment; U/D = unauthorised development; LA/RSL = social rented sites; Pri = private sites; and B&M = bricks and mortar.

Table 4.18 shows the last accommodation type of survey respondents by their current accommodation situation. This is useful in illustrating the extent of flows between different accommodation types and highlights the importance of acknowledging the inter-connections between different types of provision, areas and the dynamic nature of migration. Of significance here, however, is the high level of movement between different types of provision. As one stakeholder identified:

"We certainly see people moving into housing from say Bradford sites and then they may go into an unauthorised encampment in Leeds and then after go to Cottingley Springs. So you see all those type of things, they might not be as straight forward as one site to the other or one house to the other, they sort of criss-cross like that and they criss-cross through Bradford, Wakefield and Leeds." (LA officer, Leeds).

Like-for-like moves to the same accommodation type appear to be rare and only households on unauthorised encampments are more likely to remain so rather than accessing different accommodation. It is likely that in most cases this situation is a forced one in the absence of suitable provision. The other notable finding here is that 54 per cent of all Gypsies and Travellers in the sample were previously residing on the roadside. This further supports the idea that roadside encampments are not an active choice. Indeed, of the households on unauthorised encampments, only 8 per cent expressed this as their preferred accommodation type whereas 78 per cent stated a preference for social rented or private site accommodation. Two thirds of households on local authority sites and two-in-five of those in bricks and mortar had moved there from an unauthorised encampment. 18 per cent of households on social rented sites had moved from one local authority site to another while 9 per cent of all respondents had come from a private site.

Table 4.19: Accommodation preferences

Accommodation type	Mean score
A private site owned by you or your family	9.4
A site owned by the local authority	7.5
A family owned house	6.6
Travelling around on authorised transit sites	6.0
A site owned by another Gypsy or Traveller	5.7
A site owned by a private Landlord (not a Gypsy or Traveller)	5.7
Social rented housing	4.8

In a bid to understand accommodation preferences and assess the demand for different types of provision respondents were asked to rate different ways of living on a scale of 1 to 10, with 10 being the most desirable and one the least. Table 4.19 above gives the mean score for each accommodation type and shows a clear preference among the community, regardless of current accommodation situations, for family owned private sites. This is consistent with the findings across other GTAAs. This is of course a *preference* and is currently beyond the financial means of some households. There is a significant proportion however, for whom private sites are feasible financially and in this sense the dearth of private provision within West Yorkshire is striking. The clear second most popular accommodation type was a pitch on a local authority owned site with a mean score of 7.5. Surprisingly, this is much higher than the score of 5.7 for sites owned by another Gypsy or Traveller. Renting a house from the local council or a housing association is the least preferable with a mean score of 4.8.

4.6. Travelling Patterns and Experiences

Most recent research on the travelling patterns of Gypsies and Travellers has pointed to a decline in the regularity and duration of travelling among the community. This section looks at trends in travelling on the part of the Gypsies and Travellers in West Yorkshire.

Respondents were asked about the frequency of travel and this is presented in Table 4.20 below.

Table 4.20: Frequency of travelling

Frequency of travel	Number	%
Every week	13	8
Every month	6	4
Every couple of months	13	8
Seasonally	36	21
Once per year only	22	13
Never	78	46
TOTAL	168	100

The biggest group from the survey are those who never travel, comprising almost 50 per cent of the sample. Two other sizeable minorities are those who travel seasonally and those travelling just once a year, representing 21 and 13 per cent respectively. Regular travellers are rarer with only one-in-five households travelling every couple of months. Households travelling every week or month were almost exclusively those on unauthorised encampments. 54 per cent of total households had taken to the road for some reason during the past 12 months (see Table 4.22 for reasons).

To ascertain the extent of the changes in travelling patterns we asked a series of questions on past and future trends. The results from these questions are presented in Table 4.21 which supports the widespread notion that travelling has become less frequent amongst the community.

Table 4.21: Change in travelling trends

Travelling trend	Number	%
Typical	73	45
Changed	91	55
TOTAL	164	100
Future travel trends		
More than currently	29	17
Less than currently	11	7
Same as currently	77	46
Don't know	49	30
TOTAL	166	100

55 per cent of respondents said that the nature of their travelling patterns had changed - virtually all now travelled less than they used to. There were two dominant and related reasons for this decline: "nowhere to stop" and "enforcement and eviction". Traditional stopping places that have been utilised over many generations in some cases were deemed to be much scarcer due to changing land uses and measures to stop caravans "pulling on" them. A minority of respondents reported travelling less due to settling down and securing a school place for their children, but those travelling less as the result of a conscious and *active choice* were few and far between. For most, changes in travel reflected a response to the attempted control and restriction of their movements connected to the lack of stopping places and concerns over security of tenure given the limited periods of absence allowed from residential sites. Should this climate change it is likely that there would be an increase in the frequency of travel.

In terms of future trends, a majority of households intended on travelling the same amount as they do now, that is, seasonally and occasionally. Almost a third of respondents did not know what the future would hold in terms of travel which perhaps reflects the uncertainty and difficulties of being on the roadside and the

dearth of stopping places and transit provision. Interestingly, a sizeable minority of respondents, 17 per cent, expected to travel more frequently in the future.

The factors that trigger travel amongst Gypsies and Travellers are complex and varied and interviewees often reported that there was no set pattern to their movements, whereas in the past the location and timing of travel was more closely tied to employment trends. For instance, seasonal agricultural work would have once necessitated travel to the East coast in the summer but competition from growing populations of students and migrant workers coupled with the effects of the 1994 CJPOA has limited these opportunities. Increased difficulties in following the traditional employment practices of previous generations were also cited and this is evidenced in Table 4.22 which gives the reasons for travel over the last 12 months. A little over a quarter of travelling households did so in pursuit of employment opportunities.

Table 4.22: Reasons for travelling in the last 12 months

Reason	Yes	No	Total
To attend a fair	58	42	100
Holiday	34	66	100
Visiting relatives	32	68	100
Work opportunities	28	72	100
Eviction	20	80	100
Family events	15	85	100
Community events	8	92	100
Other	3	97	100

NB: Columns do not add to 100 because respondents could give more than one answer.

Far and away the most prevalent reason precipitating travel was attendance at fairs such as Appleby, Brigg and Stow on the Wold. Such annual events were the only times many households would travel. Other significant drivers of mobility were holidays and visiting relatives, with the importance of familial networks again highlighted. A relatively large proportion of households, one-in-five, had been forced to move on due to eviction during the last 12 months.

4.7. Transit Sites

One touted mechanism for facilitating travel is the provision of a network of transit sites for short-term stays when on the road. Perspectives on transit sites however, are varied both in terms of the views of the Travelling community and stakeholders. In terms of the latter, some stakeholders, such as the interviewee below, were positive about the idea of transit sites in principle and recognised the need for some sort of short-term provision but had concerns over management issues:

“Well yeah I would totally agree with that, we would benefit from a transit site but it’s how that transit site would be managed and how it would be controlled” (LA officer, Wakefield).

Many stakeholders were also of the view that there was the potential for more disruption on transit sites and perhaps less respect of the immediate environment given the lack of a sense of ownership in contrast to residential sites:

“I can appreciate where the government’s coming from with the transit sites, I think the problem from that side will be the management of transit sites... There’s a lot of pride on [residential] sites, the thing with the transit site is well they’re only here for a short time: what sort of provision are you going to give and how would it be respected?” (Site manager).

On the views of the Travelling community, respondents were asked whether they would consider stopping at a transit site and the results are shown in Table 4.23 below. Around a third stated that they would consider doing so; a larger proportion, 44 per cent said that they would not. A quarter of interviewees answered ‘don’t know’ which is a reflection of the ambivalent attitudes of many towards transit provision and a lack of consensus about what actually constitutes a transit site and what facilities would be provided on one. Respondents were also asked what the **maximum** number of pitches should be on a transit site. The overall average was 13 pitches and responses ranged from 2 to 60. Again, this question was asked of all respondents and not just those who expressed a willingness to stay on transit sites.

Table 4.23: Would you consider stopping at a short stay/transit site?

	Number	%
Yes	53	32
No	73	44
Don't know	41	25
TOTAL	167	100

Preferences on the length of stay on a transit site are presented in Table 4.24 and again suggest a degree of uncertainty. By far the most common response was ‘don’t know’ which accounted for 42 per cent of all responses. The same proportion were of the view that the length of stay should be less than 3 months, although almost a quarter of respondents said they would stay for less than four weeks.

Table 4.24: Preferred length of stay on transit sites

	Number	%
Up to 1 week	4	6
2-4 weeks	12	18
1 to 3 months	12	18
3 to 6 months	5	8
6 months to a year	2	3
5 or more years	3	5
Don't know	27	42
TOTAL	65	100

An alternative to the development of transit sites is the incorporation of short-stay pitches on residential sites. Given that a third of travelling households do so in order to visit relatives this would appear to be a valid option. Attitudes towards this idea are given in Table 4.25.

Table 4.25: Attitudes towards sites incorporating permanent and short-stay pitches

	Number	%
Good idea	97	57
Bad idea	29	17
Don't know	43	25
Total	169	100

A majority of respondents were of the view that incorporating permanent and short-stay pitches on sites was a good idea: 57 per cent responded positively to this suggestion while 17 per cent thought this was a bad idea. In terms of the positives, the reasons given for this view were dominated by several responses: getting people off the roadside, accommodating visitors, addressing homelessness and providing options and flexibility for those wishing to travel. In contrast, those who saw this as a negative were almost universal in their reasoning with the vast majority expressing concerns that "anyone" could pull on to the site which could potentially lead to "problems" and "trouble". In several cases it was suggested that there is more likelihood of fly-tipping and general mess and dirt on sites where there is transit provision.

4.8. Housing-related and Other Support Services

As the review of Supporting People strategies in section 3.3.5 above revealed there are currently no services being provided which are specifically aimed at Gypsies and Travellers. A common theme in the strategies is the need for evidence on the housing-related support needs of the community to inform the development of services. This section presents the findings from specific survey questions pertaining to this area of policy and should be considered alongside the 2005 Supporting People Report: *The Housing Support Needs of Gypsies and Travellers in West Yorkshire, North Yorkshire and York*. Firstly, however, it is necessary to briefly explore stakeholder views on the existing support mechanisms in place as this serves to contextualise the attitudes and perceptions of Gypsies and Travellers.

As Chapter 3 highlighted, there is a great deal of variance from one local authority to the next in terms of the resources allocated to Gypsy and Traveller issues. In most cases, support for the community across a range of policy and service areas rests with a handful of dedicated individuals working with Gypsies and Travellers on a day-to-day basis - both local authority officers and those employed in the community and voluntary sector. These roles can sometimes be extremely varied with LA officers, health workers, Children's workers and the like often performing duties not directly related to their specific roles. In most cases this appears to be in response to the lack of a comprehensive and cross-departmental Gypsy and Traveller strategy coupled with a lack of engagement from other agencies. The quotes below illustrate the general sentiment of stakeholders:

"We have a flurry of activity every now and then, we might have a multi-agency meeting, but I don't think there's a great deal of awareness amongst a lot of services about their culture" (LA officer, Children's Services).

"We work quite well on site regarding the multi-agency that's down here but you're often one person trying to do quite a hard role, and definitely myself because I do groups on site trying to get other agencies involved in supporting me with those groups it's, that's been really, really hard, in 5 years I've had 18 different co-workers so..." (Family worker).

This situation - where there is a dependence on the skills, knowledge and relationships developed by a small group of individuals - obviously has implications in terms of the continuity and sustainability of service provision. The long-standing issue of short-term funding regimes in the community and voluntary sector also impacts here. The quote below illustrates the frustrations with regard to these issues:

"Things are set up but often because the majority of the work that was done by Gypsy and Traveller workers you're down as contact work, it's a case of mine, when I started it was a year, got extended to three years, I then had another two years. I'm waiting to see now what happens in April....so it's quite hard because you set things going and you don't know how sustainable those things are going to be" (Children's Centre worker).

It is against this backdrop that the following survey findings should be understood. Firstly, respondents were asked whether they had sufficient access to a range of key services in their locality. Table 4.26 presents responses as percentages for all households and by accommodation type.

Table 4.26: Access to services by accommodation type

Service	All h/holds		U/Es		LA sites		B&M	
	Yes	No	Yes	No	Yes	No	Yes	No
A&E	90	10	59	41	86	14	100	0
GP/health centre	87	13	43	57	85	15	100	0
Public transport	83	17	50	50	74	26	100	0
Post office	82	18	48	52	74	26	98	2
Local shops	81	19	54	46	67	33	100	0
Banks	80	20	57	43	66	34	99	1
Dentist	68	32	23	77	61	39	85	15
Maternity care	59	41	38	62	70	30	60	40
Sports & leisure services	54	46	33	67	53	47	56	44
Health visitor	50	50	19	81	74	26	40	60
Nurseries/children's service	46	54	32	68	61	29	40	60
Social worker	37	63	14	86	53	47	30	70
Services for older people	28	72	19	81	27	73	33	67
Youth clubs	27	73	19	81	27	73	29	71

NB: Sample sizes were too small to present separate findings for households on unauthorised developments and private authorised sites.

Taking all households first, access to key services appears to be relatively good although services for older people and children are reportedly poor. It is probably fair to say that similar responses to the 'all households' group would be expected from the settled population given the element of subjectivity in the question posed. However, as is to be expected, issues of access are most acute with regard to households on unauthorised encampments with health emerging as a major concern. It is well established that levels of ill-health are significantly worse among households on unauthorised encampments and the lack of ready access to healthcare is no doubt a contributory factor to this.

The Table also shows that bricks and mortar households are the best served in terms of access to what can be described as neighbourhood services (e.g. public transport, local shops etc). Local authority sites also appear comparatively well served although differences in access relating to health visitors and social workers are more than likely a reflection of the fact that these professionals have a presence on official sites and therefore access to them for site residents is relatively easy.

The issue of service provision on site raised important questions for both Gypsies and Travellers and stakeholders. While some respondents wanted more on-site provision some site residents felt that this served to isolate the community and result in sub-standard services. Stakeholders articulated similar views but for them the most pressing issue was that of integration. Bringing services to the doorstep of Travellers was perceived by many stakeholders as closing opportunities for interaction with the wider community. The quote below provides a typical illustration:

"I've always thought it's rather unhealthy to take all the services to the site because then you're never going to get integration" (Health worker).

This view was however countered by an alternative. Some stakeholders were of the opinion that the take-up of services was very low, even for some of those provided on site. In which case, anything that could improve access was deemed positive. One potential reason for a lack of uptake of services amongst some members of the community is the fact that they are often not sensitised to the specific cultural needs of Gypsies and Travellers. Table 4.27 below gives the responses to a question on whether cultural awareness amongst service providers needs to be improved. Over two-thirds of respondents were of the opinion that service providers did need to be more aware and 20 per cent thought they did not.

Table 4.27: Do service providers need to be more aware of issues affecting Gypsies and Travellers?

	Number	%
Yes	113	68
No	31	19
Don't know	22	13
Total	166	100

Given the paucity of services and organisations providing for Travellers, and the persistent presence of myths and stereotypes which cloud understanding of the issues, one would perhaps expect a high "yes" response. Yet, 68 per cent still seems a very large proportion. There is obviously a great deal of work to be done in

terms of the provision of housing-related support services and the nature of their delivery.

Table 4.28: Likelihood of using housing-related support services (%)

Support Need	Would use	Might use	Wouldn't use	Don't know
Accessing a GP	77	16	6	1
Filling in forms	70	22	6	2
Accessing legal services	68	24	3	5
Finding accommodation	67	24	6	2
Planning issues	61	22	13	4
Harassment	59	27	7	7
Claiming benefits	59	17	16	9
Settling into accommodation	48	20	24	8
Finding a job	43	16	36	5
Maternity care	39	24	31	6
Accessing training (for adults)	36	19	39	6
Meeting people	25	24	41	11
Parenting	25	16	55	4
Budgeting	18	22	50	10

One key factor in moving towards addressing the gap in service provision is an understanding of what Gypsies and Travellers actually want and require. Table 4.28 above presents attitudes towards services in terms of the likelihood of accessing them. The needs are ranked from most to least popular. It should be noted that not all the services listed above would fall under "housing-related support" as defined by the Supporting People criteria dictating eligibility. Nonetheless, the responses do highlight which services, whether housing-related or not, would be most welcomed by the community. The top seven support services would be used by at least 60 per cent of respondents which is a clear indication that there is demand for services providing they are delivered in a Traveller sensitive way. Some of this demand would appear to fall within the remit of local authorities (e.g. finding accommodation, planning issues) but equally, there is much scope for the involvement of the third sector in terms of delivery and support. Given the fluidity of movements between different tenures and accommodation types outlined above (see Table 4.18) any support with filling in forms, finding accommodation and settling into new accommodation is likely to receive a positive response.

One particularly interesting aspect is the demand for services regarding harassment: 86 per cent of respondents would definitely use, or might use, such services. A question was asked on harassment as part of the survey. A third of respondents had experienced some kind of harassment or discrimination in their current area of residence. In most cases this involved some form of racist intimidation from the public ranging from name-calling in the street to vandalism and, in a small minority of cases, assault. Particularly common experiences included children and youths throwing stones at caravans and trailers and bullying at school. What is striking from the responses is the way in which these experiences seem to have become 'normalised' for many in the sense that they are accepted as everyday occurrences. For instance, victims of intimidation and abuse often prefaced their comments with "*just the usual stuff*" or "*only what we've always had*" or "*you're bound to get some though aren't you*". It appears that for a significant proportion of Gypsies and

Travellers racism, harassment and intimidation based on long-standing stereotypes is a part of everyday life. In terms of experiences of institutional discrimination, the most common responses related to treatment (or non-response to call outs) by the police but there were also reported instances in relation to GP surgeries and public transport (e.g. bus drivers not stopping to pick up passengers).

Asked about any needs for additional support services not listed in Table 4.28, 15 per cent of respondents did cite further needs. The responses were varied but there were some recurring needs identified by several interviewees. Most common was the provision of some kind of generic drop-in/advice centre that could provide a holistic service across benefits advice, legal matters, access to healthcare etc. as well as general information for and about the community. This would essentially be a CAB-style service tailored specifically to the cultural needs of Gypsies and Travellers. It should be noted that such a function is currently being performed by Leeds GATE. Though based in Leeds many of the service users engaged by Leeds GATE come from beyond the local authority boundary. As a voluntary and community sector organisation however, Leeds GATE is subject to uncertainties around the continuity of support and funding. Were this service to be extended further beyond Leeds more formally, and perhaps across West Yorkshire, then existing capacity would need to be supported and expanded.

Other significant needs cited were support with access to schooling, transport to schools and support from the police. Gypsy and Traveller experiences of engagement with the police were often negative and perceived as one-way. Some respondents were of the view that police dealt with accusations against the community but did not serve and protect their interests with the same vigour. It should be noted however, that West Yorkshire Police were aware of these perceptions and were striving to correct this by promoting more of a community cohesion and engagement agenda. One Police Inspector gave the following response to a question on the state of relations with the Gypsy and Traveller community:

"Varied. I'd like to think they're improving...bad experiences may only take a matter of moments, actually rebuilding that trust and confidence can take years. We're far from an ideal position at the minute. We're far from a situation where we can do the softer side, I don't think that trust is there and I think that trust is lacking for very good reasons because of personal experiences, in years gone by. It's a matter now of taking steps to rectify that and I think the links that we've got with the agencies as well as the dedicated officers working with families on the sites is a step in the right direction." (WY Police Inspector)

4.9. Employment, Education and Health

The main focus of the questionnaire was on accommodation issues but there was a limited section which sought information on employment, education and health. Each of these broad areas is briefly discussed in turn below.

Employment

Table 4.29 below indicates the general location of where respondents said they and their family worked. The question relates to all household members given the gendered division of labour amongst the community (i.e. in many cases female labour is confined to the domestic duties of the household). It should be noted however that the results presented may be affected by varied interpretation of the question and some respondents may not have mentioned informal and/or irregular work undertaken by them and their family. These figures should therefore be treated with caution.

Of most interest is the final row which shows that 57 per cent of all Gypsy and Traveller households are workless; rising to a massive 85 per cent for households on local authority sites. This finding would appear to be consistent with the uptake of housing benefit on local authority sites (90 per cent) which is means-tested (see Table 3.7 above). Bricks and mortar households are significantly more likely to contain one or more adults in employment and to work both in and out of the local area.

Table 4.29: Location of employment and seasonality

	All households	LA sites	Unauthorised encampments	Bricks and mortar
Mostly in this area	12	7	10	13
Travel for work (outside area)	5	3	5	4
Work in and out of the area	23	2	30	40
Work only seasonally	1	0	0	3
Other	1	3	0	0
Don't work	57	85	55	40
TOTAL	100	100	100	100

Respondents were then asked about the type of work that they and their family were involved with. The vast majority of those engaged in employment were self-employed and active in the 'traditional' trades. Indeed, over 90 per cent were employed in just six broad occupational categories:

- landscape gardening
- car dealing or scrap metal
- plastic fascias, guttering and roofing
- carpet sales
- tree topping
- cleaning.

Other occupations included: social work; teaching; voluntary sector administration; youth work; and environmental work. A further four respondents gave the answer 'anything' to the type of work they do.

Education

Education is one service area which has traditionally struggled to engage with the Gypsy and Traveller community. Obviously, each household has its own views on education and it is difficult to generalise. However, there are a number of historical reasons for non-engagement with formal education including:

- a different notion and culture of learning related to the dissemination of skills and knowledge required for traditional trades from one generation to the next
- related to the above - a national curriculum sometimes deemed insensitive and irrelevant beyond basic English and arithmetic

- a strong cultural aversion to sex education
- bullying and discrimination at school (from pupils and Teachers)
- regular travel during term-time making formal schooling difficult
- an aversion to secondary schooling related to fears over drugs and teenage sex among non-Gypsy and Traveller peers; and
- fears over a loss or diluting of culture related to assimilation to sedentary norms.

This list is indicative rather than exhaustive but the important point is that attitudes towards education are complex and need to be placed in an historical and cultural context. Though school attendance is still some way below that of the 'settled population' stakeholders were of the opinion that more Gypsy and Traveller children were attending school on a regular basis - though there was still a widespread aversion to secondary education among much of the population. Pressures on traditional employment practices were deemed a factor here as one stakeholder noted:

'One of the challenges hitting the community now is that traditionally they go to knock on the door for work and go round all the houses, and there's so many restrictions put on that now that maybe the community does need to think more about education' (Traveller Education Manager).

The Annual Schools Census now records the ethnicity of 'Travellers of Irish heritage' and 'Gypsy and Roma' children. There is no category or indication of numbers for new travellers or Travelling Showpeople and circus families. The merging of Gypsy and Roma children does muddy the waters somewhat and the figures also come with a strong health warning related to the concealment of ethnicity in order to avoid discrimination and harassment. That said, they can provide several insights and Table 4.30 below presents this data by local authority.

Table 4.30: Gypsy/Roma and Irish Traveller pupils by local authority, 2007

	Primary		Secondary	
	Irish Traveller	Gypsy/Roma	Irish Traveller	Gypsy/Roma
Bradford	25	111	6	45
Calderdale	4	26	0	9
Kirklees	8	11	0	7
Leeds	60	101	36	101
Wakefield	29	21	8	5
TOTAL	126	270	50	167

Source: DfES, Annual Schools Census.

The aversion to secondary school is clearly reflected in the figures when you compare total primary school pupil numbers to those in secondary schools. One exception to the trend appears to be Leeds where, at least for Gypsy and Roma pupils, there appears to be more of a likelihood of progressing on to secondary level.

Some stakeholders reported a generational shift in educational attitudes and an increase in the take up of nursery places among younger families, which boded well in terms of future school attendance:

'I would say that the biggest turnaround would be younger mums and where they've got the first child reaching nursery age, we definitely have a good take up with those parents. It's the parents where they've got older children, so they've been through the system before because they've got older children at home who are looking after the younger ones, so we're not having such a good impact with those families' (Children's worker, Wakefield).

Survey respondents with school aged children were asked whether they attended school regularly and the results are presented in Table 4.31 below. The figures show that for families on local authority sites and in bricks and mortar housing, four-fifths of children do attend school regularly. This is at odds with the DfES data which suggests a much lower rate than the 80 per cent presented here - a further indication of the blurring of the DfES figures due to parents not self-identifying with one or other ethnicity category.

Table 4.31: Do the children attend school regularly?

	Bricks and mortar	Unauthorised encampments	Local authority sites
Yes	80	41	81
No	17	59	19
Don't know	3	0	0
TOTAL	100	100	100

NB: Sample sizes were too small to present separate findings for households on unauthorised developments and private authorised sites.

The school attendance of children from households on unauthorised encampments is half that of their peers in housing and on local authority sites. The difficulties in accessing and maintaining education when on the roadside are obvious and well established:

'Often it's very difficult for families who've been on the roadside and been in intermittent education, and it's very difficult for them to access high school' (Traveller Education Manager).

Of those families with school aged children on unauthorised encampments just over 60 per cent reported contact with the Traveller Education Service (TES) and 57 per cent of those viewed the service as 'very good' or 'good'. No-one thought the service was 'poor'. Indeed, the TES have historically been one of the few organisations consistently engaging with the community in a positive way and this is reflected in respondents' views. TES staff often provide support beyond education in terms of filling in forms, reading letters etc, and appear to be highly valued by Gypsies and Travellers.

In summary, while attitudes to schooling are slowly changing the links between education and accommodation are plain to see and the under-provision of sites within West Yorkshire clearly has a detrimental effect on the educational prospects of Traveller children.

'I think there's still a tremendous amount to do, out of all the BME communities the Gypsy, Roma and Travellers, have the poorest [educational] attainment levels nationally by a long, long way' (Traveller Education Manager).

This in turn impinges upon employment opportunities (as evidenced above) as the general UK workforce becomes more qualified and more skilled, making it increasingly difficult for the less qualified to maintain a foothold in an increasingly competitive labour market.

Health

The focus of the questionnaire survey was primarily accommodation concerns and there are limits to the exploration of issues such as health. The issues pertaining to health inequalities amongst the Gypsy and Traveller population are well established and reflected in the much shorter life expectancies of the population. A comprehensive national study on the health status of Gypsies and Travellers and the connection with accommodation provision and conditions was published in 2004 (Van Cleemput *et al*). This should serve as a key reference point for health professionals and practitioners engaged with Gypsies and Travellers.

That said, there are some tentative findings to draw on from the survey data. A question was asked on household members experiencing specific health problems and the results are presented in Table 4.32.

Table 4.32: Households with family members with specific health problems (%)

Type of condition	None	One person	Two people	Three people
Mobility problems	83	14	3	0
Mental health problems	88	12	0	0
Learning disability	94	5	0	1
Hearing impairment	94	4	2	0
Visual impairment	95	4	1	0
Communication problems	96	4	0	0

The most common incidence of ill health was related to mobility problems which affected at least one person in 17 per cent of households. This is of obvious concern for those on sites where disabled access is relatively poor and is sometimes cited as a factor triggering moves into housing. A second notable health concern was mental health problems, affecting 12 per cent of households. This proportion was the same for site residents as those in bricks and mortar housing.

Interviewees were also asked about any other health problems suffered by them and their family not listed in Table 4.32. Over 40 per cent of respondents reported additional health conditions and these were dominated by six responses: angina; asthma; arthritis; "bad chest"; heart problems; and depression. In many cases these conditions (particularly asthma and chest complaints) were at least partly attributed to the conditions and poor environment on sites. Also worth noting was the relatively common incidence of multiple health problems with some respondents living with several conditions which inevitably has a cumulative effect on overall well-being.

5. West Yorkshire's Travelling Showpeople: Survey Findings

As mentioned above the differences in the accommodation needs and provision for Travelling Showpeople necessitate a separate analysis. This section presents findings from the household survey of Travelling Showpeople which was conducted in the autumn of 2007. The total sample size is 29 households which equates to over a third of the entire Travelling Showpeople population of West Yorkshire. Households in each of the five districts were surveyed (see Table 4.2 for sampling distribution by local authority). Thus, there is good reason to be confident that the findings here are representative. There were also follow-up in-depth interviews with respondents to unpick some of the key issues arising out of the stakeholder consultation in more detail and these are referred to throughout this Chapter where relevant.

5.1. Characteristics of the Population

Average household size among the Travelling Showpeople population is 3.4 persons, which is lower the average across all Travelling groups of 3.8 (Table 4.6 above) but significantly higher than the national average for all households of 2.4.

Table 5.1: Age of interviewees

Age group	Number	%
25 - 39	7	24
40 - 49	6	21
50 - 59	8	28
60 - 74	8	28
TOTAL	29	100

In the vast majority of cases survey interviews were conducted with the 'heads of household' so the age structure of interviewees in Table 5.1 above provides a good indicator of the spread of 'young' and 'older' households. As can be seen there is a fairly even distribution in terms of age with a quarter of households falling into the 'younger family' bracket (25-39 years old) and 28 per cent in the over 60 age group within which fewer people would be expected to be in work.

The reasons for residing in West Yorkshire are presented in Table 5.2 below. Again, family connections in the area are the key factor informing residential choices: nearly three quarters of respondents stated that familial ties to the area were a pull factor. 45 per cent of respondents were born within West Yorkshire. Unlike the wider Travelling community work opportunities are still a very prominent issue in deciding where to locate. Over half of Travelling Showpeople households considered work opportunities as one of the primary reasons for living in the sub-region. Another

significant reason given was the fact that children are settled in schools which meant that some households were tied to the area, at least while children were of school age.

Table 5.2: Reasons for residing in or resorting to West Yorkshire

Reason	%
Family living here	72
Work opportunities	52
Place of birth	45
Schools	21
Only place I could find	17
Always have done	7

NB: Columns do not add to 100 because respondents could give more than one answer.

5.2. Perspectives on Current Accommodation

97 per cent of the sample of Travelling Showpeople was currently resident on private authorised yards - 14 per cent of households owned their respective yards and the rest were tenants. This contrasts greatly with the accommodation situations of the rest of the Travelling population for whom private provision is much less common.

Another key difference is the large number of vehicles and units on yards. Only four respondents did not have any fairground rides or stalls at present - these were mainly retired Showpeople. For those with equipment on site the number of units ranged from one to eight and there are obviously variations in terms of the size of these from relatively small stalls to very large rides such as waltzers and rollercoasters. Coupled with the fact that the average number of vehicles per household is 3.6 it is clear that most families require a significant amount of space on yards for the storage of vehicles and equipment. Table 5.3 below gives responses to questions on whether interviewees felt they had sufficient space for: living quarters; and equipment and vehicles. The responses are certainly consistent with our experience of visiting Showpeople yards, the majority of which were extremely overcrowded.

Table 5.3: Do you have enough space on your yard in terms of:

	Living quarters		Equipment	
	Number	%	Number	%
Yes	14	50	4	15
No	14	50	21	78
Don't know	0	0	2	7
Total	27	100	28	100

Half of respondents felt they needed more space in terms of living quarters on yards. All respondents were asked to expand on issues regarding lack of space on pitches and the overwhelming response was that family growth and new household formation had put extreme pressures on static yard capacities. Bearing in mind the loss of Showmen's yards set out in Chapter 3, overcrowding was perceived as an inevitable and obvious result of natural population growth. The quotes below are typical of the responses on the reasons for overcrowding.

"The family's growing so there's minimal room. The population of Showpeople is growing yet sites are disappearing - there used to be loads more than there is now"

"There's not enough room to accommodate everyone that's on there - it's overcrowded and families are obviously continually growing"

"We're packed in like sardines! There's enough space inside the caravan, but not enough space around it. I would like a bigger home in a few years as well so the girls can have their own bedroom."

The last two columns of Table 5.3 relate to space for equipment. Nearly four out of five respondents were in need of more space for the storage of vehicles, stalls and rides and to carry out essential maintenance. Many interviewees reported that they had to conduct repairs and other work on rides while they were out on the road as there simply was not enough room to do so on their yard. Several respondents also stated that vehicles were almost touching each other in some cases and this was seen as a direct result of having too many families on yards, most of which had their own complement of equipment and vehicles.

The dissatisfaction with yards is illustrated in Table 5.4 which gives a flavour of residents' perspectives on their respective accommodation situations.

Table 5.4: Perspectives on Travelling Showpeople yards

	V. good	Good	Neutral	Poor	V. poor	Total
Size of plot	11	21	7	14	46	100
Design of yard	14	18	18	7	43	100
Facilities	24	24	14	0	38	100
Neighbours	33	26	19	0	22	100
Management of yard	42	23	15	8	12	100
Location	72	17	7	0	3	100

On the aspects of size, design and facilities there is clearly a great deal of room for improvement and levels of dissatisfaction are much higher than those of other Travelling groups. 46 per cent of respondents thought that the size of their plot was 'very poor', a fraction less gave the same response for the yard design and over a third considered facilities to be 'very poor'. Again, our experiences of visiting yards in West Yorkshire would support these views. On the positive side, the location of yards was deemed to be very good by 72 per cent of the sample and this is an important consideration as good access to transport links are crucial given recent trends in commuting to fairs rather than staying on site (see sub-section 5.5 below).

Table 5.5 shows the levels of access to different facilities on Showpeople yards. Again, though access to the majority of facilities can be considered good the quality of these facilities is often sub-standard.

Table 5.5: Access to facilities on Travelling Showpeople yards

Facility	Yes	No
Water supply	100	0
WC	100	0
Electricity supply	100	0
Shower	100	0
Laundry facilities	100	0
Kitchen facilities	100	0
Space for eating or sitting	100	0
Rubbish storage and collection	86	14
Postal delivery	82	18
Fire precautions	67	33
Bath	64	36
Somewhere for children to play	23	77
Shed/amenity building	0	100

Perhaps as a reflection of the negative attitudes towards current accommodation among Travelling Showpeople 86 per cent said that they would consider moving to another long-stay residential yard. Table 5.6 shows the location preferences for those who would consider moving. The responses show the strong attachment to place among the population: over three quarters would only consider a move to elsewhere within the West Yorkshire sub-region.

Table 5.6: Location preferences for residential yards

	Number	%
Within the same local area	10	56
Within West Yorkshire	4	22
Within Yorkshire and Humber	2	11
Other parts of the UK	2	11
TOTAL	18	100

The settled nature of many households is illustrated in Table 5.7 which presents the preferences for the length of stay for those who would consider a move elsewhere. For the vast majority any move would be a relatively long term one with 75 per cent desiring a stay of 5 years or more.

Table 5.7: Preferred length of stay on yards

	Number	%
Less than 3 months	1	4
6 months or more but less than 12	2	8
1 year or more but less than 3	1	4
5 or more years	18	75
Don't know	2	8
TOTAL	24	100

5.3. Experiences of the Planning Process

Proportionately, Travelling Showpeople were more likely to have some experience of the planning system than other travelling groups and this experience was, more often than not, a very negative one characterised by frustration and a lack of transparency in planning criteria and decisions.

Table 5.8: Purchase of own land for development

	Travelling Showpeople	Rest of the population
Yes	45	6
No	55	93
Don't know	0	1
TOTAL	100	100

Table 5.8 shows that almost half of all respondents had purchased their own land for development often as part of a collective which had pooled finances in order to do so. This is much higher than the proportion for all other Travelling groups which stands at just 6 per cent. Though not conclusive, there is some suggestion that the level of deprivation among Travelling Showpeople is not as high as that experienced by many Gypsies and Irish Travellers for whom the purchase of land is simply not an option due to financial constraints. The differences in the types of provision would seem to support this view. That is, Gypsies and Irish Travellers are far more likely to be resident on Council sites and in social rented housing. It is ironic then that Travelling Showpeople are living in some of the worst conditions, all of which points to a contributory role on the part of the planning system.

85 per cent of Travelling Showpeople who did purchase their own land also subsequently applied for planning permission. Of those applying only two individuals did so before they bought the land. Survey respondents were also asked to briefly

explain what happened with their planning applications and below are some of the responses.

"A few of us put together to buy some land in [the Castleford area] but we couldn't get it passed"

"The Council Officer told us we wouldn't get planning: old pit land - no suitable access so we gave up on it"

"It failed for fairground vehicles not caravans."

"Didn't get it approved, they just say no. They don't want to help showmen at all"

"We were declined on account of access by Highways. There was a haulage company down the road! Whatever they could throw at us to block planning permission they did."

These responses, particularly the last two, illustrate the sense of injustice among the community - often articulated in terms of a view of a planning system which is deemed to be intrinsically set against them. There was a widespread perspective that it was near impossible to obtain planning permission for a Showmen's yard and the problems associated with land availability and the associated rising costs were further impediments to new provision for Travelling Showpeople.

5.4. Accommodation Histories and Preferences

As with the wider Travelling communities in West Yorkshire, Table 5.9 below shows that the majority of Travelling Showpeople households are relatively 'settled' – though this should be understood in the context of constrained accommodation choices. For most households their own family yard is the preference but for the reasons outlined above this has not been realised. Just short of four-fifths of respondents had been at their current yard for five years or more. Given the finding above, that 86 per cent of residents would consider moving to another residential yard, the lack of household movement is more likely to reflect the absence of alternative yards than relative contentment.

Table 5.9: Length of residence at current yard

	Number	%
Up to 1 week	1	3
3 months or more but less than 6	1	3
6 months or more but less than 12	1	3
1 year or more but less than 3	2	7
3 years or more but less than 5	1	3
5 years or more	23	79
Total	29	100

The previous accommodation type of respondents is shown in Table 5.10 below. It should be noted that it appears that some respondents have categorised Showmen's Guild yards leased from Councils as Council/RSL sites when in actual fact they are private yards which happen to be on Council land. Thus, with this in mind, most movements tend to be between existing private yards within the sub-region. Indeed, in terms of the previous location of residence 93 per cent of respondents had moved within the West Yorkshire boundary either from a yard that was closing (e.g. Wakefield market) or between the existing yards listed in Chapter 3. The other origins were also relatively close: Barnsley and Sandbach in Cheshire.

Table 5.10: Accommodation type of previous yard

	Number	%
On private site - own land	1	4
On private site - rented pitch	17	61
On council/RSL site	6	21
Other	4	14
Total	28	100

Travelling Showpeople were also asked about their accommodation preferences. Respondents rated different accommodation types on a scale of 1 to 10, with 10 being the most desirable. Table 5.11 presents the collated results from this question as a mean score for each type of accommodation. Quite clearly, preferences are dominated by the desire for private family yards: every single respondent gave this a score of 10. Looking down the list the scores question whether other accommodation types could be described as 'preferences' at all given that the second highest mean score, for yards owned by another Showperson, is just 5.5.

Table 5.11 Accommodation preferences

Accommodation type	Mean score
A private yard owned by you or your family	10.0
A yard owned by another Showperson	5.5
A yard owned by a private landlord	4.6
A yard owned by the local council	3.6
A house owned by you and your family	4.7
Social rented housing	1.1

This contrasts starkly with the preferences expressed by the Gypsy and Traveller population (Table 4.19 above) for whom other secondary accommodation options appear to be more viable.

5.5. Travelling patterns

There was wide acknowledgement of the changing nature of employment which had consequently affected the travelling patterns of some Showpeople. A number of factors had contributed to this including:

- the loss of fairs in recent years, a general decline in attendance at fairgrounds and a resultant increase in competition between Showpeople;
- more stringent health and safety legislation;
- business diversification;
- increased costs associated with putting on fairs: typically Council rates and the cost of fuel.
- a preference for commuting to and from fairs (mainly localised) associated with a settled base and the desire to put children through formal schooling

As a result, the extent of travelling for work purposes was extremely varied from one respondent to the next. For some there were particular events that they would travel to maybe only twice a year while others would be on and off the road from Easter to Christmas. As shown in Table 5.12 below 31 per cent of the sample said that travelling trends had altered over the last few years and the two main reasons for this were an increase in commuting to more local fairs and having children in permanent schooling. However, for the majority travelling patterns and trends had remained unchanged in recent years. That said there was widespread acknowledgement of changes over the longer term, again expressed primarily in terms of increased commuting.

Table 5.12: Change in travelling trends

Travelling trend	Number	%
Typical	20	69
Changed	9	31
TOTAL	29	100

Future travel trends

Less than currently	2	8
Same as currently	22	84
Don't know	2	8
TOTAL	26	100

Table 5.12 also shows respondent views on future travel trends. The vast majority do not expect any change over the next few years. Asked about the reasons for travelling beyond those related to employment 72 per cent of respondents said that they never travel for any other purpose. The only other significant category was those travelling for a holiday at 14 per cent.

5.6. Housing-related and Other Support Services

As mentioned above, provision of and access to services is better understood with reference to the current context sometimes characterised by a lack of engagement and cultural sensitivity. The situation with regards to this outlined in section 4.8 above is equally applicable to Travelling Showpeople and should aid an understanding of the findings presented here.

Table 5.13: Access to key services

	Yes	No
A&E	100	0
Public transport	96	4
GP/health centre	93	7
Post office	93	7
Local shops	93	7
Banks	93	7
Health visitor	90	10
Nurseries/children's service	90	10
Social worker	86	14
Dentist	86	14
Maternity care	86	14
Sports & leisure services	84	16
Youth clubs	72	28
Services for older people	69	31

Access to key services is generally good with over 80 per cent of respondents reporting sufficient access to all but two types of provision: youth clubs and services for older people. On a more negative note, however, Table 5.14 below shows that 86 per cent of respondents feel that service providers need to be more aware of the issues facing Travelling Showpeople. This compares to a corresponding figure of 68 per cent for the Gypsy and Traveller population.

Table 5.14: Do service providers need to be more aware of issues affecting Travelling Showpeople?

	Number	%
Yes	25	86
No	3	10
Don't know	1	4
Total	29	100

Interviewees were subsequently asked why they held this view and in what areas awareness was lacking. Several themes emerged here. Firstly, a significant proportion of respondents stated that "*they need to be more aware of who we are*" which was articulated in terms of lifestyles and difference from the rest of the Travelling community. There was a widely held view that service providers, and the 'settled population' in general, often put all Travelling groups into the same category which ignored cultural diversity and impeded the development of culturally sensitive and understanding services. Related to this, it was also suggested by several respondents that the old stereotypes applied to Gypsies and Travellers were also applied to Travelling Showpeople which was seen to impact on services and levels of support. Finally, the realm of planning emerged as an area which lacked awareness in terms of lifestyles, culture and heritage. Each of these factors contributed to a widely held perspective amongst respondents that Travelling Showpeople were viewed as "second rate citizens" due to their non-sedentary lifestyle. Whether this perspective is accurate or wide of the mark, there is clearly a great deal of work to be done in terms of engagement with the community.

Table 5.15 presents responses to a question on whether or not respondents were likely to make use of housing-related support services. Four services emerge as particularly popular, all of which are related to the identification and development of yards to some degree: finding accommodation; planning issues; settling into accommodation; and accessing legal services. Given that all Travelling Showpeople were resident on private yards and intended on remaining so it is fair to assume that 'finding accommodation' has been interpreted in terms of finding a site for the development of a yard. The same can also be said of support for settling into accommodation. Thus, finding suitable land and support with the planning process would be used by the vast majority of Travelling Showpeople and this certainly supported by the findings presented above in which barriers and difficulties in relation to the planning system are perceived in an extremely negative light.

Table 5.15: Likelihood of using housing-related support services (%)

Support Need	Would use	Might use	Wouldn't use	Don't know
Finding accommodation	93	3	0	3
Planning issues	93	0	0	7
Settling into accommodation	86	3	3	7
Accessing legal services	82	7	4	7
Accessing a GP	64	14	11	11
Filling in forms	48	10	21	21
Harassment	43	25	14	18
Accessing adult training	18	21	50	11
Claiming benefits	11	25	50	14
Finding a job	11	14	61	14
Budgeting	7	14	50	29
Meeting people	4	15	52	30
Maternity care	4	14	64	18
Parenting	4	14	64	18

NB: Figures may not total 100 due to rounding.

The potential take up of other services, beyond those related to planning and finding accommodation, appears to be less certain. There is much less demand for support services relating to the more 'everyday' issues such as parenting and budgeting.

5.7. Employment, education and health

Given the smaller sample size of the Travelling Showpeople survey there is a limit to how much can be drawn from questions which do not apply to all respondents. Therefore, the findings on employment, education and health presented here are more illustrative than conclusive.

Employment

All Travelling Showpeople surveyed were employed in the traditional fairground industry and all were members of the Showmen's Guild. In some cases, spouses or partners would be employed outside of the industry but for most households the business was a family affair, often employing older children as well. As mentioned above, in relation to travelling patterns the nature of traditional fairground employment had changed in recent years with knock-on effects felt across the Travelling Showpeople community and, in some cases, a resultant acknowledgement of the increased difficulties in maintaining a living (see section 5.5).

The preference for commuting to and from fairs rather than spending prolonged periods on the road was evident from the location of fairs which respondents worked at. A total of 99 locations were given and just 7 of these were outside the Yorkshire region. The majority of fairs were within West Yorkshire or in neighbouring areas such as Barnsley and Goole.

Education

Only eleven households within our sample contained school age children (4-16 year olds) and all of these attended school regularly. Of these, six respondents stated that they had contact with the Traveller Education Service and all were of the opinion that this service was very good; citing the supportive and understanding role that TES staff perform. In the main, contact was facilitated to secure a place at school but several interviewees cited continued support when travelling to fairs during term-time. For instance, temporary classes are run at Hull for the duration of the large fair there. This was deemed invaluable in ensuring that children could return to school without falling too far behind their peers. Though difficult to ascertain from the survey findings, several stakeholders and interviewees had reported a change in attitudes towards education and it was not necessarily assumed that children would follow their parents into the Showpeople business. In such cases an appreciation of the importance of educational attainment and qualifications was obvious.

Health

Table 5.16 shows the number of household members experiencing specific health problems. Physical mobility issues are the most common health complaint experienced by someone in a quarter of all households. Such problems are often accentuated for those on yards in cases where accessibility is constrained - the conditions on many yards in West Yorkshire would suggest this is a serious problem (see 3.4.1 above). Another significant health issue was hearing impairment, effecting 17 per cent of households and probably related to the persistent noise experienced at fairgrounds. Visual impairments and mental health problems both affected someone in a further 12 per cent of households. There were no reported incidences of family members with learning disabilities or communication problems.

Table 5.16: Households with family members with specific health problems (%)

Type of condition	None	One person	Two people	Three people
Mobility problems	75	21	4	0
Hearing impairment	83	17	0	0
Visual impairment	88	8	4	0
Mental health problems	88	8	4	0
Learning disability	100	0	0	0
Communication problems	100	0	0	0

Several respondents also reported additional health complaints not listed in the above Table including asthma, epilepsy, anxiety, arthritis and heart conditions.

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6. Assessment of Need for Residential Pitches

This section of the Report details the estimates of need for additional residential pitches in West Yorkshire for the period 2008 to 2015. The methodology employed has been developed over several years through engagement of the research team in other GTAA's and the inevitable trial and error from past studies as the GTAA process has developed and become more sophisticated. The methodology used in deriving the pitch requirements is set out in detail below and currently represents the most robust approach to the quantitative assessment of need.

National trends in Gypsy and Traveller population growth show that while the size of the population has increased the level of authorised provision has not kept pace with this change. This has resulted in a myriad of responses to securing temporary and permanent accommodation from the community - often in compromised accommodation situations. These have included rising unauthorised encampments, 'doubling up' on sites, innovative house-dwelling arrangements, forced movements into bricks and mortar housing and overcrowding within trailers and caravans. These represent some of the different elements which need to be taken into account alongside the supply of pitches within the sub-region in order to arrive at a quantitative assessment of the need for residential pitches. As has been discussed throughout this Report there is wide acknowledgement from stakeholders and the Gypsy and Traveller community that new provision is essential to address the backlog of unmet need and also meet the needs of new forming households and an expanding population.

6.1. Calculating Accommodation Need and Supply

The methods of assessing and calculating the accommodation needs of Gypsies and Travellers are still developing. In 2003 a crude estimation of additional pitch provision was made at a national level based predominantly on information contained within the Caravan Count (Niner, 2003). The Guidance on GTAA's also contains an illustration of how need for Gypsy and Traveller accommodation might best be calculated (CLG, 2007c). In addition, guidance for Regional Planning Bodies has been produced, which outlines a systematic checklist for helping to ensure that GTAA's are accurate in their estimation of accommodation need based upon a range of factors (Niner *et al*, 2007). It is from combining these guides that our estimation of supply and need is drawn. In particular, residential accommodation need is considered by carefully exploring the following factors:

Current residential supply

- Socially rented pitches
- Private authorised pitches

Residential need 2008-2015

- Temporary planning permissions, which will end over the assessment period.
- Allowance for family growth over the assessment period.
- Need for authorised pitches from families on unauthorised developments.
- Allowance for net movement over the assessment period between sites and housing.

- Allowance for potential closure of existing sites.
- Potential need for residential pitches in the area from families on unauthorised encampments.

Pitch supply 2008-2012

- Vacant pitches over the assessment period.
- Unused pitches, which are to be brought back into use over the assessment period.
- Known planned site developments.

Each one of these factors is taken in turn, and illustrated at a Study Area level initially. This is then applied to each district and broken-down by local authority (see Appendices for detailed local authority breakdowns).

Within the guidance for producing GTAAs there is also the consideration of 'new households likely to arrive from elsewhere'. It remains unclear from the findings if movement between the Study Area and elsewhere will affect the numbers of Gypsies and Travellers requiring residential accommodation across the Study Area. As this accommodation assessment (in line with other accommodation assessments) only included Gypsies and Travellers within the boundaries of the Study Area, it is impossible to present a reliable estimation on the need for accommodation for Gypsies and Travellers currently living elsewhere. It is felt that those Gypsies and Travellers who arrive from elsewhere will probably be balanced by those households who move on from the area and leave vacancies. For simplicity, both elements are omitted.

The assessment period referred to above relates to the 2008-2012 period with an alternative approach taken to making estimates beyond this point for 2012-2015 as set out in the research brief. As a result of the impact that the creation of more authorised pitches may have on the Gypsy and Traveller community (in terms of households characteristics, travelling patterns, settlement patterns) it is unwise to consider each of the above factors beyond the initial assessment period (i.e. to 2012). Indeed, Gypsy and Traveller accommodation issues are dynamic and the situations and locations of households change frequently. The arrival of new provision could precipitate a one-off adjustment in terms of the potential for migrating households to be able to exercise choices previously not open to them. Given these dynamics we use a simple estimate of family/household growth to illustrate likely natural increase in the Gypsy and Traveller population beyond 2012. This is applied at both the Study Area and local authority level.

6.1.1. *A cautionary note on local authority pitch allocation*

Because of the historical inequalities in pitch provision, Gypsies and Travellers have constrained choices as to where and how they would choose to live. So while choices for the non-Travelling community are generally much wider, as there is social housing available in every authority in the country, there are no local authority sites in 138 of the 353 local authorities in England, and only in 71 authorities is there more than one site. Some authorities have no authorised private sites. Over time, this has inevitably meant that Gypsies and Travellers have generally moved to areas they see as offering the best life chances; for example, an authority which provides a site; an authority which is perceived as having more private authorised sites than others; or, an authority that is attractive in some other way (slower enforcement, transport links, friends and family resident, etc.). Therefore, there is a tendency, when the need for additional accommodation is assessed, for the needs assessment to further compound these inequalities in site provision. For example, authorities which already provide Gypsy and Traveller accommodation (publicly or privately) are

assessed as having greater need for additional pitch provision than authorities with little or no pitch provision. This is compounded further the longer the assessment is projecting into the future. This issue is not as acute as in other areas such as South Yorkshire for instance where provision is very uneven. Broadly speaking, the local authority pitch requirements represented below do reflect the needs and preferences of the population and should be accepted at face value.

Table 6.1: Summary of Estimated Need for Additional Residential Pitches 2008-2015

Element of need and supply		Pitches
	Current residential supply	
1	Local authority rented pitches (occupied)	126
2	Private authorised pitches	17
3	Total authorised pitches	143
	Residential pitch need 2008-2012	
4	End of temporary planning permissions	2
5	Closure of sites	0
6	Concealed households/family growth to 2012	44
7	Long-term unauthorised sites	10
8	Movement between sites and housing	25
9	Unauthorised encampments	20
10	Additional residential need	101
	Additional supply 2008-2012	
11	Pitches with permission but not developed	0
12	New sites planned	0
13	LA pitches currently unoccupied back into use	0
14	Supply 2008-2012	0
15	Requirement for extra pitches 2008-2012	101
16	Family growth 2013-2015	23
17	TOTAL REQUIREMENT FOR EXTRA PITCHES 2008-2015	124

However, as requested in the research brief, we have identified Gypsy and Traveller accommodation needs at a sub-regional and a local level. This has been done on a 'need where it is seen to arise' basis. In some cases this distribution reflects the current uneven distribution of pitch provision and the Gypsy and Traveller population across the Study Area. Decisions about where need should be met should be strategic, taken in partnership with local authorities, and the Regional Assembly – involving consultation with Gypsies and Travellers and other interested parties – which will take into account wider social and economic planning considerations such as equity, choice and sustainability. These issues will be addressed in the RSS Review process, as has already happened in other regions such as the East of England and the South West. For instance, in the East of England a *minimum requirement* was stipulated for each local planning authority, regardless of current levels of provision, and in recognition of the fact that different methodologies had been utilised in the different GTAAs. That said, a key consideration is sustainability and providing pitches where Gypsies and Travellers do not want to live is likely to result in pitch vacancies and the continuation of unauthorised encampments in areas of high demand.

The derivation of each line in Table 6.1 is as follows:

Rows 1-3: Current supply is taken from Tables 3.3 and 3.9 above. It is based on information provided by local authorities, supplemented by information from the survey. Only pitches actually occupied on local authority sites are included here.

Row 4: There is a temporary planning permission affecting 2 pitches which has ended.

Row 5: No sites are expected to close between 2008 and 2012.

Row 6: The estimate for current concealed households and new household formation requires estimates of:

- a. The number of new households likely to form
- b. The proportion likely to require a pitch within the Study Area

Making the calculation requires a combination of base information and assumptions, treating sites and housing separately. The various steps in the calculation are set out below.

Calculating new household formation	
Sites (authorised and unauthorised)	
	Step 1: How many new households will form?
	<p><i>Survey finding:</i> the number of individuals needing their own separate accommodation over the next 5 years was equivalent to 29% of the sample on sites.</p> <p><i>Assumption:</i> this should be accepted as a rate of increase in line with rates found in other GTAAs.</p> <p><i>Calculation:</i> There are 143 households on sites. $143 \times 29\% = 41$ new households forming.</p>
	Step 2: How many will seek site accommodation in the Study Area?
	<p><i>Survey finding:</i> 80% of new households likely to want site accommodation in the Study Area.</p> <p><i>Assumption:</i> This should be accepted.</p> <p><i>Calculation:</i> 80% of 41 new households = 33 seeking to stay in the Study Area.</p>
Bricks and mortar housing	
	Step 1: How many new households will form?
	<p><i>Survey finding:</i> the number of individuals needing their own separate accommodation over the next 5 years was equivalent to 12% of the sample in housing.</p> <p><i>Assumption:</i> this should be accepted as the implied rate is reasonable in comparison to other GTAAs.</p> <p><i>Calculation:</i> There are estimated to be 400 households in housing. $400 \times 12\% = 48$ new households forming.</p>
	Step 2: How many will seek site accommodation in the Study Area?
	<p><i>Survey finding:</i> Just over 22 per cent of individuals forming new households were said to want trailer accommodation in the Study Area.</p> <p><i>Assumption:</i> This should be accepted.</p> <p><i>Calculation:</i> 22% of 48 new households = 11 seeking to stay in the Study Area.</p>
Total need from household formation 2008-2012	
	Sum of new households from sites and housing = $33 + 11 = 44$

Row 7: The convention in GTAAs is to treat unauthorised developments (that is sites developed on Gypsy-owned land without planning permission) as requiring 100% authorised site accommodation in the area of the development. In the Study Area, we think it is appropriate to treat long-term unauthorised sites on other land in this way too. This gives a total requirement for this element of 10: six unauthorised development pitches and four long-term unauthorised private sites.

Row 8: This figure is the balance of estimates of movement from sites to houses and vice versa. Again survey findings and assumptions are involved.

Calculating net movement between sites and housing	
<i>Movement from authorised sites to houses</i>	
	<p><i>Survey finding:</i> 5.3 per cent of respondents said they would be moving to housing in the next 5 years.</p> <p><i>Calculation:</i> There are 143 households on sites. $143 \times 5.3\% = 7.6$ (rounded 8) households currently on authorised sites needing housing 2008-2012.</p>
<i>Movement from houses to sites</i>	
	<p><i>Survey findings:</i> 8.2 per cent of respondents in housing would move to a long-term residential site within the Study Area.</p> <p><i>Calculation:</i> There are an estimated 400 households in housing. $400 \times 8.2\% = 32.8$ (rounded 33) households currently in housing needing an authorised site pitch 2008-2012.</p>
<i>The net balance</i>	
	The net balance is $33 - 8 = 25$. This is a net requirement for site pitches.

Row 9: Need for permanent residential pitches arising from transient unauthorised encampments is one of the most difficult elements to predict. Circumstances where such need might arise are where families are travelling around from one unauthorised site to another within a local area simply because they want to stay in the area but can find nowhere that they are permitted to stop. Another scenario would be families with no base, who currently travel widely but want to 'settle' and need to be in the Study Area because of family links or employment opportunities. Information from stakeholders suggests that there are a significant number of such families in the Study Area at any one time. However, it cannot be assumed that all unauthorised encampment households represent a residential need for a pitch. Therefore, again, there is a need to combine survey findings and base information from stakeholders with some assumptions on the nature of unauthorised encampments.

Survey findings: just over 22 per cent of households on unauthorised encampments wanted a residential pitch in the Study Area. There were a total of 171 unauthorised encampments in West Yorkshire in 2006. $22\% \times 171 = 39$ pitches.

Assumption: This is likely to be a significant over-estimate given double-counting of unauthorised encampments (i.e. repeat encampments by the same families) and the seasonal fluctuations. The small sample size also appears to under-estimate transient households not wishing to reside permanently in the Study Area and a sizeable minority for whom unauthorised encampments are an active choice. Though partly offset by the assumption of relatively small encampments this element of need still represents an over-count, is out of line with findings in other GTAAs and therefore needs adjustment: this need should be halved to 20 pitches with the remainder treated as transit needs (see sub-section 6.3 below on transit needs).

Row 10: Sum of elements 4, 5, 6, 7, 8 and 9.

Row 11: Pitches for which planning permissions have been granted but which are not yet developed = 0 pitches.

Row 12: New sites planned = 0.

Row 13: Local authority pitches which are currently unoccupied/dis-used but which are to be brought back into use within the initial assessment period, 2008-2012.

Row 14: Sum of elements 11, 12 and 13.

Row 15: Row 10 minus Row 14 = total residential pitches required for the Study Area 2008-2012.

Row 16: Family growth on a 2012 base of 143 existing authorised pitches in 2008 + 101 additional pitches provided 2008-2012 = 244. A three per cent per annum compound growth rate is applied = 23 additional pitches. A rate of three per cent seems appropriate given that the age and family size structures in the Study Area are broadly similar to those in other GTAAs.

Row 17: Row 15 + Row 16 = total requirement 2008-2015.

6.2. Estimated Requirement by Local Authority

The same method has been employed for calculating pitch requirements at the local authority level and these totals are set out in Table 6.2 below.

Table 6.2: Summary of Estimated Need by Local Authority, 2008-2015

Element of Need	Additional pitches required				
	Bradford	Calderdale	Kirklees	Leeds	Wakefield
Need 2008-12	19	7	9	40	26
Supply 2008-12	0	0	0	0	0
Requirement 2008-12	19	7	9	40	26
Family growth 2013-15	6	1	2	8	6
Total 2008-2015	25	8	11	48	32

The distribution of pitches obviously reflects current site provision, unauthorised sites, the extent of concealed households and the estimated distribution of Gypsies and Travellers in housing on the need side. Leeds emerges with the highest requirement with over half of the 40 pitches needed there, for the initial period to 2012, comprised of concealed households and family growth. Similarly, this element was the largest contributor to the requirement in Wakefield accounting for 13 of the 26 pitches in the District. In the remaining three authorities residential need is spread more evenly between elements 6 to 9 in Table 6.1: concealed households; long-term unauthorised sites; net movement between sites and housing; and unauthorised encampments.

6.3. The Need and Demand for Transit Provision

As outlined in the explanation to Row 9 above, half of the defined need from unauthorised encampments is considered to be of a short-term nature amounting to 19 pitches. That is, were the additional pitch needs in Table 6.1 to be met then we

estimate a further need of 19 transit pitches within the sub-region, which should be sufficient to accommodate those households resorting to West Yorkshire at any point in time.

In terms of the development of sites exclusively for transient households it is unclear as to whether such sites would be utilised. Factors such as the location, size and management of transit sites are also open to debate and the site managers consulted in this study were unaware of a "successful working" transit site anywhere in the country. Survey respondents who say they would stay on transit sites are unlikely to do so if the above factors are not suited to their needs.

The problem then, is how these 19 pitches should be provided. Analysis in Chapter 4 (see sub-section 4.7 above) revealed that just 32 per cent of households would consider staying on a transit pitch: applying this figure implies that an average of 6 pitches on transit sites would actually be utilised ($19 \times 32\% = 6$). Interviews also show that many families and stakeholders have serious reservations about the viability of transit sites (see sub-section 4.7 above). Furthermore, there is general consensus that some households will continue to use unauthorised encampments regardless of how many pitches are forthcoming. Add to this the fact that trends on the ground may change as a result of additional residential provision within the sub-region and the complexities are clear.

All of this points to the need for flexibility and pragmatism in terms of the accommodation of transient households. There was support for the idea of transit pitches being incorporated on residential sites and many households currently 'double up' on the pitches of relatives when visiting, and are likely to continue to do so. Furthermore, the discretionary short-term use of traditional stopping places where these are in appropriate locations for all parties provides a further option in accommodating travel.

Thus, there is the need for a mix of transit provision combining pitches on residential sites with flexibility for visitors to those sites. The situation regarding unauthorised encampments should be monitored regularly and stringently and if these mechanisms to facilitate travel are insufficient then the development of transit sites should be considered in consultation with the Travelling community and stakeholders.

Given the difficulties outlined above the allocation of transit provision across the five authorities is problematic. That said, there is a need for local planning authorities to have something to work from and the distribution of transit pitches across local authorities below provides a starting point. Local planning authorities should specify transit requirements in LDFs, both in terms of the extent and how transit provision will be provided.

Table 6.3: Summary of estimated transit need by local authority

	Bradford	Calderdale	Kirklees	Leeds	Wakefield	Total
U/Es - 2006	53	5	14	60	44	176
% share - 2006	30	3	8	34	25	100
Pitch equivalent	6	1	2	6	5	19
Total caravans	10	1	3	11	8	32

NB: U/Es = unauthorised encampments

The allocation in Table 6.3 is principally derived using unauthorised encampment data provided by local authorities for the year 2006, which is shown in the first row. For Leeds, figures are based on the 12 month period from April 2006 to 2007. As Calderdale does not log all unauthorised encampments an assumption of 5 per year has been employed. This is based on the fact that there were three separate unauthorised encampments reported in 2007 at the time of the survey (September 2007). A total of five is therefore assumed for the full year. The second row of the Table expresses unauthorised encampments as a percentage share for the sub-region. The third row translates this proportional share into a pitch requirement based on the total transit need in West Yorkshire of 19 (i.e. 19 = 100%). Finally, the last row converts pitches to caravan numbers based on the widely used assumption of 1.7 caravans per pitch. Thus, the 19 pitches required would be able to accommodate approximately 32 transient caravans in West Yorkshire at any one time.

This allocation comes with several caveats however. Firstly, though the estimate may appear relatively small, this is because the requirement is based on the assumption that the residential needs identified above will be met. Just over one-in-five households on unauthorised encampments stated that they would occupy a residential pitch on a site - if one was available. It follows that the accommodation of these households on authorised sites would greatly reduce the number of unauthorised encampments as this group is likely to include a significant proportion of the transient households which move around the sub-region; and thus repeatedly appear in unauthorised encampment records. Secondly, the size of unauthorised encampments in terms of caravan numbers varies greatly, as does the duration. The average size is 8 caravans (or 5 pitches) and the average duration of encampments ranged from 7.4 days in Kirklees to 12.2 in Wakefield (see section 3.2.3 above). This again points to the need for flexibility and pragmatism in approaches. For instance, an event precipitating a temporary influx into an area (e.g. a funeral) will result in an unusually high demand for short-term transit provision. Again, in such instances a flexible, discretionary approach is called for over the duration of the stay.

7. Assessment of Need for Travelling Showpeople

The assessment of need for additional residential pitches for Travelling Showpeople uses the same methodology as that outlined above in Chapter 6. However, given the smaller sample size for Travelling Showpeople it is not possible to disaggregate pitch requirements down to the local authority level using that method. Perhaps unsurprisingly given the discussion above on the extent of overcrowding on yards, the entire requirement for Travelling Showpeople is derived from concealed households and family growth. This is a cumulative effect of declining supply and increasing demand.

Table 7.1: Summary of Estimated Need for Additional Residential Pitches 2008-2015

Element of need and supply		Pitches
	Current residential supply	
1	Private authorised pitches	85
2	Total authorised pitches	85
	Residential pitch need 2008-2012	
3	End of temporary planning permissions	0
4	Closure of yards	0
5	Concealed households/family growth to 2012	29
6	Long-term unauthorised sites	0
7	Movement between sites and housing	0
8	Unauthorised encampments	0
9	Additional residential need	29
	Additional supply 2008-2012	
10	Pitches with permission but not developed	0
11	New sites planned	0
12	LA pitches currently unoccupied back into use	0
13	Supply 2008-2012	0
14	Requirement for extra pitches 2008-2012	29
15	Family growth 2013-2015	11
16	TOTAL REQUIREMENT FOR EXTRA PITCHES 2008-2015	40

The derivation of each line in Table 7.1 is as follows:

Rows 1-2: Current supply is taken from Table 3.11. It is based on information provided by the Showmen's Guild, supplemented by information from the survey.

Row 3: There are no temporary planning permissions affecting Travelling Showpeople.

Row 4: There are no plans for yards to close between 2008 and 2012. However, many respondents expressed concern at the possibility of their Landlords selling the land that their yard is on. If this were to happen many households would struggle to find an alternative pitch on the already over-crowded existing yards. This situation needs to be monitored.

Row 5: As above the estimate for current concealed households and new household formation requires estimates of:

- a. The number of new households likely to form
- b. The proportion likely to require a pitch within the Study Area

Making the calculation requires a combination of base information and assumptions. The various steps in the calculation are set out below.

Calculating new household formation		
Showpeople yards		
	Step 1 : How many new households will form?	
		<p><i>Survey finding:</i> the number of individuals needing their own separate accommodation over the next 5 years was equivalent to 38 per cent of the sample on yards.</p> <p><i>Assumption:</i> this should be accepted as a rate of increase given the extent of overcrowding on yards.</p> <p><i>Calculation:</i> There are 85 households on yards. $85 \times 38\% = 32$ new households forming.</p>
	Step 2 : How many will seek site accommodation in the Study Area?	
		<p><i>Survey finding:</i> 90% of new households likely to want site accommodation in the Study Area.</p> <p><i>Assumption:</i> This should be accepted.</p> <p><i>Calculation:</i> 90% of 32 new households = 29 seeking to stay in the Study Area.</p>

Row 6: There are no long-term unauthorised sites involving Travelling Showpeople.

Row 7: This figure is the balance of estimates of movement from sites to houses and vice versa. The household survey did not include a sample of residents in housing. Indications from stakeholders and the Guild suggest that those currently in bricks and mortar housing are likely to remain in that accommodation situation. In which case, as is the convention with other GTAAs, it is assumed that any movement from housing to sites will be offset by movement in the other direction.

Row 8: There were no reported unauthorised encampments involving Travelling Showpeople.

Row 9: Sum of elements 3, 4, 5, 6, 7 and 8.

Row 10: Pitches for which planning permissions have been granted but which are not yet developed = 0 pitches.

Row 11: New sites planned = 0.

Row 12: Local authority pitches which are currently unoccupied/dis-used but which are to be brought back into use within the initial assessment period, 2008-2012 = 0.

Row 13: Sum of elements 10, 11 and 12.

Row 14: Row 9 minus Row 13 = total residential pitches required for the Study Area 2008-2012.

Row 15: Family growth on a 2012 base of 85 existing authorised pitches in 2008 + 29 additional pitches provided 2008-2012 = 114. A three per cent per annum compound growth rate is applied = 11 additional pitches. A rate of three per cent

seems appropriate given that the age and family size structures in the Study Area are broadly similar to those in other GTAAs.

Row 16: Row 14 + Row 15 = total requirement 2008-2015.

7.1. Estimated Requirement by Local Authority

Travelling Showpeople pitch requirements at the local authority level are set out in Table 7.2 below.

Table 7.2: Summary of Estimated Need by Local Authority, 2008-2015

Element of Need	Additional pitches required				
	Bradford	Calderdale	Kirklees	Leeds	Wakefield
Need 2008-12	6	6	6	6	5
Supply 2008-12	0	0	0	0	0
Requirement 2008-12	6	6	6	6	5
Family growth 2013-15	2	2	2	2	3
Total 2008-2015	8	8	8	8	8

These figures have been derived using a 'fair shares' approach which distributes the sub-regional pitch allocation evenly across the five authorities. This alternative method has been used in application to the requirements for Travelling Showpeople as the survey sample for this group is insufficient from which to draw assumptions at the local level.

Unlike the wider Travelling community, the distribution of Travelling Showpeople households within West Yorkshire is relatively even (see Table 3.10) and the 'fair shares' approach therefore produces an allocation which closely reflects the reality of the situation on the ground. Furthermore, survey findings suggest that many Travelling Showpeople respondents would be happy on a residential yard within a certain radius of their present location. That is, residential preferences are often expressed in terms of a broader area (e.g. "within a 40-mile radius") rather than a specific town or settlement. Thus, pitches on yards for Travelling Showpeople are likely to be taken up regardless of the broad area in which they are developed, and consultation between planning authorities and Showpeople wishing to develop land should serve to ensure that any developments are in suitable and sustainable locations.

The outcome of this allocation is a total minimum requirement to 2015 of 8 pitches in each local authority. The one slight variation is in Wakefield where there is an initial requirement of five pitches to 2012 and a further three to 2015; whereas in all other areas the split is six and two respectively. This is purely due to the fact that overall requirements for the two periods (of 29 and 11 pitches) cannot be apportioned equally. The difference reflects the fact that Wakefield currently has the highest Travelling Showpeople population in the sub-region.

8. Recommendations

This final Chapter of the Report provides recommendations to the partner authorities and relevant stakeholders drawing on the findings of the study. Inevitably, the recommendations are primarily focused on accommodation and related support needs. Indeed, given the current mismatch between the demand and supply of pitches, and the detrimental effects of this situation on the quality of life of Gypsies and Travellers and Travelling Showpeople, there is the need for a pro-active approach to meeting accommodation needs. A lack of suitable accommodation impinges upon all aspects of the day-to-day lives of the Travelling community and is a major barrier preventing improvements across other policy domains including health, education, social care, community cohesion and access to employment. Until accommodation needs are addressed it will remain extremely difficult to make any impact in tackling the deep-rooted social exclusion in specific policy areas (CRE, 2006). Thus, the over-arching, and most pressing, recommendation is the development of new provision to address the growing backlog of unmet need identified in this study.

Given the persistence of stereotypes and prejudice towards the Travelling community and the politicised nature of accommodation issues there is no 'magic formula' to call upon in the provision of new accommodation. The recommendations below also draw upon the authors' experience of practice (both good and bad) and provide guidance on specific actions which can help to ensure a common approach towards the Travelling community of West Yorkshire and the improvement of services and relations. The Recommendations are divided into five broad areas: strategy, systems and policy; developing accommodation; Travelling Showpeople; housing-related support; and consultation and engagement.

8.1. Strategy, Systems and Policy Framework

Recommendation 1: This GTAA has involved a partnership between the five local authorities and relied upon the engagement and support of each in its delivery. While each authority faces separate local challenges in the form of new provision it is important that this working relationship continues through the West Yorkshire Gypsy and Traveller group. This forum has a key role in ensuring a joined-up collaborative response and that Gypsy and Traveller accommodation provision remains on the agenda.

Recommendation 2: Gypsy and Traveller issues are not currently well integrated within existing local authority governance structures. Responsibility for Gypsies and Travellers is spread across a number of disparate but inter-related service areas and sometimes there is little interaction between them. In other cases there is too much pressure on a handful of individuals performing valuable but isolated roles in support of the community. Each authority should develop its own cross-departmental Gypsy and Traveller strategy which sets out where responsibilities and duties fall. The co-ordination of a holistic approach across service areas is a key consideration here. This should also seek to establish links with voluntary and community sector organisations engaged with Gypsies and Travellers. It is also a statutory requirement that the Gypsy and Traveller strategy be integrated within overall housing strategies.

Recommendation 3: Calderdale district council should ensure that a system is in place for the effective recording and monitoring of all unauthorised encampments. Information collected should include, as a minimum requirement: the date of encampment; duration; size (caravans); and whether the encampment is of a transient nature.

Recommendation 4: All authorities should ensure a common approach to the welfare needs assessments of households on unauthorised encampments which draws upon good practice and evidence on the needs of such households.

Recommendation 5: Gypsies and Irish Travellers are protected under the Race Relations (Amendment) Act 2000. Local authorities should therefore ensure that separate categories are included for Gypsies and Irish Travellers in all areas of ethnic monitoring. This is particularly pressing in terms of systems for housing allocations, homelessness presentations and planning applications. The same should also apply to Travelling Showpeople, especially in relation to planning.

8.2. Developing Accommodation

There are a range of mechanisms for the development of accommodation to meet the pitch requirements set out above. There is clearly a lot to do in order to meet these needs and a combination of accommodation types providing a mix of local authority, RSL and private sites is one means of ensuring choice and reducing the public costs of site development. For households or collectives wishing to acquire their own land for private site development there is obviously an advisory and support role for planning authorities. In terms of local authority sites, councils will obviously have a much more extensive role.

Recommendation 6: The identification of land and development of sites should be an inclusive process involving consultation with the Travelling community throughout. Input from the community in terms of site location and design will ensure that sites are sustainable and meet the needs of different Travelling groups. Key considerations in this respect are:

- Access to local services and transport networks
- Site size
- Pitch size
- Amenities
- Sheds
- Management
- Mixture of accommodation (chalet, trailer, etc.)
- Utility of outside space (driveways, gardens, etc.)
- Homes for life principles
- Health and related support issues
- Tenure Mix
- Space for short-term visitors

Recommendation 7: Authorities should make use of existing statutory guidelines and emerging good practice on site design, management and health and safety issues. At the same time, this should not occlude any innovative approaches to site

design. The guidance from CLG and others provides principles and best practice to be adhered to but should not rule out creative thinking.

Recommendation 8: Use should also be made of the emerging CLG guidance on site management. The management of sites should also be evaluated at regular intervals.

Recommendation 9: Site development should also be sensitive to the diversity among the Travelling community. A single site for all Travelling groups may not always be advisable and could result in management and cohesion issues. Again, consultation throughout the process can help to avoid this.

Recommendation 10: The research found that there was some interest from the RSL sector in the provision of Gypsy and Traveller sites. Local authorities and other stakeholders should seek to capitalise on this interest and explore the potential for RSL involvement. Such involvement could bring benefits in the sense that RSLs are neutral players: they currently have little involvement in provision for the community, no history of negative relations and, unlike local authorities, would not be engaged in enforcement action. This could bring a fresh approach and innovation to site design and management. The last three years have also seen a positive step change in terms of the way the RSL sector approaches tenant involvement and participation. There is no reason why the knowledge and experience here could not be transferred to site provision.

Recommendation 11: The accommodation of transit need should be based on a discretionary approach. Consideration should be given to residential sites which incorporate short-stay pitches; time limited 'doubling up' and discreet stopping places. Given the uncertainty regarding the onset of new site provision in terms of the effect on changing levels and patterns of unauthorised encampments this should be revisited once new sites are developed. Unauthorised encampments should be monitored continuously to allow changing trends to be discerned.

Recommendation 12: Each local authority should specify how transit provision will be provided in LDFs. This may involve a specific transit site, just one, or all of the arrangements stated in Recommendation 11.

Recommendation 13: Authorities should explore ways to ensure householders have increased security of tenure. The replacement of licenses with formal tenancies may be one way in which this is achieved.

8.3. Travelling Showpeople

Recommendation 14: The development of yards for Travelling Showpeople will, in most cases, involve a significant role for the Showmen's Guild and its members. Local authorities should work closely with the Guild and its members in identifying suitable land for development and advising on planning considerations throughout.

Recommendation 15: The Showmen's Guild should be advised on any financial support available for new provision through the Gypsy and Traveller sites grant and the process this involves. This could be done through the Government Office or via local authorities. There may also be opportunities for innovations in funding for site development where capital costs for Travelling Showpeople are partly offset by grant applications.

Recommendation 16: Travelling Showpeople should be involved in all stages of yard development whether being provided by Guild members or not. This will ensure

that yards are suited to the unique requirements of Showpeople, are sustainable and are sensitive to cultural needs.

Recommendation 17: Throughout the research Travelling Showpeople respondents and stakeholders have made reference to exemplar yards in Doncaster, developed and run by members of the Showmen's Guild. Local authorities, in conjunction with the Guild, should take the opportunity to garner any insights into best practice from these yards in terms of their development and management.

Recommendation 18: Local authorities should review the existing yards for Travelling Showpeople and work in partnership with the community to improve the environment and conditions on yards and, in turn, the well-being of residents. This is a matter of great urgency.

8.4. Housing-Related Support Issues

Recommendation 19: All statutory service providers should be engaged with Gypsy and Traveller needs and aware of cultural differences. Where this is not the case, service provision should be re-appraised and cultural awareness training facilitated to increase the take up of services amongst the community.

Recommendation 20: Supporting People services do not appear to be reaching Gypsies and Travellers. There is the need for a more focused approach to Gypsy and Traveller needs given historic failures of engagement and Supporting People teams should work with authorities and other agencies to develop specific Gypsy and Traveller housing support workers. A more focused service should serve to perpetuate demand through word-of-mouth among the community, bolster the capacity of the VCS sector and help facilitate networks and communication between those isolated individuals working with the community in disparate fields (e.g education, children's services etc). The findings above suggest a demand for services related to filling in forms, finding accommodation, settling into accommodation, legal services, accessing benefits and harassment among others. A more tailored support would improve the take up of services and help integrate communities into the wider society. This would also alleviate some of the pressure on individuals such as TES workers and Gypsy Liaison Officers.

Recommendation 21: There are a number of statutory and voluntary agencies and individuals currently active in providing valuable services to the community. This provision is not co-ordinated however, and there is a lack of integration in delivery with the result that many providers feel relatively isolated and unable to effect the changes they think are possible. There is a role for the West Yorkshire Gypsy and Traveller group and the Yorkshire and Humber Gypsy and Traveller Action Planning group in bringing this disparate group of agencies together to share information and begin to develop more of a partnership approach.

Recommendation 22: Housing-related support needs to be flexible in order to respond to changing needs and be sustained for households moving between tenures and accommodation types. A one-size fits all approach simply will not work.

8.5. Consultation and Engagement

Recommendation 23: Planning departments should engage in a constructive dialogue with the Travelling community and provide advice and support on the workings of the planning system and potential pitfalls in applications.

Recommendation 24: The GTAA represents the first stage in the policy process and there is likely to be a time lag between its publication and actions on site

development. Some Gypsies and Travellers and Showpeople participating in the research expressed a sense of optimism, while others were sceptical and apathetic about prospects for new provision. There is an important task in communicating with the community and managing expectations throughout the next stages of the process towards site development. This is best done in a collaborative manner involving local authorities, the voluntary and community sector and community groups.

Recommendation 25: Though we acknowledge that this is far from easy, authorities should begin to engage in efforts to raise cultural awareness issues and dispel some of the myths and stereotypes that persist about Gypsies and Travellers and Travelling Showpeople.

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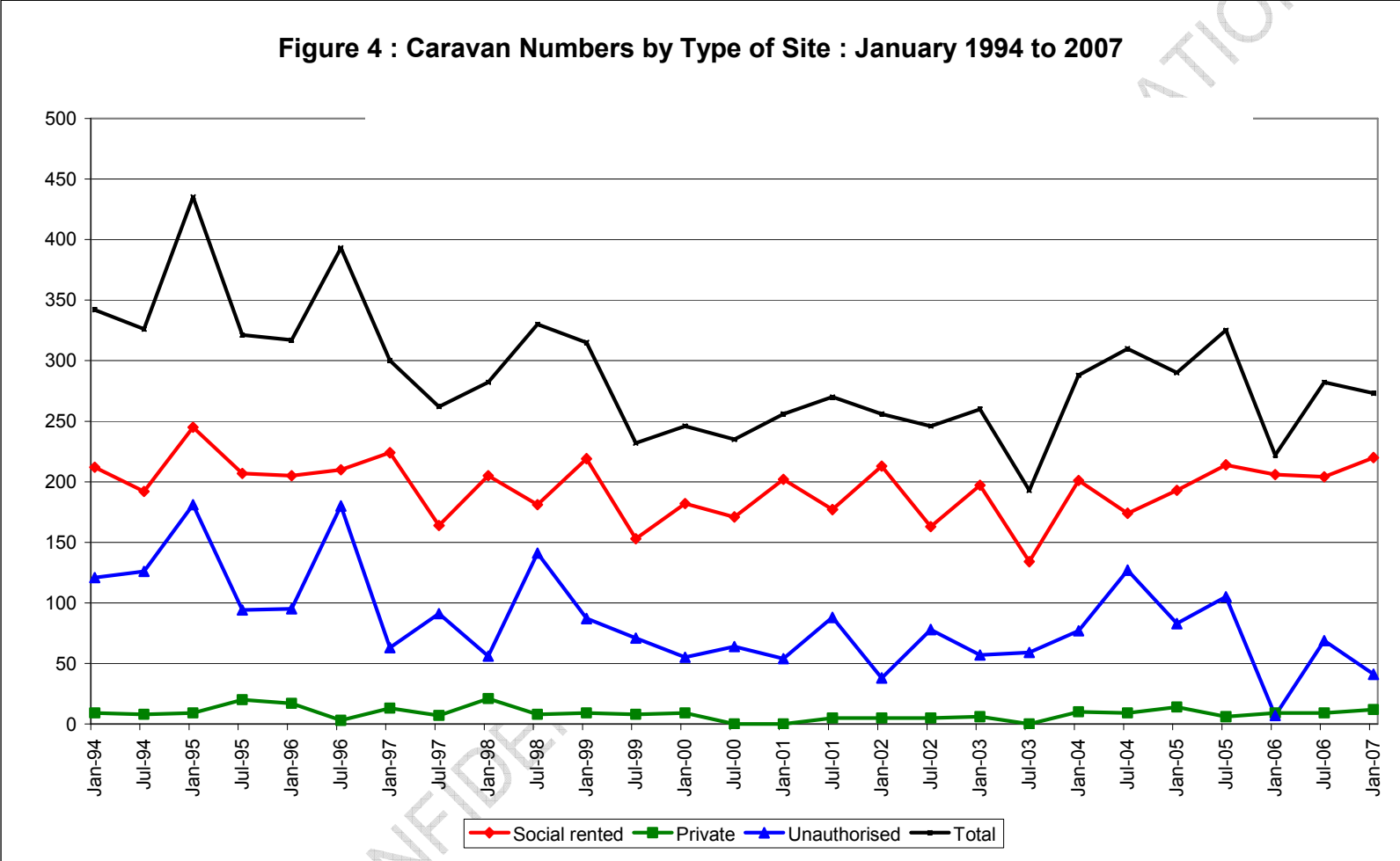
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Appendix A: Caravan Numbers in West Yorkshire by Type of Site, January 1994-2007

Figure 4 : Caravan Numbers by Type of Site : January 1994 to 2007



Source: CLG Caravan Count

Appendix B: Residential Pitch Requirements - Bradford

Element of need and supply		Pitches
	Current residential supply	
1	Local authority rented pitches (occupied)	47
2	Private authorised pitches	7
3	Total authorised pitches	54
Residential pitch need 2008-2012		
4	End of temporary planning permissions	0
5	Closure of sites	0
6	Concealed households/family growth to 2012	7
7	Long-term unauthorised sites	3
8	Movement between sites and housing	3
9	Unauthorised encampments	6
10	Additional residential need	19
Additional supply 2008-2012		
11	Pitches with permission but not developed	0
12	New sites planned	0
13	LA pitches currently unoccupied back into use	0
14	Supply 2008-2012	0
15	Requirement for extra pitches 2008-2012	19
16	Family growth 2012-2015	6
17	TOTAL REQUIREMENT FOR EXTRA PITCHES 2008-2015	25

Appendix C: Residential Pitch Requirements - Calderdale

Element of need and supply		
	Current residential supply	Pitches
1	Local authority rented pitches (occupied)	0
2	Private authorised pitches	0
3	Total authorised pitches	0
Residential pitch need 2008-2012		
4	End of temporary planning permissions	0
5	Closure of sites	0
6	Concealed households/family growth to 2012	1
7	Long-term unauthorised sites	4
8	Movement between sites and housing	2
9	Unauthorised encampments	0
10	Additional residential need	7
Additional supply 2008-2012		
11	Pitches with permission but not developed	0
12	New sites planned	0
13	LA pitches currently unoccupied back into use	0
14	Supply 2008-2012	0
15	Requirement for extra pitches 2008-2012	7
16	Family growth 2012-2015	1
17	TOTAL REQUIREMENT FOR EXTRA PITCHES 2008-2015	8

Appendix D: Residential Pitch Requirements - Kirklees

Element of need and supply		
	Current residential supply	Pitches
1	Local authority rented pitches (occupied)	0
2	Private authorised pitches	10
3	Total authorised pitches	0
Residential pitch need 2008-2012		
4	End of temporary planning permissions	2
5	Closure of sites	0
6	Concealed households/family growth to 2012	2
7	Long-term unauthorised sites	1
8	Movement between sites and housing	2
9	Unauthorised encampments	2
10	Additional residential need	9
Additional supply 2008-2012		
11	Pitches with permission but not developed	0
12	New sites planned	0
13	LA pitches currently unoccupied back into use	0
14	Supply 2008-2012	0
15	Requirement for extra pitches 2008-2012	9
16	Family growth 2012-2015	2
17	TOTAL REQUIREMENT FOR EXTRA PITCHES 2008-2015	11

Appendix E: Residential Pitch Requirements - Leeds

Element of need and supply		
	Current residential supply	Pitches
1	Local authority rented pitches (occupied)	41
2	Private authorised pitches	0
3	Total authorised pitches	41
Residential pitch need 2008-2012		
4	End of temporary planning permissions	0
5	Closure of sites	0
6	Concealed households/family growth to 2012	21
7	Long-term unauthorised sites	1
8	Movement between sites and housing	11
9	Unauthorised encampments	7
10	Additional residential need	40
Additional supply 2008-2012		
11	Pitches with permission but not developed	0
12	New sites planned	0
13	LA pitches currently unoccupied back into use	0
14	Supply 2008-2012	0
15	Requirement for extra pitches 2008-2012	40
16	Family growth 2012-2015	8
17	TOTAL REQUIREMENT FOR EXTRA PITCHES 2008-2015	48

Appendix F: Residential Pitch Requirements - Wakefield

Element of need and supply		
	Current residential supply	Pitches
1	Local authority rented pitches (occupied)	38
2	Private authorised pitches	0
3	Total authorised pitches	38
Residential pitch need 2008-2012		
4	End of temporary planning permissions	0
5	Closure of sites	0
6	Concealed households/family growth to 2012	13
7	Long-term unauthorised sites	1
8	Movement between sites and housing	6
9	Unauthorised encampments	6
10	Additional residential need	26
Additional supply 2008-2012		
11	Pitches with permission but not developed	0
12	New sites planned	0
13	LA pitches currently unoccupied back into use	0
14	Supply 2008-2012	0
15	Requirement for extra pitches 2008-2012	26
16	Family growth 2012-2015	6
17	TOTAL REQUIREMENT FOR EXTRA PITCHES 2008-2015	32

Appendix G: Residential Pitch Requirements - West Yorkshire Projections, 2016-2026

The RSS period runs to 2026 and the estimates provided here serve only as a guide to what the situation *might* look like in terms of the number of pitches required to accommodate new household formation over that period. There are obvious problems in projecting pitch estimates well into the future. Should new provision be forthcoming during this period then it is likely that the situation on the ground will alter as households are able to exercise residential choices which were previously unavailable to them. This is likely to affect travelling patterns, migration patterns and incidences of unauthorised encampments. With this in mind, the projections provided here serve as a rough guide to assist planners and policy-makers. All pitch estimates and projections should be revisited after the next round of GTAA's and the situation should be monitored regularly to discern any changing trends resulting from the onset of new provision.

The Gypsy and Traveller projections below are based on a three per cent per annum compound growth rate, consistent with other GTAA's, from a 2015 base of 267. That is, 143 existing pitches plus 124 pitches required to 2015. For Travelling Showpeople the 2015 base is 125. That is, 85 existing pitches plus 40 additional pitches required to 2015.

Residential Pitch Requirements: West Yorkshire Projections, 2016-2026

	Gypsy and Traveller pitches	Travelling Showpeople pitches
Bradford	31	10
Calderdale	3	7
Kirklees	8	9
Leeds	34	8
Wakefield	27	15
WEST YORKSHIRE	103	48

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Report of the Director of Environment and Neighbourhoods

Scrutiny Board (Environment and Housing) Working Group

Date: 15 November 2010

Not for publication: Appendix E to this report is Exempt/Confidential under Access to Information Procedure Rules 10.4 (5)

Subject: : Inquiry into Gypsy and Travellers Site Provision within Leeds – Unauthorised Encampments and Permanent Provision

<p>Electoral Wards Affected:</p> <input type="checkbox"/> Ward Members consulted (referred to in report)	<p>Specific Implications For:</p> <p>Equality and Diversity <input checked="" type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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Executive Summary

This report has been prepared to provide information requested at the Scrutiny Board (Environment and Housing) Working Group on 20 October 2010 and at the Working Group on 1 November 2010.

Information has been provided on the following:

- the definition of a 'pitch';
- on the possibility of extending provision at Cottingley Springs;
- the cost of providing the permanent provision at Cottingley Springs;
- the estimated costs of providing additional pitches within Leeds;
- the numbers of travellers who have no permanent pitch within the city and who consider themselves to be residents of Leeds;
- information from other local authorities regarding pitch capacity and other details
- further information on patterns of unauthorised encampment within the city since 2007

1.0 Purpose Of This Report

- 1.1 The report sets out the position with regard to the legal definition and available guidance concerning a 'pitch' in relation to Gypsy and Traveller sites.
- 1.2 In terms of the position in Leeds, the report provides information on the numbers of caravans/households who are predominately based in the Leeds area and the estimated costs of providing additional pitches.
- 1.3 The report also seeks to provide further information on the pattern of unauthorized encampments in the Leeds district over the past few years.
- 1.4 The report also seeks to provide further information from other local authorities on their approach to both site and pitch provision and dealing with unauthorised encampments.
- 1.5 Specific details of costs associated with the repairs at the Council's permanent site at Cottingley Springs site are included in appendix B.

2.0 Definition of a pitch

- 2.1 There is no definition of a pitch in terms of minimum size, layout or volume set in legislation. However in May 2008 the Department for Communities and Local Government did publish a document entitled Designing Gypsy and Traveller Sites – A Good Practice Guide (attached at appendix A). This document gives guidance to developing sites both by public bodies and private developers.
- 2.2 The guidance is set in the context of the Planning Policy Statement 3: Housing (PPS3) which sets out the then Government's national planning policy framework for providing its housing objectives, and states that this applies equally to site accommodation provided for the Gypsy and Traveller communities.
- 2.3 Chapter 7 of the guidance considers individual pitches on permanent sites. It states that the layout of pitches will be dependent on the layout of the overall site and is clear that each pitch should have clear demarcation to make it entirely clear what each individual household may occupy in return for the fee paid.
- 2.4 The guidance states that each pitch must include a hard standing area constructed of concrete or similar which extends over the whole area to be occupied by trailer, touring caravan or other vehicle. (This is referred to as the slab by residents at Cottingley Springs).
- 2.5 In terms of size the guidance makes reference to the fact that some Gypsies and Travellers have larger than average families and are likely to live in an extended family setting. For this reason the guidance recommends that consideration is given to providing large pitches as smaller pitches will quickly become overcrowded.
- 2.6 The guidance states that there is no one-size-fits-all measurement of a pitch as this depends on the size of individual families and their needs. It is recommended that as a general rule an average family pitch must be capable of accommodating an amenity building (or 'shed'), a large trailer and touring caravan, drying space for clothes, a lockable storage unit, parking space for two vehicles and a small garden area.
- 2.7 Smaller pitches must be able to accommodate at least an amenity building, a large trailer, drying space for clothes and parking for at least one vehicle.

- 2.8 Parking spaces, the guidance states, should be a minimum of 2.4 x 4.8 meters (taken from Manual for Streets, Department for Transport 2007).
- 2.9 The guidance also covers amenity buildings (often referred to by Leeds travellers as sheds). It is stated that it is essential for a self-contained amenity building to be provided on each pitch and that the building must include, as a minimum: hot and cold water supply; electricity supply; a separate toilet and hand wash basin; a bath/shower room; a kitchen and dining area. The access to the toilet should be through a lobbied area or by separate access direct from the pitch.
- 2.10 The guidance continues to suggest that equally essential is the need for secure storage space for harmful substances/medicines; enclosed storage for food, brooms, washing and cleaning items; and space for connection of cooker, fridge/freezer and washing machine. It recommends that consideration is also given to providing a suitable day/living room.
- 2.11 As noted, this document contains guidance rather than legislative requirement around site and pitch development. However, while the status of the document is guidance, it is made clear that any future capital allocation to assist with site development would be influenced by the level of compliance with the recommendations around general site design, location and size; and pitch size. However, the current position with regard to funding is unclear as the funding pot to develop sites was withdrawn earlier this year.

3.0 Extending Cottingley Springs

- 3.1 Cottingley Springs site was redesigned and pitches redefined as part of a programme to improve management in the site. The site currently has 41 pitches across Site A and Site B.
- 3.2 There is some land adjacent to the site known within the service as the compound. This land could be developed to accommodate some additional pitches. It is estimated that on the basis of current pitch size at Cottingley Springs, this land could accommodate between three to four pitches.
- 3.3 No work has been undertaken to date in terms of any further redevelopment of the site and therefore it is not possible to estimate with any great accuracy how much additional space might be made available through such development. However, as a broad estimate it might be possible to accommodate a further two or three pitches on the current site, and therefore a potential 7 further pitches might be achievable at Cottingley Springs.
- 3.4 It should be noted that this is an estimate of officers working within the service and not a professional assessment by surveyors/planning experts. If this option was to be proposed detailed work would need to be undertaken to understand how to maximise space available while ensuring that the site continued to meet health and safety considerations.

4.0 Cost of Cottingley Springs

- 4.1 The cost of providing the site at Cottingley Springs is attached at Appendix B. This information includes the budgeted cost of repairs and maintenance carried out by Corporate Property Management at Cottingley Springs on an annual basis. The premises costs includes this year's estimated CPM cost at £99,380. This includes reactive repairs along with planned maintenance and works.

5.0 Cost of new pitch development

- 5.1 It is difficult to accurately estimate the cost of developing new pitches. However appendix C gives details of recent pitch development nationally. Those developments of pitches geographically nearest Leeds are highlighted. This shows a wide variation in capital allocation from Government per pitch. Where new sites were developed the cost in Yorkshire & Humberside and the North East ranged from £22,000 per pitch to £116,000. The development of new pitches on additional sites was less costly, ranging between £42,000 and £60,000. The refurbishment of pitches on the one development in our area cost £74,000 per pitch.
- 5.2 Members should note that these figures should be treated with caution as they give no detail of the sites in terms of locations but the grants for new developments was given at 100% of cost.
- 5.3 In terms of revenue, estimates of the cost of providing 10 new pitches and 50 new pitches are included at appendix D. These show that, based on current costs at Cottingley Springs and assuming that housing benefit changes do not adversely affect receipts on sites, the Council would make a surplus of £470 per year on providing 10 additional sites and £2,349 on a 50 pitch development.
- 5.4 **Leeds families**
- 5.5 As outlined in an earlier report to the Working Group, there are a number of families who are roadside and who are known to the service to be normally travelling within the Leeds boundary. These families consider themselves to be 'Leeds' people and have expressed a desire to be able to live on authorised encampments within the Leeds district.
- 5.6 These groups of families are distinct from Gypsies and Travellers who travel through Leeds normally in the summer and often because of horse fairs and family events such as weddings and funerals. Some of these families come to Leeds more than once a year but they often have pitches and in some cases houses in other parts of the county and are travelling through as part of their traditional lifestyle.
- 5.7 The Leeds families and those from outside Leeds often 'share' unauthorised encampments but do not express a wish to be allowed to continue to live in a shared environment.
- 5.8 The information provided at appendix E shows that there are a total of 20 Leeds families with 27 caravans who have no pitch and who are either travelling within Leeds occupying unauthorised encampments or who are insecurely living at Cottingley Springs. This last group of 8 families are doubling up on the permanent site but can be asked to leave by their relatives/friends at any time.
- 5.9 Members will recall that the Gypsy Traveller Accommodation Assessment (published in May 2008) identified the need to provide 48 additional pitches in Leeds by 2015. Ryan Powell, one of the authors of the GTAA, will be able to give more information on how that figure was arrived at during the working group meeting on 15 November.

6.0 Other Local Authorities

- 6.1 Appendix F details information given by local authorities regarding number of pitch provision and caravan capacity, policy/practice around unauthorised encampments and plans for any new site/pitches within their area.

7.0 Unauthorised encampments in Leeds.

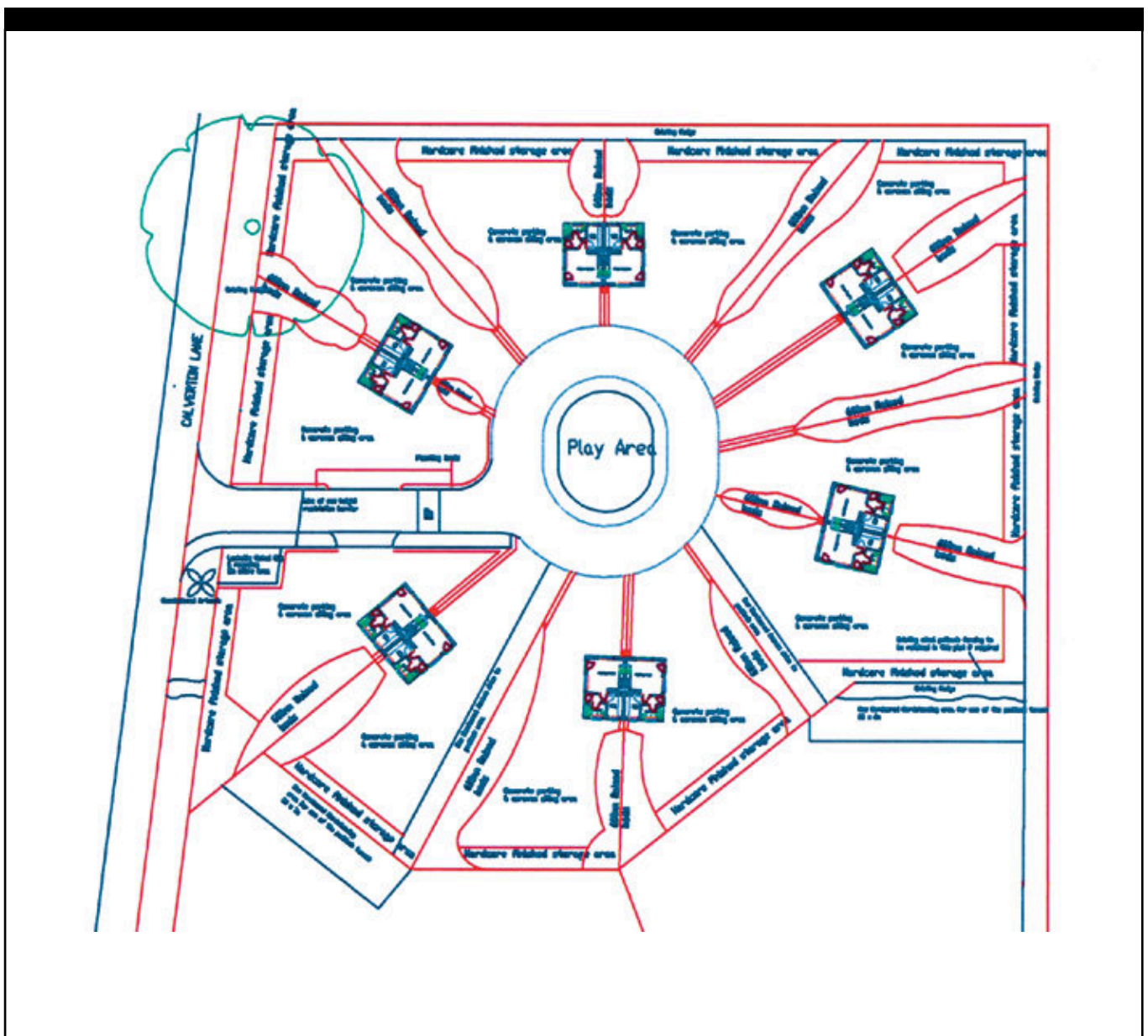
7.1 Maps shown in appendix G provide details on encampments within Leeds since 2007. Included is detail on both the 'Leeds' families and those unknown families and the numbers of caravans involved.

8.0 Recommendations

9.0 That Scrutiny Board (Environment and Neighbourhoods) Working Group note the contents of the report.

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Designing Gypsy and Traveller Sites Good Practice Guide





Designing Gypsy and Traveller Sites

Good Practice Guide

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Chapter 1

Introduction

- 1.1 The Government believes that everyone should have the opportunity of a decent home. Decent homes are a key element of any thriving, sustainable community. This is true for the settled and Gypsy and Traveller communities alike.
- 1.2 *Planning Policy Statement 3: Housing (PPS3)* sets out the Government's national planning policy framework for delivering its housing objectives. It applies equally to site accommodation provided for the Gypsy and Traveller communities.
- 1.3 Paragraphs 12-19 of PPS3 stress the importance of good design in developing high quality new housing and identify the key issues which must be considered to achieve this. Paragraphs 20 to 24 identify the key characteristics of a mixed community and make it clear that this can only be secured by achieving a good mix of housing, including accommodation for Gypsies and Travellers.
- 1.4 The guidance contained in this document is intended to concentrate more closely on these issues, in the context of Gypsy and Traveller site provision, to familiarise developers with the key elements necessary to design a successful site and to identify good practice using case study examples to illustrate different approaches.
- 1.5 In particular, this guidance is intended to help:
 - Local authorities who wish to develop a new site, or refurbish the whole or part of a site
 - Registered social landlords who wish to develop or refurbish a site
 - Private developers or architects working with site developers
 - People who will be living on a site and are participating in its design.
- 1.6 It will be particularly relevant to local authorities and registered social landlords wishing to bid for Gypsy and Traveller Site Grant. In assessing applications for grant in future bidding rounds, we will consider whether the elements identified in this guidance as essential are met, and how the remainder of the guidance is addressed.

- 1.7 This guidance makes clear that there is no single, appropriate design for sites, any more than there is for general housing development. Early and regular consultation with prospective residents is a crucial element in getting the design right for any new site, taking into account the needs of residents and the physical characteristics of the site itself.
- 1.8 This guidance has been developed in consultation with members and representatives of the Gypsy and Traveller communities, together with those managing public sites. It draws attention to those elements which have been found to work best in developing sites which will be sustainable in the long term, and which meet residents' traditional and cultural needs.
- 1.9 Good practice in site design will evolve in the light of experience as it does for housing generally. As authorised site provision increases, new ideas, modern methods and innovations should arise. This document will be revised from time to time to reflect these. Updates will be provided on the Communities and Local Government website.

Context

- 1.10 There are currently around 300 socially rented Gypsy and Traveller sites in England. However, there is a national shortage of authorised sites, with around one in four Gypsy and Traveller households having nowhere to call home. The Government has established a new framework of housing and planning systems designed to increase site provision to meet the accommodation needs of Gypsies and Travellers, reducing the number of unauthorised sites and promoting good relations with the settled community.
- 1.11 In addressing this challenge it is important to ensure that these sites:
 - Are sustainable, safe and easy to manage and maintain
 - Are of a decent standard, equitable to that which would be expected for social housing in the settled community
 - Support harmonious relations between Gypsies and Travellers and the settled community.
- 1.12 It is recognised that it will not be possible to meet all aspects of this guidance in every respect on every site. Local authorities and registered social landlords will need to take decisions on design on a case by case basis, taking into account local circumstances such as the size, geographical and other characteristics of the site or prospective site and the particular needs of the prospective residents and their families.

- 1.13 In the case of small private site development there will be similarities but it should be recognised that those sites are designed to meet the individual and personal preferences of the owner and may contain elements which are not appropriate or popular for wider application in respect of social provision. It would not therefore be appropriate to use this good practice guidance in isolation to decide whether a private application for site development should or should not be given planning permission.

Scope

- 1.14 The guidance is primarily intended to cover social site provision for Gypsies and Irish Travellers and covers a range of sites including:
- **Permanent sites** – providing residents with a permanent home. The bidding guidance for Communities and Local Government’s Gypsy and Traveller Site Grant explains that for permanent sites ownership should remain with the local authority or registered social landlord and continue in use as a Gypsy and Traveller site for at least ten years, although consideration will be given to sites of a shorter term nature where there is a sound business case that demonstrates value for money.
 - **Transit sites** – permanent sites used to provide only temporary accommodation for their residents. Lengths of stay can vary but are usually set at between 28 days and three months, although practice on private transit sites tends to be more relaxed in respect of the amount of time people are permitted to stay. The requirements for transit sites reflect the fact that they are not intended for use as a permanent base for an individual household.
 - **Temporary stopping places** – pieces of land in temporary use as authorised short-term (less than 28 days) stopping places for all travelling communities. They may not require planning permission if they are in use for fewer than 28 days. The requirements for emergency stopping places reflect the fact that the site will only be used for a proportion of the year and that individual households will normally only stay on the site for a few days.
- 1.15 This guidance may not be appropriate for all New Traveller sites and early and regular consultation should be conducted with members of this community where they are prospective residents of a site, to ensure it contains the key elements which meet their particular needs.
- 1.16 Further material on the development of sites designed specifically for travelling showpeople will be produced at a later date.

How this guidance was developed

- 1.17 This guidance is based on work undertaken initially by consultants which considered:
- Existing research on the design features that work effectively on Gypsy and Traveller sites
 - Views of residents drawn from visits to a range of sites
 - Consultation with organisations representing the views of Gypsies and Travellers
 - Interviews with site managers and developers from the social housing and private sectors
 - Interviews with professionals and organisations working with Gypsies and Travellers, including traveller education services, health advocates, planners, the police, fire and other emergency services.
- and a consultation exercise on the outcome of that work with stakeholders.
- 1.18 It is intended to incorporate standards that are comparable to those required of publicly funded developments of housing for the rest of our society. The main source of guidance on this has been the Scheme Development Standards required of new social housing developments funded by the Housing Corporation. In translating the standards for social housing to Gypsy and Traveller sites we have had regard to:
- The different demographic profile of Gypsy and Travellers
 - The cultural needs of Gypsies and Travellers
 - The intended use and longevity of the site (normally a minimum of ten years unless the land is only available for a shorter period)
 - The need to make best use of land and other resources available to develop sites
 - The need for site design to facilitate economic and effective management of the site
 - The Model Standards for Park Homes, and in particular the standards to apply to sites accommodating dwellings made from combustible materials.
- 1.19 The case study below shows that an old site can be successfully refurbished to meet the types of modern day design standards included within this guidance.

Case Study 1

Star Hill, Hampshire

The Star Hill site in Hampshire is a long established county council run permanent site which was recently refurbished to bring it up to modern day standards.

Existing residents were extensively consulted about the refurbishment plans before commencement. Now, each of the 20 pitches can accommodate two trailers/caravans and has ample parking space. Every pitch has a brick built amenity building containing high standard facilities and incorporating good insulation and heating. Each one has a bath, shower, toilet, kitchen and airing cupboard. There is space and connections for washing machines and freezers.

Each pitch is demarcated by a 4ft wooden fence and has gated access. The fence height is increased to 6ft between amenity buildings to ensure privacy.

Chapter 2

Context

Addressing the shortage of sites

- 2.1 It is widely accepted that there is a national shortage of authorised sites for Gypsies and Travellers. This has led to an increasing incidence of both unauthorised encampments and unauthorised developments and has sometimes created tensions between Gypsies and Travellers and the settled community.
- 2.2 The Government has introduced a number of measures to address this.
- 2.3 The Housing Act 2004 introduced a new obligation on local housing authorities to assess the accommodation needs of Gypsies and Travellers in their areas, and to develop a strategy to address these needs.
- 2.4 Office of the Deputy Prime Minister Circular 01/2006¹ explains that Regional Planning Bodies must determine how many pitches are needed and, through the Regional Spatial Strategy, how many are needed in each local authority area. Local planning authorities must identify sites in Development Plan Documents and if they fail to do so they can be directed by the Secretary of State.
- 2.5 Communities and Local Government provides Gypsy and Traveller Site Grant for the provision of new sites, and the refurbishment of existing sites. The grant is available to local authorities and registered social landlords. Where potential developers have little experience in the provision of Gypsy and Traveller sites, they may wish to work with neighbouring local authorities or other RSLs that have greater experience in this area.

¹ *Local authorities and Gypsies and Travellers – Guide to responsibilities and powers*, ODPM

The need for site design guidance

- 2.6 The Select Committee for the Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Thirteenth Report² (October 2004) concluded that:

“The current guidelines relating to site design and standards urgently need updating in the light of modern space standards and services, health and safety provisions and requirements for catering for disability.”

The Committee recommended that the guidance should cover residential ie permanent sites, transit sites and stopping places.

- 2.7 In October 2004, research showed that many existing local authority sites were of a poor standard. The estimate for maintenance and improvement of these sites to bring them up to standard and to maintain them was £16.7m over the next five years. Research has also showed that skimping on initial site design and construction often means more investment is needed later to rectify problems arising from this³.
- 2.8 The guidance issued by Government recognises the specific cultural and accommodation needs of Gypsies and Travellers, as well as the increasingly settled lifestyle of some Gypsy and Traveller households that facilitates, for example, access to education for families with children. This creates challenges for site design because of the need to incorporate features that not only facilitate continued periods of travelling but are also consistent with settled living. Many older sites were developed on an assumption that households would not live on them for long periods, and the facilities on those sites are increasingly out of keeping with accepted standards for family living.

² Paragraph 163

³ Niner, P (July 2003) The provision and condition of Local Authority Gypsy/Traveller sites in England, ODPM – summary of full report Local Authority Gypsy/Traveller sites in England

Chapter 3

Site location/selection – permanent sites

Location

- 3.1 Selecting the right location for a site is a key element in supporting good community relations and maximising its success. As with any other form of housing, poorly located sites, with no easy access to major roads or public transport services, will have a detrimental effect on the ability of residents to:
 - Seek or retain employment
 - Attend school, further education or training
 - Obtain access to health services and shopping facilities.
- 3.2 Easy access to local services, and to social contact with other residents in the community, should help deal with the myths and stereotypes which can cause community tension and instead encourage a greater sense of community with shared interests.
- 3.3 It is essential to ensure that the location of a site will provide a safe environment for the residents. Sites should not be situated near refuse sites, industrial processes or other hazardous places, as this will obviously have a detrimental effect on the general health and well-being of the residents and pose particular safety risks for young children. All prospective site locations should be considered carefully before any decision is taken to proceed, to ensure that the health and safety of prospective residents are not at risk.
- 3.4 Office of the Deputy Prime Minister (now Communities and Local Government) *Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites* provides advice on site location and selection. It identifies factors which are important for the sustainability of a site, for instance:
 - Means of access, availability of transport modes and distances from services
 - Promotion of integrated co-existence between the site and local community
 - Easy access to General Practitioner and other health services

- Near to a bus route, shops and schools
 - Ground conditions and levels of land
 - Not locating sites in areas of high flooding risk (for medium and low risk areas see paras 3.21–3.23).
- 3.5 It should also provide visual and acoustic privacy, and have characteristics which are sympathetic to the local environment. When selecting locations for permanent sites, consideration needs to be given to the relatively high density of children likely to be on the site.
- 3.6 Sites should not be identified for Gypsy and Traveller use in locations that are inappropriate for ordinary residential dwellings, unless exceptional circumstances apply. These circumstances would be where the location is unsuitable for housing, for practical or technical reasons which would not adversely affect the health and safety of Gypsy and Traveller residents or the sustainability of the site, and where the location has prospective residents' support. This could relate for example to a situation where:
- Prospective residents are happy to live in a location which is not attractive to housing developers
 - Existing land is available to meet immediate need on a short term interim basis, pending a longer term solution, but not be available for a long enough period to justify housing development
 - Land is suitable for low level single storey development but not for multi storey construction requiring deeper foundations.

In such rare cases prospective residents should be made aware of these exceptional circumstances at the outset.

- 3.7 Where possible, sites should be developed near to housing for the settled community as part of mainstream residential developments. As one way of helping to address shortages of site provision local authorities and registered social landlords can consider the feasibility and scope for providing a site for Gypsies and Travellers within their negotiations to provide affordable housing as part of significant new build developments. Even where smaller scale developments are planned they could consider including a small scale site of three to four pitches which are known to work well for single extended families.

Evidence provided to Select Committee on the importance of site location:

“What is working [in Ireland] are small sites. And they are not placed under flyovers or pylons, or beside sewers, canals or tips; they are placed on proper positioned land, bang within the middle of a settled community, and they are working.”[204]

“We would make a strong plea for safeguards to be put in place to ensure that future site development is not located in polluted or hazardous locations, as... many sites are. Not only does this have a negative impact on Gypsies and Travellers health and access to services but it has a profound impact on how they feel they are perceived and treated by the wider community, likewise such locations reinforce the prejudiced perceptions that many in the settled community have of Gypsies and Travellers, such locations are therefore a major impediment to the social inclusion of Gypsies and Travellers.”[205]

Relationship to surrounding land use

- 3.8 Consideration must be given to the relationship of sites to the surrounding community. For this purpose it is important to ensure that proposals to develop a site link in with other broader strategies in place for improving community cohesion and be regarded as a key issue within them.
- 3.9 The site must be sustainable, offering scope to manage an integrated coexistence with the local community. This will include consideration of noise and possible disturbance to Gypsy and Travellers living on the site, and possible noise and disturbance to the wider community, in particular from movement of Gypsy and Traveller vehicles.
- 3.10 Many Gypsies and Travellers express a preference for a rural location which is on the edge of or closely located to a large town or city consistent with traditional lifestyles and means of employment. However, characteristics that make a location unpopular for the settled community are likely to hold similar fears for Gypsies and Travellers. Sites adjacent to light industrial areas therefore tend not to be popular because of their isolation, distance from local facilities and because of safety fears (when walking home at night for instance).
- 3.11 Similarly, where joint commercial/residential use is envisaged for a site (as in the case of showpeople’s sites because of the need for residents to store and maintain fairground equipment), it is important that the compatibility of both of these uses with the surrounding land uses is given careful consideration.

- 3.12 The case study below is a good example of a site integrated into the heart of an urban community.

Case Study 2

Wallman Place, London

The Wallman Place site is in Haringey, North London, and was refurbished in 1996 to provide a six pitch site for an extended family.

It is behind the civic centre, next door to a school, opposite a health centre, and close to a wide range of shops.

The site has a single access road through the middle, with three pitches on each side. There is space for a trailer, touring caravan and amenity building on each pitch. The brick built amenity buildings include central heating, bathroom and toilet facilities.

Whilst being close to all facilities the site also provides privacy for its residents and is well integrated into the surrounding community.

Scope to provide essential services

- 3.13 It is essential that sites are provided with access to mains water, electricity supply, drainage, and sanitation. Chapter 5 considers this in detail in respect of individual pitches.
- 3.14 Sewerage for permanent sites should normally be through mains systems. However in some locations this may not always be possible and in that case suitable alternative arrangements can be made, for example a biodisc sewage plant system.
- 3.15 All sanitation provision must be in accordance with current legislation, regulations and British Standards.

Health and safety considerations

- 3.16 Sites must not be located on contaminated land. Only where land has been properly decontaminated should development be considered on that land. Remedial work should only be undertaken by approved contractors in accordance with relevant standards, to ensure the contamination has been remedied to the standard on which housing development would take place. These processes can be prohibitively expensive and should be considered only where it is financially viable from the outset.

- 3.17 Brownfield sites may be suitable; however the same considerations should apply when appraising such sites as for conventional residential housing. For instance, sites adjacent to a rubbish tip, on landfill sites, close to electricity pylons or any heavy industry are unlikely to be suitable.
- 3.18 When considering sites adjacent to main roads, flyovers and railway lines, careful regard must be given to:
- The health and safety of children and others who will live on the site; and
 - The greater noise transference through the walls of trailers and caravans than through the walls of conventional housing, and the need for design measures (for instance noise barriers) to abate the impact on quality of life and health.
- 3.19 The proposed site must be relatively flat and suitable for purpose. Sites should not be developed on exposed sloping sites where there is risk of caravans being overturned or where there is a high probability of flooding risk.
- 3.20 Where there is a risk from flooding the degree of risk must be determined prior to considering allocation or development of a site by reference to *Planning Policy Statement 25: Development and Flood Risk* (PPS25), the Environment Agency's Flood Map and the local planning authority's Strategic Flood Risk Assessment.
- 3.21 Annex D of PPS25 sets out a risk based sequential approach to be applied at all stages of the planning process. A Sequential Test is to steer new development to areas at the lowest probability of flooding. Table D.1 of that annex specifies three flood zones of low, medium and high probability. PPS25 table D.2 makes it clear that caravan sites for permanent residence are considered "highly vulnerable" and should not be permitted in areas where there is a high probability that flooding will occur (Zone 3 areas). Caravan sites which are occupied on a short term occupancy basis are classified as "more vulnerable" and proposals for their development in Zone 3 areas would need to pass the Exception Test outlined in PPS25, Annex D, if there are no other sites at a lower flood risk.
- 3.22 It is recognised that in some areas a high proportion of land is at risk from flooding (Flood Zones 2 and 3) but the requirements of PPS 25 should still be taken fully into account before taking any development proposal forward. Where a flood risk exists, advice from the Environment Agency should be sought at the earliest possible stage on the likelihood of flooding, depths and velocities that might be expected and the availability of warning services, to see whether the proposals might be acceptable.

- 3.23 Where the Exception Test needs to be applied there may be opportunities to consider design issues, such as raising the level of a site so that accommodation will be above the expected flood level, taking climate change into account. This would protect amenity buildings, service provision etc that cannot be removed from the site when a flood warning is issued. However, a key consideration is that residents can safely evacuate the site in response to flood warnings and that emergency services would be able to reach the site to ensure residents' safety. This is an essential requirement to pass the Exception Test.

Chapter 4

Site layout, access and orientation – permanent sites

Introduction

- 4.1 Sites should be developed in accordance with existing planning policies and designations, with particular regard made to:
- Convenience for residents
 - Safety for residents
 - Visual and acoustic privacy – both for people living on the site and those living nearby
 - Aesthetic compatibility with the local environment
 - Scope for social integration with the local community.
- 4.2 This is an area where consultation with the local community of Gypsies and Travellers and with members of the settled community living in close proximity to a site can be particularly valuable and ensure best and most convenient use of available space.

Size and layout of site

- 4.3 For practical reasons, caravan sites require a greater degree of land usage per household than for smaller houses and Gypsy and Traveller sites are no exception. In making comparisons it needs to be recognised that there is for example no equivalent on a site to two or more storey accommodation in housing.
- 4.4 Gypsy and Traveller sites are designed to provide land per household which is suitable for a mobile home, touring caravan and a utility building, together with space for parking (see also Chapter 7 regarding individual pitches). Sites of various sizes, layouts and pitch numbers operate successfully today and work best when they take account of the size of the site and the needs and demographics of the families resident on them.

- 4.5 Consultation on this guidance has shown that many Gypsies and Travellers prefer a circular or horseshoe design rather than the more traditional linear layout of pitches. An example of a circular site, the result of close consultation between a local authority and representatives of the prospective residents for that site is featured at Annex B.1 of this document. This was originally intended to be a horseshoe site but was later extended to produce further pitches and the circular design resulted. An example of a more traditional site design is featured at Annex B.2 although these can differ considerably depending on the particular characteristics of the available land.
- 4.6 Consultation with the local Gypsy and Traveller community is crucial in deciding how best to proceed with the overall layout of the site and to get full value from the investment in it. It is a key element in obtaining the trust and full support of the prospective residents at the very outset of the project and can help deal swiftly with subsequent consultation on individual aspects of the design as and when they arise.
- 4.7 There is no one ideal size of site or number of pitches although experience of site managers and residents alike suggest that a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage. However, smaller sites of 3-4 pitches can also be successful, particularly where designed for one extended family. These can be advantageous in making good use of small plots of land, whilst retaining the qualities described in this guidance and expected by families on modern sites. An example of a small scale site, in an urban environment, is featured at Annex B.3.
- 4.8 Sites should ideally consist of up to 15 pitches in capacity unless there is clear evidence to suggest that a larger site is preferred by the local Gypsy or Traveller community. Nevertheless, where a larger site is unavoidable, or where one exists already, in a few cases smaller 'closes' have been created within the site for extended families, thereby retaining the sense of community and creating defensible space.
- 4.9 An example of this design approach is at Annex B.4. This arrangement could also open up possibilities for facilitating inter site transfers, where for example families may be offered the opportunity to move closer to other family members or elderly and dependant relatives where a pitch in a certain close may become available.

Site perimeter boundaries

- 4.10 The site boundary must provide clear demarcation of the perimeter of the site, so as to prevent nuisance for existing residents created by others seeking to move on to the site without permission. Boundaries should take into account adjoining land uses, and be designed with the safety and protection of children in mind.

- 4.11 Where an existing site may be located near an industrial area or process, or a main road, fencing and planting may be used to screen out unpleasant characteristics. A range of different boundaries may be used including fences, low walls, hedges and natural features. The aim should be to achieve a boundary that is sympathetic to, and in keeping with, the surrounding area. Boundaries can also be used to provide shelter for more exposed sites.
- 4.12 More open boundaries may be used in residential areas so as to promote integration and inclusion with the surrounding community, although the degree of integration which can be achieved will be in part governed by the degree of community cohesion already experienced in that location. A balance needs to be struck between providing privacy and security for the site residents and avoiding a sense of enclosure through for example, the use of high metal railings.
- 4.13 Measures to protect the safety of site residents from fire are of paramount importance, and it is essential that a clear gap of 3 metres⁴ is provided within the inside of all site perimeter boundaries as a fire prevention measure. Where owners of existing sites are experiencing difficulties in achieving this requirement because of current space constraints it is strongly advised that they consult their local fire authority as a matter of urgency to identify ways in which the residents safety can be properly safeguarded.

Orientation of pitches

- 4.14 As with housing for the settled community, site layout and design should ensure a degree of privacy for individual households (for instance by ensuring that neighbours cannot directly overlook each other's living quarters), but without inhibiting the important sense of community.
- 4.15 Consultation has identified that in general terms, particularly where site residents are members of an extended family, there is a preference for members of individual households to be able to have reasonable vision of the site in general to help improve security. This is an advantage of the circular or horseshoe site see example at Annex 1 which also allows clear views of the central play area to ensure children are safe (for more information on play areas see paras 4.38–4.41.).
- 4.16 On larger sites however, or those with a broader spectrum of residents, more seclusion and privacy may be preferred. In these cases, and irrespective of the general layout, preferences over the degree or privacy required can be addressed in part by the height of fencing provided between individual pitches, particularly to shield the amenity building, and by use of other soft landscaping approaches (see Chapter 7).

⁴ Model Standards for Park Homes

- 4.17 In designing the layout of a site enough space must be provided to permit the easy manoeuvrability of resident's own living accommodation both to the site and subsequently on to a pitch. Account needs to be taken of a more recent tendency for members of the Gypsy and Traveller communities to favour the use of a mobile home in place of the traditional caravan, and some mobile homes could be up to around 25 metres in length.
- 4.18 In order to overcome this, the site design should strike a balance between enabling a variety of accommodation to be catered for, and making best use of available space. Access roads and the site design itself should be capable of providing sufficient space for the manoeuvrability of average size trailers of up to 15 metres in length, with capacity for larger mobile homes on a limited number of pitches where accessibility can be properly addressed in the light of the land available. (For information on individual pitch sizes see Chapter 7).
- 4.19 In addition to movement of families on and off the site, site residents will sometimes wish to change the trailer accommodation they own and this movement can sometimes cause problems when boundary fences or gates do not allow for this. This could be overcome by use of movable fencing and gates adjacent to the roadside which are capable of short term removal.

Health and Safety

- 4.20 When designing the layout of a site, careful consideration must be given to the health and safety of residents, and in particular children, given the likelihood of a high density of children on the site and relatively high levels of vehicle ownership amongst some groups of Gypsies and Travellers for towing caravans and employment purposes.
- 4.21 It is important to ensure that appropriate traffic calming measures are considered for all sites. Care should be taken when introducing speed humps and other measures, particularly to existing sites, to ensure that appropriate drainage is accommodated within the scheme to allow for the effective passage of surplus water.
- 4.22 Clear and effective signage should be introduced where a speed restriction or other traffic calming measure is to apply. Similarly, clear directions should be in place to indicate the location of hydrants and other access points for the fire service etc when attending an emergency on site.
- 4.23 The need for separate vehicular/pedestrian access should be considered.

Access for emergency vehicles

- 4.24 It is essential that consultation with local fire and rescue service officers take place at a very early stage of designing a site. Some authorities are reported to differ in advice as to a minimum turning and reversing requirements of emergency vehicles in confined spaces for example, which may impact on the number of pitches permitted. Subject to this, general good practice from recognised sources is outlined in the paragraphs below which can be used as a starting point prior to discussions with local emergency services.
- 4.25 In designing a site, all routes for vehicles on the site, and for access to the site, must allow easy access for emergency vehicles and safe places for turning vehicles.
- 4.26 To enable this, suitable roads must be provided, with no caravan or park home more than 50 metres from a road⁵. Roads must have no overhead cable less than 4.5 metres above the ground. Vehicular access and gateways must be at least 3.1 metres wide and have a minimum clearance of 3.7 metres⁶.
- 4.27 Roads must not be less than 3.7 metres wide, or if they form part of a one way traffic system, 3 metres wide⁷.
- 4.28 One way systems should be clearly sign posted.
- 4.29 To increase potential access points for emergency vehicles, more than one access route into the site is recommended. Where possible, site roads should be designed to allow two vehicles to pass each other (minimum 5.5m⁸). Specific guidance should be sought from the local fire authority for each site.
- 4.30 Although roads on sites do not require adoption, it is recommended that all roads are constructed to adoptable standards to avoid future maintenance costs, and in anticipation of increased wear and tear due to frequent movement of heavy vehicles. Details of the relevant standards can be obtained from the local highways authority.
- 4.31 More guidance on aspects relating to aspects of street design and traffic flow can be found in the Department for Transport's *Manual for Streets*.

⁵ Source: *Building Regulation B5 (2000) – 'Access And Facilities for the Fire Service'*

⁶ Model standards for Park Homes

⁷ *Model Standards for Park Homes, also Manual for Streets* – Department for Transport, March (2007), and Statutory Instrument 2000 no.2531, The Building Regulations (2000). London TSO. Part 2, paragraph B5: Access and facilities for the fire service

⁸ *Manual for Streets*, Department for Transport (2007)

Security

- 4.32 Consultation has shown that site layout can play an important role in avoiding a sense of enclosure and isolation amongst Gypsies and Travellers. The aim should be to 'design out' crime and social exclusion and 'design in' community safety and social inclusion through openness of design, allowing ease in passing through, whether walking or driving. Care also needs to be taken to ensure that proper concern is shown for the safety of residents and children where car traffic passes through.
- 4.33 Before pursuing this approach however prospective residents should be consulted at the outset to ascertain the level of community cohesion already prevalent in the area, and to establish the degree to which those who are to live on the site are comfortable with this approach and if it meets the degree of privacy and security which is acceptable.
- 4.34 Site layout should maximise natural surveillance enabling residents to easily oversee all areas of the site. Scheme specific advice on security provision for the site should be obtained from the Police Architectural Liaison Officer for the area, and reference should be made to 'Secure by Design'⁹ standards to inform detailed planning of the site.
- 4.35 In cases where a site manager's office is provided on a site this should ideally be in a location which can be easily found by visitors and ideally situated at the front of the site ensuring that it has a view which increases security but is not intrusive to residents. An example of the facilities needed in a typical site manager's office include an office area, storage space and also washing facilities, which may be required where work on minor maintenance on site, possibly in bad weather will be needed. A plan of a typical site manager's office can be seen at Annex B.4.
- 4.36 To avoid disputes and provide defensible space, it is important to provide clear delineation of public communal areas eg play areas and private space, with boundaries that indicate clearly where individual pitches begin and end. It is recommended that communal areas without a clear usage are avoided in the design as they may attract vandalism, fly tipping or unauthorised caravans.
- 4.37 It is recommended that local needs and preferences are taken into account, as well as the requirements of the local highways authority and fire and rescue services, when designing the entrance to the site. Many Gypsies and Travellers are in favour of controlled access to sites, for example using a lockable gate. Their experience has been that such controls can prevent unauthorised parking and unauthorised caravans being pitched on the site. However, the presence of such gates can sometimes act as a psychological barrier to effective social inclusion.

⁹ ODPM and Home Office (2004) *Safer Places: The Planning System and Crime Prevention*. London: Thomas

Play areas

- 4.38 It is recommended that the inclusion of a communal recreation area for children of all ages is considered where suitable provision is not available within walking distance on a safe route or using easily accessible public transport, and for larger sites. Specially designated play areas should be designed where possible in consultation with children and parents, to ensure they provide equipment which will be best used, together with the site manager in view of ongoing maintenance issues.
- 4.39 Where recreation areas are provided, it is important to ensure they are designed and located with the safety of children in mind (taking account of the proximity of busy roads) and where they allow for natural supervision. Play areas should meet normal local authority standards.
- 4.40 Consultation has shown that locating play areas in secluded areas of the site and near boundary perimeters is not favoured as children could be subject to outside harassment and the play area and equipment open to vandalism. The location of the play area in the site design at Annex 1 avoids this and builds safety into account. Perimeter fencing is included to ensure that children are safe from passing site traffic.
- 4.41 For further guidance on play issues and related guidance please see *Better Places to Live by Design: A Companion Guide to PPG3*, DTLR, 2001 and *Time for Play* (dcms) 2006.

Landscape design

- 4.42 Many Gypsies and Travellers express a strong preference for soft landscaping (for example grassed areas, shrubs and trees) as opposed to hard landscaping such as paved or concreted areas although this can have an impact on the maintenance budget. Nevertheless provision of more attractive landscaping can enhance resident satisfaction and pride with the site on which they live and encourage participation with site management to help maintain the surroundings in which they live.
- 4.43 Soft landscaping can be used to ensure spatial separation which prevents movement of trailers to positions which would breach fire safety distances from the adjoining pitch. When designing a site to include soft landscaping, consideration needs to be given to preventing it from being used for unauthorised parking or unauthorised pitching of caravans.

Car parking

- 4.44 A key element for the site is the provision of adequate parking space for resident's use. Parking spaces must be a minimum of 2.4 x 4.8 metres¹⁰.
- 4.45 Resident parking should largely be provided for on individual pitches (see 7.3) but a site could also contain additional parking facilities for visitors, as parking on the roadside could otherwise impede access of fire and other emergency services. However separate parking areas may present security considerations for residents in some cases and should therefore be situated in an area in good sight of the warden's office and site residents generally.
- 4.46 More information on residential car parking and related issues can be found in section 8 of the Department for Transport's *Manual for Streets*.

Density and spacing of caravans and trailers

- 4.47 To ensure fire safety it is essential that every trailer, caravan or park home must be not less than 6 metres from any other trailer, caravan or park home that is occupied separately.
- 4.48 Other structures are allowed in the separation zone if they are made of non-combustible materials (such as a brick built amenity building), as long as they do not impede means of escape. For further guidance refer to the Model Standards for Park Homes.

Inclusion of space for work/animals

- 4.49 Gypsy and Traveller sites are essentially residential and those living there are entitled to a peaceful and enjoyable environment. Draft Communities and Local Government guidance on site management proposes that working from residential pitches should be discouraged and that residents should not normally be allowed to work elsewhere on site.
- 4.50 Where significant commercial or other work activity is still envisaged for a site it is very important to ensure that the site is delineated so that residential areas are separated from areas for commercial or work use.

¹⁰ *Manual for Streets*, Department for Transport (2007)

- 4.51 This also applies to the inclusion of space for keeping animals. Where there is demand for space for animals and where the site provider is satisfied that it may be reasonable and practicable to include this, a grazing area for horses and ponies could be provided, to reflect the cultural use of the horse as a traditional means of transport.
- 4.52 However grazing may be problematic and an adequate supply of grass difficult to sustain through over use when demand is high. Site managers may also enquire whether owners of land on the periphery of the site have surplus land for this purpose that could be provided at a reasonable rent.

Chapter 5

Site services and facilities – permanent sites

Introduction

- 5.1 As for any other kind of accommodation, consideration must be given to the infrastructure needed to support Gypsy and Traveller sites so that they meet the needs of residents and support good relations with people living nearby.

Water supply

- 5.2 It is essential for a mains water supply suitable for drinking to be provided for each pitch on the site, sufficient to meet the reasonable demands of residents. Water supplies must comply with current legislation, regulations and British Standards. Ideally water meters will be provided in amenity buildings by the relevant local authority for each pitch and must be for domestic usage.
- 5.3 Water pressure must be sufficient to enable the use of fire hydrants by the emergency services which should be at a convenient place near to the front of the site.
- 5.4 Provision of an outside tap on each pitch is strongly recommended.

Electricity supply

- 5.5 The provision of mains electricity to each pitch is essential, sufficient to meet the reasonable requirements of the residents, and with separate meterage for each pitch. Ideally electricity meters will be provided in amenity buildings for each pitch by the relevant supplier directly and must be for domestic usage.
- 5.6 It is essential that underground cabling is adequately earthed and complies with current electrical installation regulations. Electrical installations must be inspected annually. All electrical work must be carried out by competent and appropriately qualified personnel.

Connection points

- 5.7 Consideration may be given to providing more than one electricity and water access point on each pitch to allow for trailers to be realigned either through resident's choice, family expansion or to cater for visitors.
- 5.8 Every effort should be taken to ensure that systems are in place to provide services to individual households, for payment purposes, and not sold from a central distribution point on site (see Chapter 5 with regard to metering).

Gas supply

- 5.9 It is essential that gas installations, supplies and storage meet statutory requirements, relevant standards and codes of practice. Storage facilities compliant with health and safety regulations for Liquid Propane Gas cylinders must be provided¹¹. Since the guidance on storage is complex, developers and managers of sites are advised to see advice from their local environmental health services.
- 5.10 It is essential that any mains gas installation is inspected and certified as safe on an annual basis.
- 5.11 Provision of a mains gas supply is recommended for amenity buildings on pitches and, if supplied, must be compliant with current gas installation regulations¹².

Oil fired central heating

- 5.12 Installations for oil fired central heating should meet Part L of the Building Regulations 2007 together with appropriate storage and safety arrangements in case of oil leaks.

Drainage

- 5.13 Surface water drainage and storm water drainage must be installed. All drainage provision must be in accordance with current legislation, regulations and British Standards¹³.

¹¹ LP Gas Association: *Code of Practice 7: Storage of Full & Empty LPG Cylinders and Cartridges*

¹² *Safety in the installation and use of gas systems and appliances Approved Code of Practice and guidance* L56 HSE Books (1998)

¹³ *Planning Policy Statement 25: Development and Flood Risk (PPS25)* and *Manual for Streets* Department for Transport (2007) Chapter 11.

- 5.14 This should be given early consideration in both site selection and scheme design.
- 5.15 Smaller drain covers could be considered as these can assist in preventing foreign objects becoming accidentally lodged in soakaways and gulleys.
- 5.16 Gypsy and Traveller sites may offer opportunities for implementing a Sustainable Drainage Systems (SUDS) approach for dealing with surface water drainage management whereby surface water runs off to either natural water courses or municipal systems.
- 5.17 More information on this and other surface water drainage issues can be found in section 11 of the Department for Transport's *Manual for Streets* (2006).
- 5.18 It is recommended that consideration be given to the inclusion of interceptors within the drainage system to ensure protection against petrol, oil and other substances within the surface of the water case system.

Sewerage

- 5.19 Wherever possible, each pitch should be connected to a public sewer when it is economic to do so. Where this is not possible provision must be made for discharge to a properly constructed sealed septic tank. All sanitation provision must be in accordance with current legislation, regulations and British Standards¹⁴.
- 5.20 Consideration should also be given to additional waste disposal connection points as an outfall from resident trailers to avoid any problems over unauthorised connections.
- 5.21 The case study below illustrates the important influence that essential services have on quality of life.

¹⁴ Part H of the *Building Regulations* (2000), and *Sewers for Adoption – Water UK* (2006) *Sewers for Adoption* 6th edition Swindon WRc plc

Case Study 3

Abbey Close site, Hackney

The story of the Abbey Close site in Hackney, East London illustrates the importance of good services to the lives of Travelling communities.

In 1995 there were sixteen Irish Traveller families living on three tolerated sites in the Borough with no running water or toilets. When the area was due for regeneration, the families made representations and the council found a piece of land to be used as a temporary site until funding could be found to upgrade it and a second piece of land to adequately accommodate all the families. Sixteen families moved onto the temporary site. There was only a cold water standpipe provided for the families to share, and a portaloo for each family. The site was overcrowded, with no proper demarcation between pitches and poor drainage.

By 1999 the Travellers had secured strong support from the local community and the local councillor, who was also the Deputy Mayor. Despite this a shortage of funding delayed significant improvements. Some families moved off as they could no longer tolerate the lack of facilities, and others were given pitches on a nearby official site when they came vacant. The remaining families continued to campaign for better conditions with support from local community organisations and some improvements were made, for instance the provision of electricity, hardstanding and additional standpipes.

In 2002 funding was secured to refurbish the site and families were relocated during building works. The refurbished site provides each family with a clearly demarcated pitch with a private detached or semi-detached brick-built utility block, including a modern fitted kitchen and bathroom. The utility buildings, site boundaries and pitch boundaries are entirely in keeping with the architecture and features on surrounding estates and blend in well. The families were involved in all aspects of the site design and kept fully informed throughout, thereby able to ensure that design mistakes were kept to a minimum. In order to accommodate all the families left on the temporary site the pitches are small for growing young families, but the location and community support is ideal.

In September 2003 the remaining six families returned to the site, a 'Welcome Home' banner at the local school, and an opening ceremony that was attended by neighbours from the adjacent estates.

Lighting

- 5.22 Sufficient lighting must be provided on the site to enable safe access and movement through the site at night for both pedestrians and vehicles.
- 5.23 The street lighting arrangements should be planned to minimise the risk of damage through vandalism and avoid problems of light pollution to the homes on the site through light shining directly into caravans, amenity buildings or park homes. It should be planned to properly illuminate access roads and access to residential pitches.
- 5.24 Consideration should also be given to the introduction of three quarter length light pillars where there is a prospect that the site may create light pollution for the neighbouring community residing outside the site.
- 5.25 It is recommended that external lighting is provided on each amenity building to ensure safe access.
- 5.26 Solar powered street lights have been considered for inclusion on some sites to reduce energy use but have been found to be very expensive. It is recommended that a cost analysis case be undertaken to verify the financial viability of installation before proceeding.
- 5.27 More information on street lighting issues can be found in section 10 of the Department for Transport's *Manual for Streets*.

Waste disposal, scrap and storage

- 5.28 Residents of Gypsy and Traveller sites should receive the same waste disposal arrangements at their home as any other member of the community. Standard domestic waste disposal arrangements must be provided for each pitch in accordance with local authority requirements for the disposal of domestic waste¹⁵. A key element in designing the layout of the site is to ensure that sufficient space exists for local authority refuse collection vehicles to reach an appropriate point from which waste can be collected from individual pitches, as well as any communal refuse areas.
- 5.29 More information on this issues can be found in section 6 of the Department for Transport's *Manual for Streets*.

¹⁵ *Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) and Schedule 1, Part H of the Building regulations (2000)*

- 5.30 It is recommended that consideration be given to including a recycling collection point on the site where it is not in close proximity to one in the neighbouring vicinity.
- 5.31 Experience on some sites has shown that communal refuse areas can actually encourage fly-tipping and the accumulation of non-domestic waste. If a communal refuse area is deemed necessary (in addition to individual refuse collection for each pitch), this should be designed and located so as to be convenient, accessible, robust and inconspicuous. It should be located away from close proximity of individual pitches and from access points to the site, to ensure that fire service vehicles can enter the site and deal with any fire which might break out there.

Post

- 5.32 The site should be designed so that post can be delivered separately for each pitch. Experience has shown that postal deliveries to pitches can be disrupted by complaints about harassment by dangerous dogs so the provision of an individual box at the entry to a pitch would be advisable.
- 5.33 Consultation has shown that a simple but key element in helping to avoid discrimination against the residents of a Gypsy and Traveller site is to allocate site and pitch addresses which are of a similar nature to those for the settled community – and which do not highlight that the accommodation is site based.

Communal facilities

- 5.34 Paragraphs 3.1–3.7 of this guidance outlined the key factors necessary for the right location for a sustainable site. Where these factors have been met it is likely that site residents will be in reasonable proximity of the facilities enjoyed by the community generally.
- 5.35 Where a site is isolated from local facilities however, either by distance or through lack of adequate public transport facilities and/or is large enough to contain a diverse community of residents rather than one extended family, provision of a communal building is recommended. This facility can be an important resource in sustaining a more remote site, offering an opportunity for visits by health visitors, youth workers and education services, as well as for use by site management and residents alike.

5.36 Any such building should include:

- Community room
- Toilets (male and female)
- Kitchenette.

5.37 Ideally it should be situated in a location towards the front of the site, to be accessible to all the community, not just site residents, and if promoted and managed well can help encourage good relations between the Gypsy and Traveller and neighbouring communities.

Chapter 6

Health, safety and accessibility – permanent sites

Introduction

- 6.1 Everyone should be able to live in a home that is safe, whether that home is a house, a flat or a trailer. Health and safety considerations and requirements for sites are included throughout this guidance. Additional guidance is provided below.

Risk assessment

- 6.2 It is essential that site owners undertake a risk assessment of the site during the initial design stage, including the homes on the site.

Fire safety

- 6.3 Fire safety law changed in October 2006 with the introduction of the Regulatory Reform (Fire Safety) Order 2005 (the Order). The Order applies in England and Wales. It covers 'general fire precautions' and other fire safety duties, which are needed to protect 'relevant persons' in case of fire in and around most 'premises'. The Order requires fire precautions to be put in place 'where necessary' and to the extent that it is reasonable and practicable in the circumstances of the case.
- 6.4 Caravan sites come under the scope of the Order ("premises" includes 'any place') and is not excluded by article 6. (1). The only areas excluded by article 6. (1) are those covered by the interpretation of "domestic premises" ie *premises occupied as a private dwelling (including any garden, yard, garage, outhouse, or other appurtenance of such premises which is not used in common by the occupants of more than one such dwelling)*. Caravans are considered private dwellings and as such fall under the category "domestic premises" and are therefore excluded from the Order. Any common areas on the site used by the occupants of more than one caravan come under the Order. The Order also applies to any amenity buildings on the site.

- 6.5 Responsibility for complying with the Order rests with the 'responsible person'. In the case of a caravan site, this could be an employer or any other person who may have control of any part of the site, eg occupier or owner, manager etc.
- 6.6 The 'responsible' person must carry out a fire risk assessment, which must focus on the safety in case of fire of all 'relevant persons'. It should pay particular attention to those at special risk, such as children, and must include consideration of any dangerous substance liable to be on the site. Fire risk assessment will help identify the risks that can be removed or reduced, and to decide the nature and extent of the general fire precautions that need to be taken.
- 6.7 The significant findings of the assessment should be recorded if the site is licensed or the site operator (eg the local authority) employs five or more staff, however, it is good practice to record the significant findings in any case.
- 6.8 The Order requires the 'responsible person' for the site to take such "general fire precautions" as will ensure, so far as is reasonably practicable, the safety of any of his employees and other relevant persons. General fire precautions include measures to reduce the risk of fire on the premises and the risk of the spread of fire on the premises (eg on the caravan site). Further guidance can be found in the Model Standards, for Park Homes. For example:
- i. Pitches should be no more than 30 metres from a fire point. Fire points must be housed in a weatherproof structure, easily accessible and clearly and conspicuously marked 'Fire Point'. A clearly written and conspicuous notice should be provided and maintained at each 'Fire Point' to indicate the action to be taken in the case of fire, including details of the muster point. The Model Standards for Park Homes provide more detailed guidance.
 - ii. Water standpipes, hydrants, or fire extinguishers should be provided on each site as determined by the risk assessment and as informed by consultation with the local fire officer. All equipment should conform to relevant British/European standards. The Model Standards for Park Homes provide more detailed guidance.
 - iii. A means of raising the alarm in the case of fire should be provided at each fire point. This must be appropriate to the size and layout of the site and informed by consultation with the local fire officer. The Model Standards for Park Homes provide more detailed guidance.

- iv. All alarm and fire fighting equipment should be installed, tested and maintained in working order by a competent person. All equipment susceptible to frost should be suitably protected.
- 6.9 The level of necessary safety (or service) must be dictated by the findings of the risk assessment. The responsible person must be prepared to show that what has been done complies with any requirements or prohibitions of the Order irrespective of whether you have relied on a particular standard.
- 6.10 A series of guides and checklist have been developed which may assist the 'responsible person' to comply with the fire safety law and provide help to carry out a fire risk assessment. These guides and checklist are available from the Communities and Local Government website.

Accessibility

- 6.11 All private or communal buildings on the site must be provided to mobility standards as specified within Part M of the Building Regulations 2000. Developers must also have regard to the requirements of the Disability Discrimination Act 2005 both when designing the site and during refurbishment planning.
- 6.12 When considering the extent to which pitches, parking spaces and amenity buildings should be suitable for wheelchair users, reference should be made to local Gypsy and Traveller Accommodation Needs Assessments. Where no need has been identified it is recommended that at least one pitch in 20 on a site of such size, or one pitch per site where smaller, be constructed to meet the needs of a disabled resident as a contingency for future demand. Where provided, these should be consistent with the standards for housing for wheelchair users as set out in the Housing Corporation's Design and Quality Standards and other related guidance¹⁶.

¹⁶ *Meeting Part M and Designing Lifetime Homes* The Joseph Rowntree Foundation (1999), *Wheelchair Housing Design Guide*, Construction Research Communications Limited (1997), *Inclusive Mobility*, Department of Transport, (2005)

Chapter 7

Individual pitches – permanent sites

Layout of pitches

- 7.1 The layout of pitches will be dependent on the layout of the overall site. There will be different views about whether to have grassed areas and amenities at the front, back or side of the pitch. Discussion with the local Gypsy and Traveller community will be useful, however developers need to consider future as well as current or prospective residents.
- 7.2 Each pitch should be clearly demarcated to make it entirely clear what each individual household may occupy in return for the fee paid and their responsibilities for the pitch they occupy. A range of different boundaries may be used including fences, low walls, hedges and natural features. The aim should be to achieve a boundary that is clear but which is sympathetic to, and in keeping with, the surrounding area.
- 7.3 Pitch boundary fences should provide a balance between good neighbourliness and privacy. For example fencing between pitches could be up to 6 feet in height, particularly where amenity buildings would otherwise be overlooked, whereas 4 foot high fencing around the front of the pitch will offer good surveillance of the road and the site in general.
- 7.4 More information on designing for privacy can be found in *Better Places to Live by Design* and section 6 of *Manual for Streets*, Department for Transport (2007).¹⁷

Hard standing

- 7.5 Each pitch must include a hard standing area constructed of concrete or a similar suitable hard wearing material which extends over the whole area to be occupied by a trailer, touring caravan or other vehicle. These standings must be constructed in accordance with the industry code of practice¹⁸ and project a sufficient distance outwards to enable occupants to enter and leave safely. The base must be sufficient to bear the load placed on it by the home or vehicle and its contents, and the anticipated level of vehicle movement.

¹⁷ *Better Places to Live by Design: A Companion Guide to PPG3*, DTLR, 2001

¹⁸ The 'Gold Shield' which specifies compliance with BS 3632:2005 Residential park homes

- 7.6 Hardstanding should be part of the landscape design. The pitch width need not be entirely paved but could be designed to break monotonous design with soft landscape. Where soft landscaping is adopted in the design consideration should be given to the inclusion of a storage facility on each pitch for residents to keep equipment to maintain it.
- 7.7 Local authorities and other developers should consider the environmental impact of the site and the measures that might be taken to improve sustainability. For example, the inclusion of separate identifiable containers for the collection of recyclable waste and provision of water butts is recommended.

Size of pitch

- 7.8 In common with some other ethnic minority communities, some Gypsies and Travellers often have larger than average families, for instance where members of an extended family live together. For this reason there is likely to be much greater demand amongst these communities for large family units, and small pitches may become quickly overcrowded. Larger than average family sizes, alongside the need for vehicles for towing trailers and for employment also creates particular requirements for parking.
- 7.9 There is no one-size-fits-all measurement of a pitch as, in the case of the settled community, this depends on the size of individual families and their particular needs. In designing a new site, account should be taken of the likely characteristics of families on the waiting list and identified as a result of the Gypsy and Traveller Accommodation Needs Assessment, as there may be a larger element of families with children approaching teenage years, who are likely to need to supplement their accommodation with one or two additional small touring caravans on the pitch as separate sleeping accommodation, until their children are old enough to move on to a separate pitch.
- 7.10 Some families may also be in possession of larger mobile homes and one or two pitches should be designed where possible to cater for that possibility (see also paragraphs 4.17–4.19 re manoeuvrability).
- 7.11 Alternatively, potential residents may be single or elderly members of the community, who would not need a pitch of the same size.
- 7.12 Nevertheless, as a general guide, it is possible to specify that an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan, (or two trailers, drying space for clothes, a lockable shed (for bicycles, wheelchair storage etc), parking space for two vehicles and a small garden area.

- 7.13 Smaller pitches must be able to accommodate at least an amenity building, a large trailer, drying space for clothes and parking for at least one vehicle).
- 7.14 Individual parking spaces should be a minimum of 2.4 × 4.8 metres¹⁹.
- 7.15 Where space permits the inclusion of a garden or playspace on each pitch is recommended.
- 7.16 Drainage falls must comply with Part H of the Building Regulations 2000. Ideally the pitch should be level apart from drainage falls.

Amenity buildings

- 7.17 It is essential for an amenity building to be provided on each pitch, although this can be provided across two pitches as two separate and entirely self contained semi-detached units. The amenity building must include, as a minimum: hot and cold water supply; electricity supply; a separate toilet and hand wash basin; a bath/shower room; a kitchen and dining area. The access to the toilet should be through a lobbied area or by separate access direct from the pitch.
- 7.18 The amenity building must include: secure storage space for harmful substances/medicines; enclosed storage for food, brooms, washing, cleaning items etc; and space for connection of cooker, fridge/freezer and washing machine. The provision of a gas hob could be considered.
- 7.19 The inclusion of a day/living room in the amenity building for family meals is recommended. The day/living room could be combined with the kitchen area to provide a kitchen/dining/lounge area. It is desirable that the day/living room should not be part of essential circulation space, nor contain essential storage. Many existing amenity buildings do not of course contain this facility but inclusion in new sites would replicate the provision of a living room as enjoyed as standard by other sectors of the community. A plan of a typical modern amenity building is featured at Annex B.6.
- 7.20 The design and construction of amenity buildings must meet the requirements of the current Building Regulations, the Institution of Electrical Engineers regulations²⁰, and the Local Water Authority and should also meet the Housing Corporation Design and Quality Standards. Materials used must comply with the relevant British Standard Specifications and Codes of Practice and must provide for durable and low maintenance buildings. Its construction should be sympathetic to local architecture, attractive and of a domestic nature and meet the requirements of PPS3.

¹⁹ *Manual for Streets*, Department for Transport, (2007)

²⁰ *IEE Wiring Regulations* (16th Edition) available at www.iee.org

- 7.21 It is recommended that amenity buildings incorporate cost effective energy efficiency measures. The building layout and construction should be designed to maximise energy conservation and the use of passive solar gain. All mechanical and electrical systems should be as energy efficient as possible. Consideration should be given to the insulation of plumbing systems, the use of low energy light fittings and appropriate heating and ventilation systems. Any opportunities for using energy from renewable sources should be considered. It is desirable to produce an assessment of materials and construction techniques proposed for the site against standards set out in *The Green Guide to Housing Specification*²¹.
- 7.22 Adequate and sensibly situated electrical outlets, switching and controls should be installed throughout the amenity building.
- 7.23 Means of heating should be installed throughout the amenity building which provides temperatures suitable for room use, which is economical and capable of individual control for each room.
- 7.24 The width of main entrances, doorways and passageways must comply with building regulations to ensure mobility standards.
- 7.25 Fixtures and fittings in the amenity building should be of a domestic nature, but robust.
- 7.26 In line for standards for social housing other recommended features²² include:
- Glazing lines in living/dining areas that are no higher than 810mm above floor level
 - Hot water taps to baths with a thermostatically controlled supply
 - Adequate screening and wall tiling provided where showers are provided over baths
 - A worktop-cooker-sink-worktop sequence that is not broken by doors, passages or tall units
 - A 1.2 metre run between the cooker and sink
 - A 500 millimetre minimum clear work top each side of the cooker, and wall units set back minimum 100 millimetres
 - A space for additional equipment such as a microwave
 - Walls in bathrooms and WCs must be designed to take support aids
 - Smoke/fire detectors.

²¹ *The Green Guide to Housing Specification* available from the Building Research Establishment at www.bre.co.uk

²² Design and Quality Standards, Housing Corporation

Case Study 4

Severalls Lane Site, Colchester

Work on the proposed new site at Severalls Lane, Colchester began in 1999 with planning consent given in November 2006. The aim was to provide a site to accommodate Gypsies and Travellers living in or regularly travelling to the Colchester area. The Gypsy and Traveller community was involved in the design from the very start. They worked with the surveyors on the drawings and visited sites of different designs to highlight what did and didn't work on these existing sites. The site plans were finalised with the agreement of the Gypsy and Traveller community – both those working closely with the surveyors and other people living on existing sites.

The site is within easy access of a major trunk road, whilst still offering both privacy and good access to local services. The access road will be a bituminous macadam road surface. The internal oval road block will be paved and have strategically placed speed restricting ramps. The road layout allows for manoeuvring static units on and off all pitches. There will be a site manager's office with good storage space and a secure refuse/recycling area.

The new design provides a 12 pitch site around an oval shaped road, with a central fenced play area, creating a safe environment for children to play where they can be seen from all 12 pitches. Close boarded fencing will be provided between each pitch to give privacy and avoid loose debris, such as leaves, being blown across the site and into pitches. The delineation of individual pitches was regarded as a 'must', and Gypsies and Travellers were keen to avoid a 'no mans' land' which could encourage fly tipping.

Pitch sizes allow for the accommodation of up to three caravans, or one large static trailer plus a touring caravan to allow for travelling during the year. There will be different surfaces within the pitches. Apart from the necessary concrete hard standing there will be tarmac areas and a red brick paved patio and footpath around the amenity buildings. Each pitch will have a small garden area to the rear of the pitch where there will be a footpath access and hard standing for a shed or kennel and a position to stand a rotary line for washing. The Gypsies and Travellers requested this to allow for a place to hang the washing that would not impact on the look of the site from the access road.

Each pitch will have a semi-detached single story amenity building. These will be larger than those on the majority of existing sites, with a kitchen and separate lounge/dining area, plus a bathroom and storage space. The living area will look out to the front of the site to allow for views across it. To avoid the 'institutional' look of the amenity buildings on the existing site, a variety of building materials will be used.

Some will be brick built, others will be half-brick, half-weather boarding. The material for the roof will be either plain tiled or slate. There will be hardwood domestic front doors to each amenity building. There will be a post box at the front of the pitch to allow for individual delivery of mail without a need to access the pitch.

Chapter 8

Transit sites

Introduction

- 8.1 Although transit sites may be in use all year round, they are not intended or designed to be used as permanent accommodation by individual households. The guidance below therefore reflects that expectation. However developers should note that, in the past and due to the shortage of permanent sites, some transit sites have become permanent sites by default, even though the standard of facilities provided are not conducive to long term stays.
- 8.2 Views are mixed on the extent to which transit pitches can be successfully provided on permanent sites. Where this has been successful the transit pitches are usually provided adjacent to the main site, or at one end of it.

Site selection/location

- 8.3 The guidance for permanent sites largely also applies to transit sites except that the importance of proximity to community facilities is primarily in respect of the need for access to schools.
- 8.4 The presence of children on the site, and potential health and safety risks for them and other residents should receive equal consideration for transit sites.

Site layout, access and orientation

- 8.5 **Number of pitches** – For a transit site to be easily managed it has been shown that the number of pitches should not normally exceed 15.
- 8.6 **Site boundaries** – The guidance for permanent sites applies.
- 8.7 **Orientation of pitches** – The guidance for permanent sites applies.

- 8.8 **Health and safety** – The guidance for permanent sites applies.
- 8.9 **Access for emergency vehicles** – The guidance for permanent sites applies.
- 8.10 **Security** – The guidance for permanent sites applies.
- 8.11 **Balance between soft and hard landscaping** – The guidance for permanent sites applies although soft landscaping on transit sites can be more difficult to maintain. As transit sites are only intended for short stays there is less need for soft landscaping but this does not rule out maintaining the general ambience of the site to a limited and cost effective degree.
- 8.12 **Parking** – In the light of experience it is recommended that parking space for at least two vehicles is provided on each individual pitch at a minimum size of 2.4m x 4.8 metres each.
- 8.13 **Density and spacing between vehicles** – The guidance for permanent sites applies, except where the local Fire Officer has agreed alternative arrangements that provide the same degree of fire safety.
- 8.14 **Inclusion of work/animal space** – The guidance for permanent sites applies.

Site services and facilities

- 8.15 **Accommodation for a Resident Manager** – Transit sites may present particular management challenges and depending on local circumstances and sufficient usage, it is recommended that provision is generally made for a resident manager. As the resident manager will be living on the transit site on a semi-permanent basis, facilities for the manager should comply with the guidance for permanent sites, including the provision of an amenity building. A plan of a typical resident manager's accommodation, with office area, is at Annex B.7.
- 8.16 **Water supply** – The guidance for permanent sites applies.
- 8.17 **Electricity supply** – Where possible, the guidance for permanent sites applies, although in practice a central electricity supply administered by the site management may be provided, which would entail residents paying by meter or being charged cash retrospectively.
- 8.18 **Gas supply** – Mains gas supplies are not applicable to transit sites.
- 8.19 **Drainage** – The guidance for permanent sites applies.
- 8.20 **Sewerage** – The guidance for permanent sites applies.

- 8.21 **Lighting** – The guidance for permanent sites applies.
- 8.22 **Waste disposal** – Waste disposal for individual pitches on transit sites is recommended. Communal refuse disposal should be provided which is convenient (but away from pitches and associated dwellings on site), fenced off, robust and inconspicuous.
- 8.23 **Sluice** – A sluice should be provided on each site.

Health and safety

- 8.24 **Risk Assessment** – The guidance for permanent sites applies.
- 8.25 **Fire Safety** – The guidance for permanent sites applies.
- 8.26 **Accessibility** – The guidance for permanent sites is optional.

Individual pitches

- 8.27 **Hard standing** – The guidance for permanent sites applies.
- 8.28 **Size of pitch** – It is important to ensure that wherever possible each pitch is of a size sufficient to accommodate two touring caravans, two parking spaces and private amenities.
- 8.29 **Private amenities** – It has been found that the majority of Gypsies and Travellers prefer private amenities on each pitch including a toilet, wash basin and shower with hot and cold water supply. An illustration of a simple fixed utility building for a transit site is at Annex B.8).
- 8.30 Depending on the degree of usage, consideration could be given to providing portable facilities on a transit site to meet these needs. Where transit sites are empty for lengthy periods there is a risk of vandalism to facilities and it may be preferable for these to be removed until the site is reoccupied. In adopting this approach, it is sensible to ensure that permanent waste and water pipework is in place for facilities to be easily reinstalled.

Case Study 5

Clearwater Site, Chichester

The Clearwater site, near Chichester, is an example of a privately owned and run site which incorporates both permanent and transit pitches. It is a very attractive, green site on the edge of a village in a rural location, and with good access to the road network. The owner has planned the site specifically to enable future growth in both the number and size of households, without members of the extended family having to be overcrowded, displaced to another site or left homeless.

The owner recently received planning permission to add six transit pitches to the existing permanent site. It will not operate as an openly available transit site but will be available to family and other visitors of existing residents. Each transit pitch will have its own amenity building with toilet, shower and kitchen. Pitches will have space for two trailers, and planting is used to mark the boundary between each.

There are four permanent pitches on the site, with space for a further four to accommodate future needs. The pitches are spacious, and each incorporates an amenity building which is 10' wide by 20' long, with kitchen/laundry and bathroom.

There is a children's play area on the site. Residents are able to graze animals on the adjoining field.

Chapter 9

Temporary Stopping Places

Introduction

- 9.1 Temporary stopping places accommodate intermittent needs for site accommodation for which a charge may be levied as determined by the local authority concerned. They are not occupied all year around but may be made available at times of increased demand, such as fairs or cultural celebrations that are attended by Gypsies and Travellers.
- 9.2 The guidance below sets out the important features of temporary stopping places.

Site selection/location

- 9.3 Temporary stopping places should provide safe and convenient access to road networks and be located so as to cause minimum disruption to surrounding communities.
- 9.4 When considering the suitability of different sites, the potential presence of young children and any risks that may arise due to adjoining land uses must be considered.

Site layout, access and orientation

- 9.5 It is important to provide markings or barriers to encourage residents to park safely, allow access for emergency vehicles, and enable maximum use of the site in accordance with its intended capacity and fire safety standards. Particular regard must be given to the need to ensure a safe distance between trailers/caravans and other structures made of combustible materials. The advice of the Local Fire Officer must be sought during the planning of temporary stopping places.
- 9.6 The road to and from the site must be of sufficient quality and size to enable access onto and off the site by heavy vehicles such as trailers.
- 9.7 There must be a clear barrier around the emergency stopping place to discourage unauthorised expansion of the site.

Site services and facilities

- 9.8 It is essential for a cold water supply to be provided for the use of site residents which may be by use of water standpipe or bowser.
- 9.9 Portalooos must be provided for the use of residents, with separate provision for men and women. There must be at least one portaloo for every four households on the site.
- 9.10 It is essential for a sewerage disposal point to be provided.
- 9.11 Refuse disposal facilities should be provided.

Health and safety

- 9.12 The guidance for permanent sites applies.

Chapter 10

Consultation

Introduction

- 10.1 This guidance is not intended to replace local consultation with Gypsies and Travellers and other key agencies. Local consultation should include:
- Gypsies and Travellers from the communities whose needs will be met on the site, including if possible, the families who will move onto the site at first let
 - Planners – from the very first stages of site identification
 - The Fire Officer
 - The Police, for advice on site security
 - The Local Highway Authority
 - Site managers and maintenance officers who can advise on the design features that can promote good management and keep costs to a minimum.
- 10.2 The same principles apply to consultation on Gypsy and Traveller sites as with other refurbishment projects and new developments. Very few architects and developers will have first hand experience of living on a site as part of a Gypsy or Traveller community, and consultation with Gypsies and Travellers will be crucial to ensuring the site works successfully.
- 10.3 The needs and preferences of those who will live on the site should be given full consideration and should be met as far as is possible within available resources. People who have lived on sites for most or all of their lives are in the best position to advise on what works well and what doesn't for a particular community. However, the needs of those people who will move onto the site at first let, will need to be balanced with the needs of those who may live on the site at a later stage.

When to consult?

- 10.4 Gypsies and Travellers should be consulted throughout all stages of the design process, including site identification through the local authority's Local Development Framework. Local communities can be aware of factors which, despite site shortages, could prevent take up of site places in particular areas.

Consultation

Evidence provided to Select Committee

“Gypsy and Traveller families often wish to have small compact and well-managed sites located in areas where they have historically resided and have a network of local family support. Local authorities have in the past tended to provide accommodation in inappropriate areas and the sites have therefore not always been used to their full potential. As with the settled community, Gypsy families prefer clean well-managed sites where there is no fear of retribution from problem families and they can enjoy a peaceful coexistence. [...]. Caution should be used when seeking locations for sites to ensure that they are based on need in a particular area and not the availability of inappropriate land for alternative uses. Traditionally, Gypsy sites have been located on land which is inappropriate for alternative uses and this, in itself, has caused problems both for the Gypsy community and for Site Managers.”[210]

- 10.5 There is no reason why Gypsies and Travellers cannot be included in all design meetings with architects, so that expensive design mistakes are not made and so that professional perceptions of what will work well can be challenged if necessary at an early stage.

Methods of consultation

- 10.6 Local authorities should now have an established record of joint working with the Gypsy and Traveller community following the conduct of Gypsy and Traveller Accommodation Needs Assessments. It is recommended that an RSL wishing to work with these communities for the first time consult with the appropriate local authority at the outset to secure its own introductions.
- 10.7 Where difficulties remain introductions can usually be secured through other organisations which already have a good working relationship with members of these communities. This is often the case for the Traveller Education Service and health advocates, but may not necessarily be the case for existing site managers/ liaison officers, some of whom may have an enforcement role that has brought them into conflict with the communities in the past.
- 10.8 Participation will be greatly improved by holding the consultation in familiar and informal surroundings that are easy to get to, comfortable and warm. The office of a local organisation working with Gypsies and Travellers, or a local community building might be appropriate for instance.

- 10.9 There are low levels of literacy in some sections of the community. It is important therefore that consultation does not rely on written methods such as leaflets, surveys or feedback forms. Face to face consultation which enables Gypsies and Travellers to influence rather than just respond to the consultation agenda is important. Provision of models and computer generated images of proposed site development will also help prospective residents visualise the outcome and help identify useful refinements which may not otherwise be immediately apparent.
- 10.10 In some cases it may be appropriate to use a small number of people from the communities to represent their interests, however there is a danger with this type of approach that the perspective of some parts of the community will be missed – for instance children, women or men, or older people.
- 10.11 It would be beneficial to ensure as far as possible that sympathetic and knowledgeable architects and contractors are employed in the site design process. Local authorities could offer an “awareness raising” session on Gypsy and Traveller culture at an early stage with representatives of the local Gypsy and Traveller community, as a means of opening the dialogue and ongoing consultation needed with prospective residents to best ensure the successful design and construction of the site and best value for the money invested in it. Project managers could use suitably qualified and trained tenant liaison officers as used in social housing development.
- 10.12 The timing of the consultation will be important. For instance women are more likely to be able to take part in consultation that takes place on sites during the day (and outside school pick up hours) whereas men may be more likely to be able to make evening meetings.
- 10.13 One to one interviews are one method of consulting, but they can be time-consuming and do not provide an opportunity to attempt to resolve differing opinions. Focus groups can be a good way to encourage discussions around matters where there are differing perspectives and where there is a need to achieve a consensus position. If some tensions between different members of the community are anticipated then small meetings or group discussions will work better than large meetings.
- 10.14 Where prospective site residents or those already living on a site which is to be refurbished have appropriate skills, consideration could be given to proposing their involvement in the work required, provided they are included on the appropriate register of preferred contractors.
- 10.15 Gypsy and Traveller Accommodation Needs Assessments may gather views on site design and ask about satisfaction with existing sites. This information should be drawn upon where available.

Case Study 6

South Liberty Lane site, Bristol

Bristol County Council used 'Planning for Real' methods to consult with Gypsies and Travellers on the design for a new permanent site. This method of consultation involves making a three dimensional model of the area to be developed/improved. This encourages consultees to consider the area as a whole and how the different elements of their environment impact upon one another. They started by getting Gypsy and Traveller children to make models of the site, and made this into a fun event. The parents then became curious and got involved too. Consultation was carried out on a range of existing sites and at Stowe Fair.

The result of this consultation has been a 'state of the art' 12 pitch site. Many of the features were directly influenced by the consultation, including:

- Semi-detached utility buildings that incorporate a day room, kitchen, bathroom/toilet and separate toilet
- Boiler and central heating in utility buildings
- A variety of power points on each pitch to enable flexible positioning of trailers and caravans and avoid trailing wires
- The use of built-up flower beds to prevent trailers being positioned too close to each other
- Low walls and gates separating each pitch and creating 'defensible' space
- Parking on individual pitches
- Communal playspace for children.

Feeding back on the results of consultation

- 10.16 It will not always be possible to meet the needs and preferences of everyone and, if the reasons for this are explained clearly, this will normally be understood by participants. As a common courtesy the results of any consultation should always be fed back to the individuals and/or communities concerned. Where it has not been possible to meet the expressed preferences of the community the reasons for this should be clearly explained.
- 10.17 Once the site has been developed, this consultation process offers the basis of a permanent resident's forum, which can help sustain a good co-operative spirit of consultation between site managers and residents, a key element in managing a site successfully.

Consulting with the settled community

- 10.18 As for other kinds of development, it is important that members of the local community, whether Gypsies and Travellers or settled residents, are able to feed in views on plans for new sites.
- 10.19 Misinformation and limited contact between Gypsies and Travellers and the settled community can feed distrust and misconceptions, and these must be challenged and addressed proactively. Opposition from the settled community can delay, and in some cases prevent, the issue of planning permission for new sites. Councils and other developers need to plan for the possibility of such opposition at an early stage in the development and provide accurate information to help overturn negative stereotypes and allay concerns.
- 10.20 It will be important to demonstrate the need for new site provision in any consultation with the settled community, and the steps that the council or private developer will take to address concerns and deal with problems should they arise.

Case Study 7

Transit Site Development, Southampton

Southampton City Council has recently granted cabinet approval to allow a planning application to be made for a six pitch transit site on the outskirts of the city.

Local residents were sent a letter and information sheet setting out the proposed nature of the development and inviting them to attend public meetings. A phone hot line, email address and postal address were set up to receive comments.

The proposal was processed through both a full cabinet meeting and cabinet consultation meeting – all of which were open to the public. Local community representatives and individuals spoke at each meeting, as did a member of the Romani Rights Association.

Cabinet decided to defer the final decision for three weeks until after a public information day had been held.

The information day consisted of two drop-in events which were held in different locations both close to the proposed site and a public meeting in the larger of these two venues.

All events were held on the same day, a Saturday between 9 am and 4pm, and were attended by out of area speakers, including the Head of Kent Gypsy and Traveller Unit and the South East Regional Advisor on Gypsies and Travellers, as well local police and council officers from planning, community safety, inclusion, education and other teams.

A series of question and answer sheets were prepared for an Information Day that was attended by 450 local people. These covered: site selection and costs (which included evidence of need for the site); design and environmental matters; security, crime and community safety and having Gypsies and Travellers as neighbours. As well as providing information about the proposed development the sheets also tackled common prejudices head on. Objections from the local settled community focused on fears of increased anti-social behaviour and 'hawking', impact on local traffic conditions, potential overspill onto surrounding land; safety issues linked to the adjoining railway line, and potential negative impacts for local small businesses.

The consultation process demonstrated that the council was prepared to listen to the views of local people and devote resources to addressing concerns raised. As a result of the consultation, the council has set up a management group that includes representatives from local businesses and residents as well as agencies such as the police and schools, which will respond to any issues as they arise. It has also increased security proposals for the site, including the installation of closed circuit television and escalating charges for pitches on the site to discourage overstaying.

Annex A

Key References

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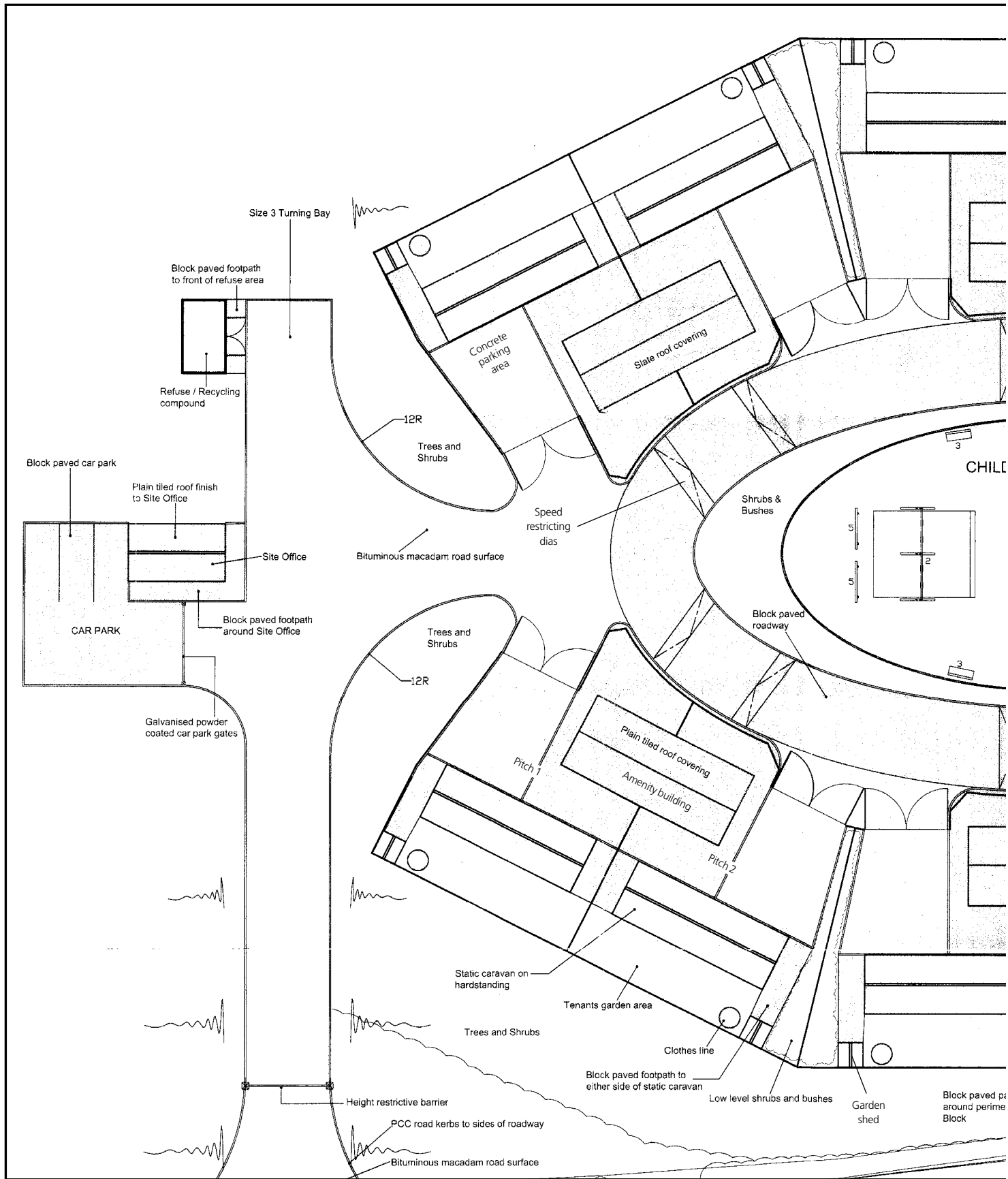
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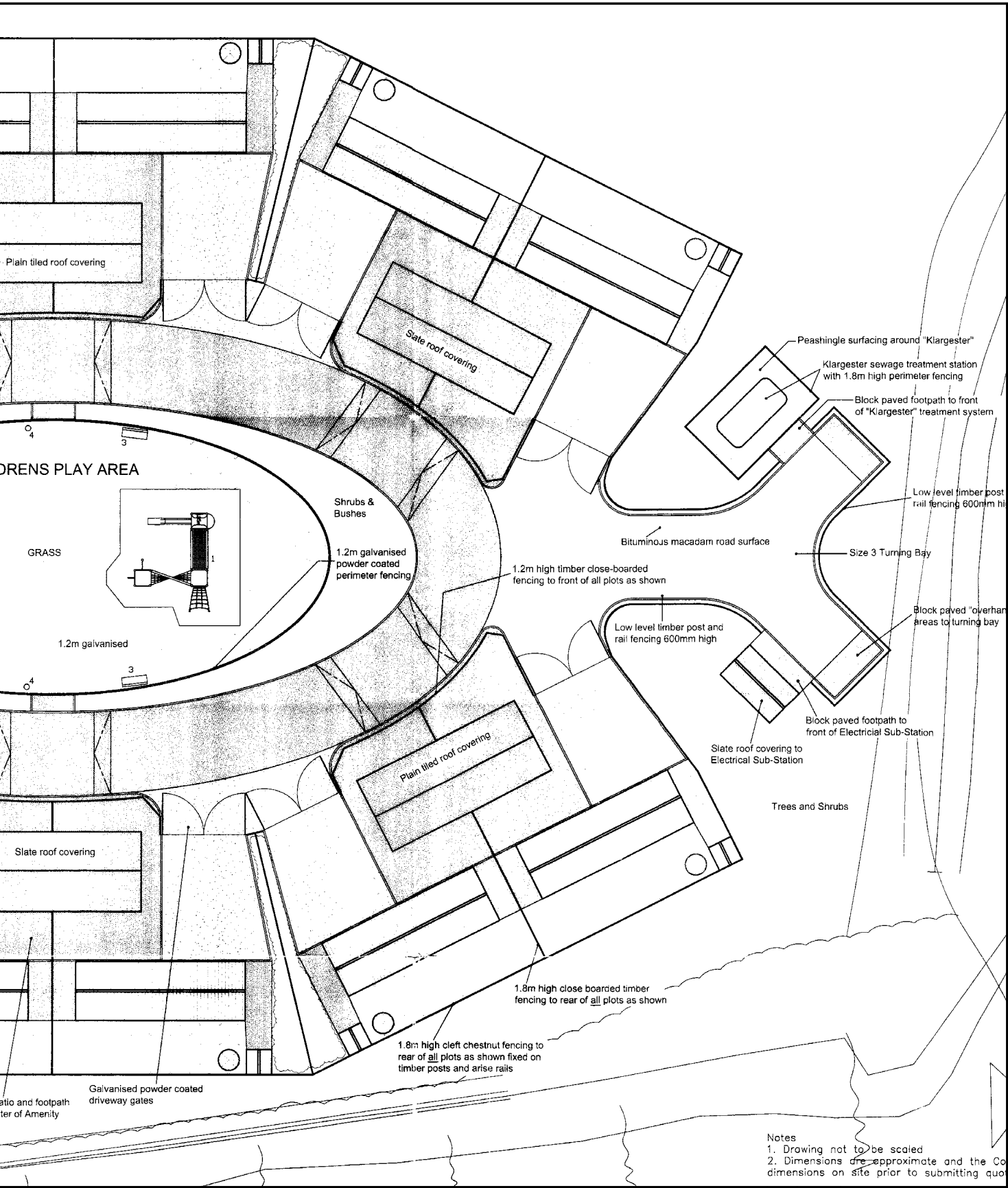
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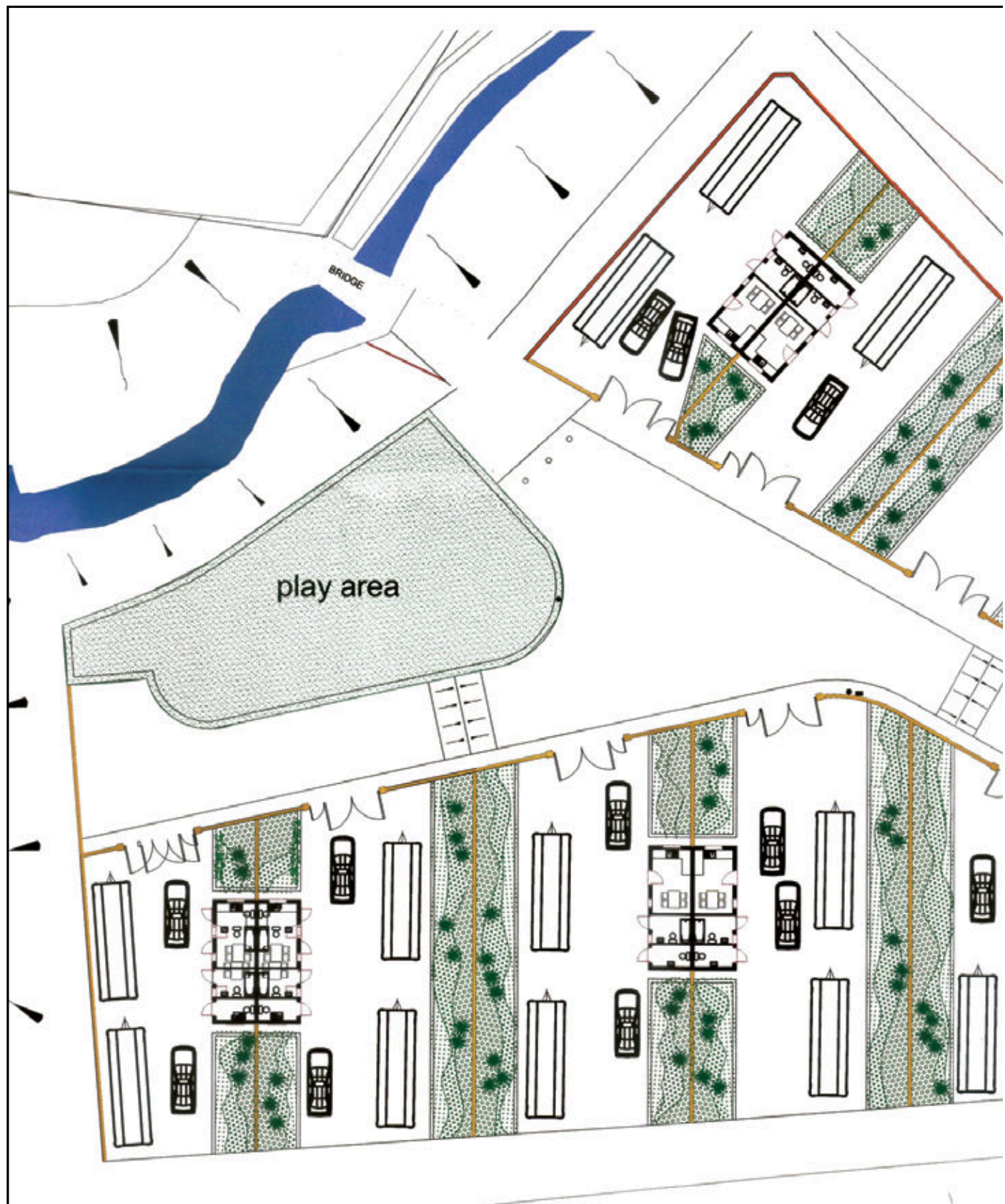
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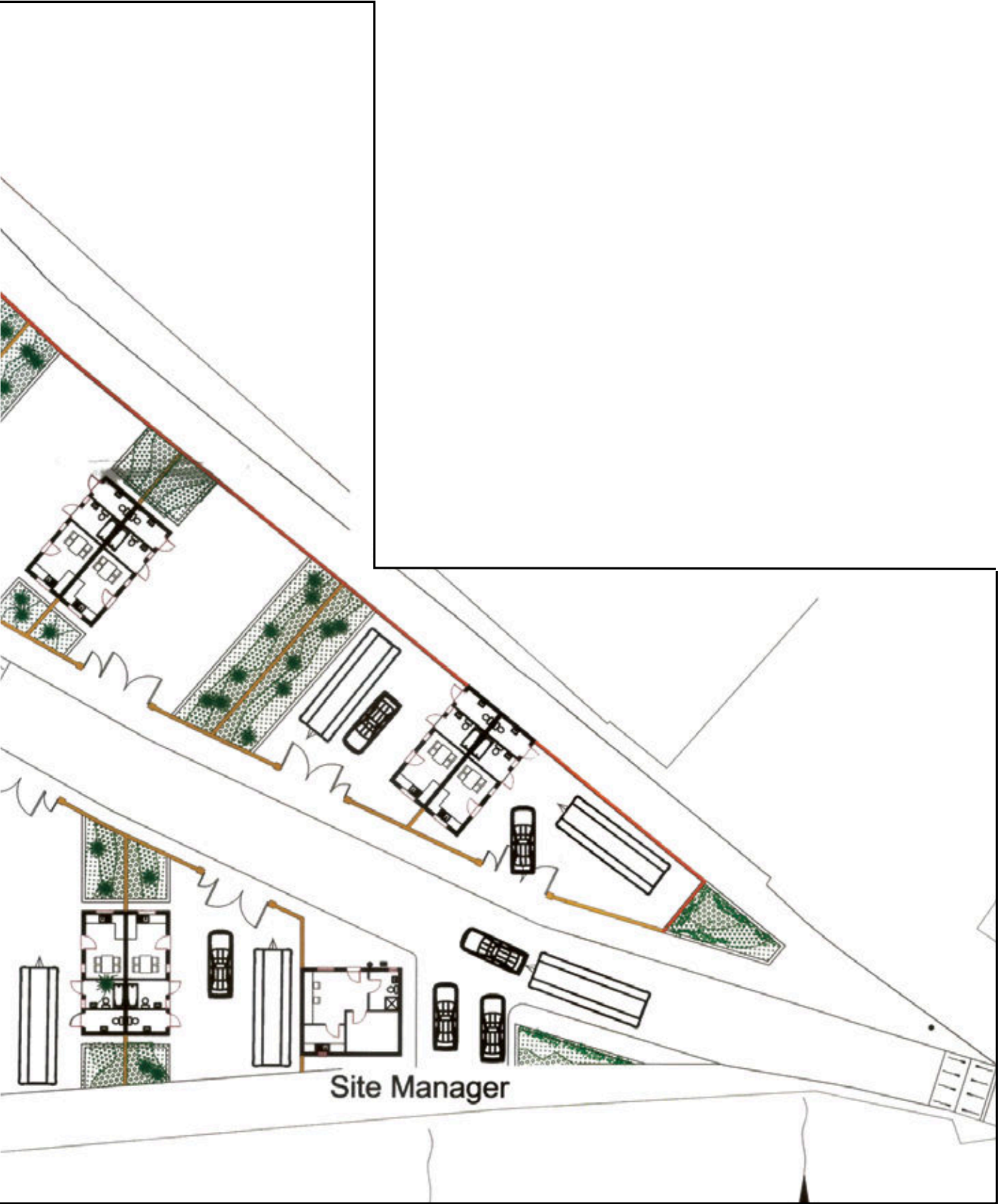
Annex B.1 Circular site design (see para 4.5)



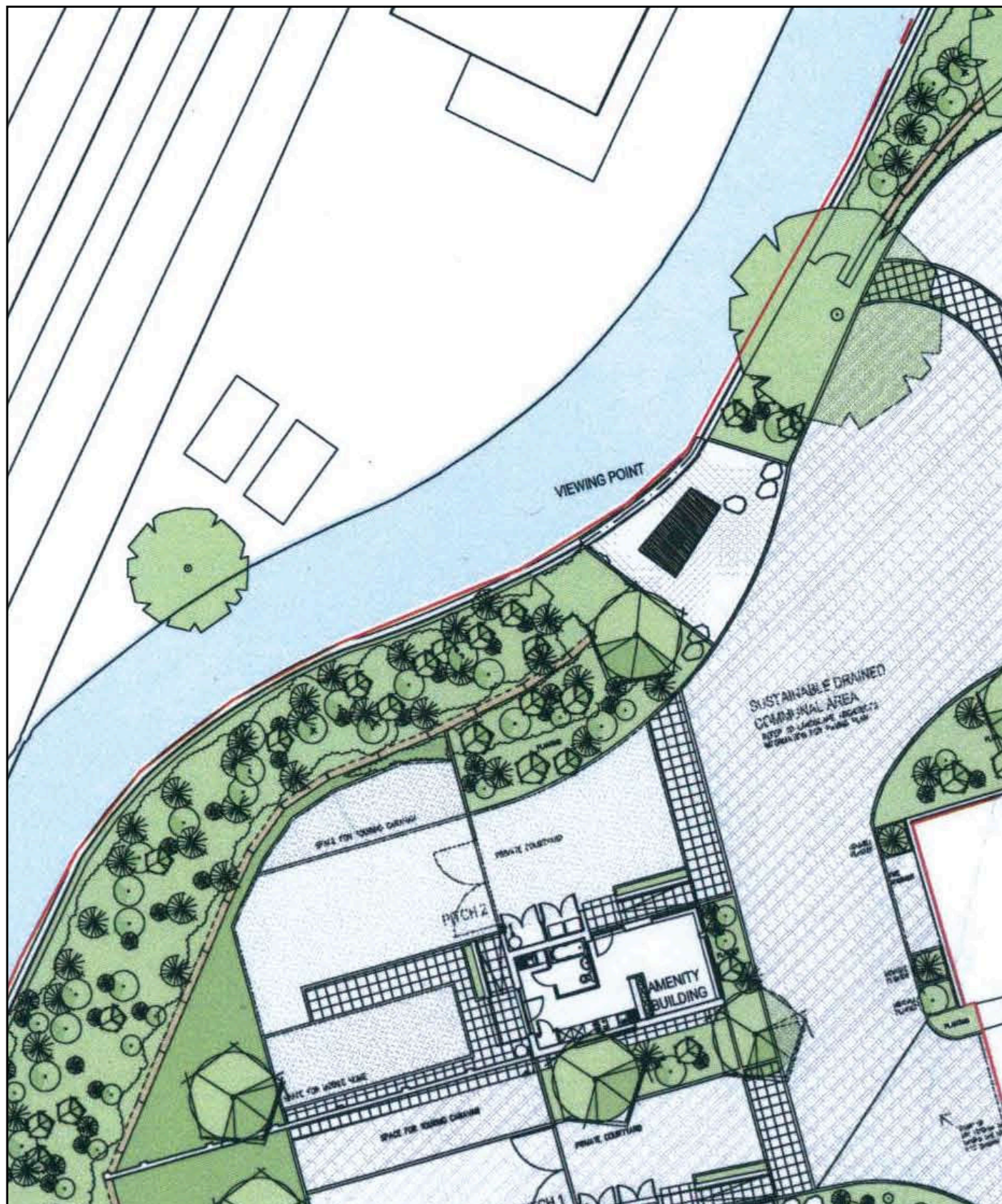


Annex B.2 Traditional site design (see para 4.5)



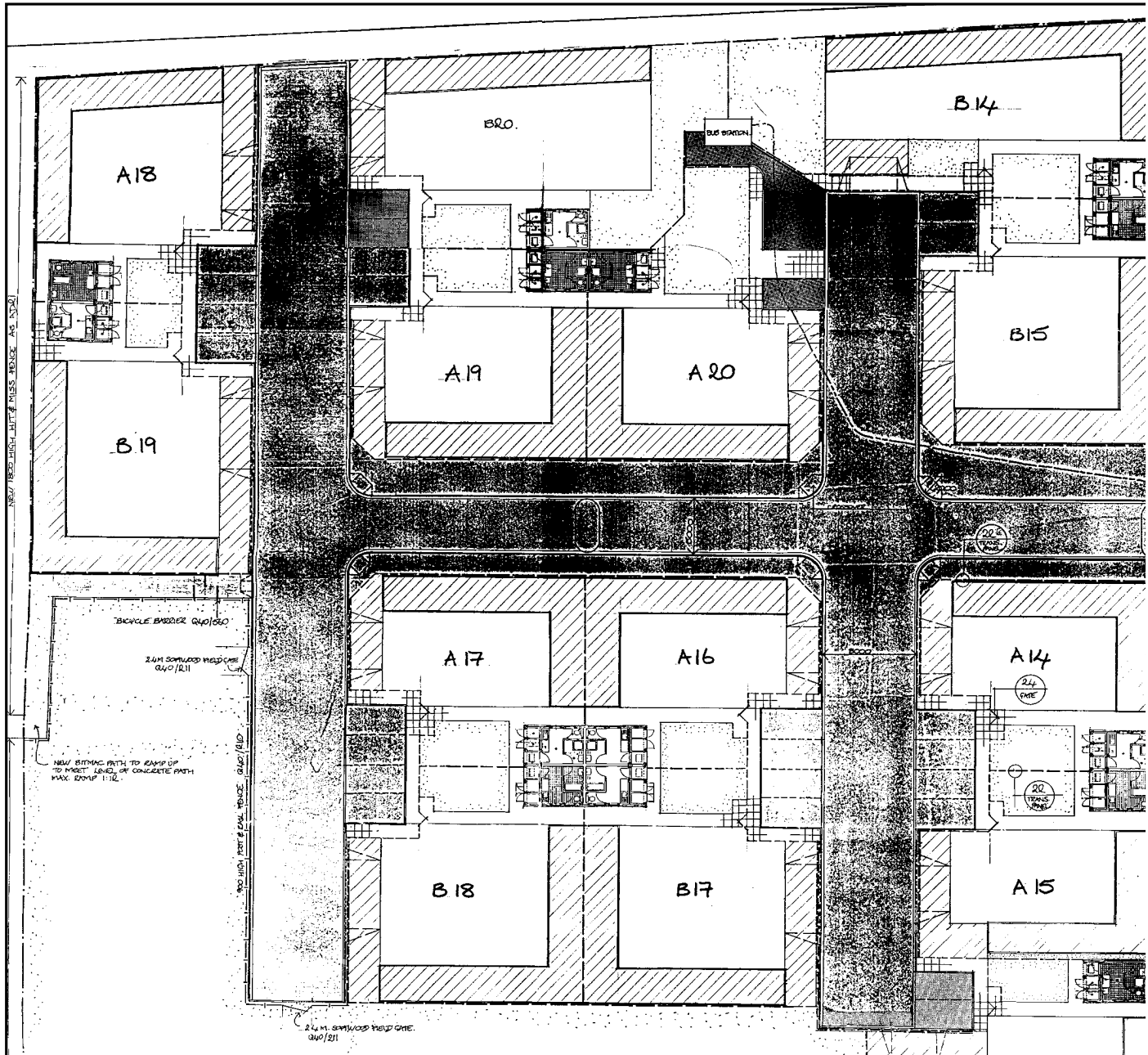


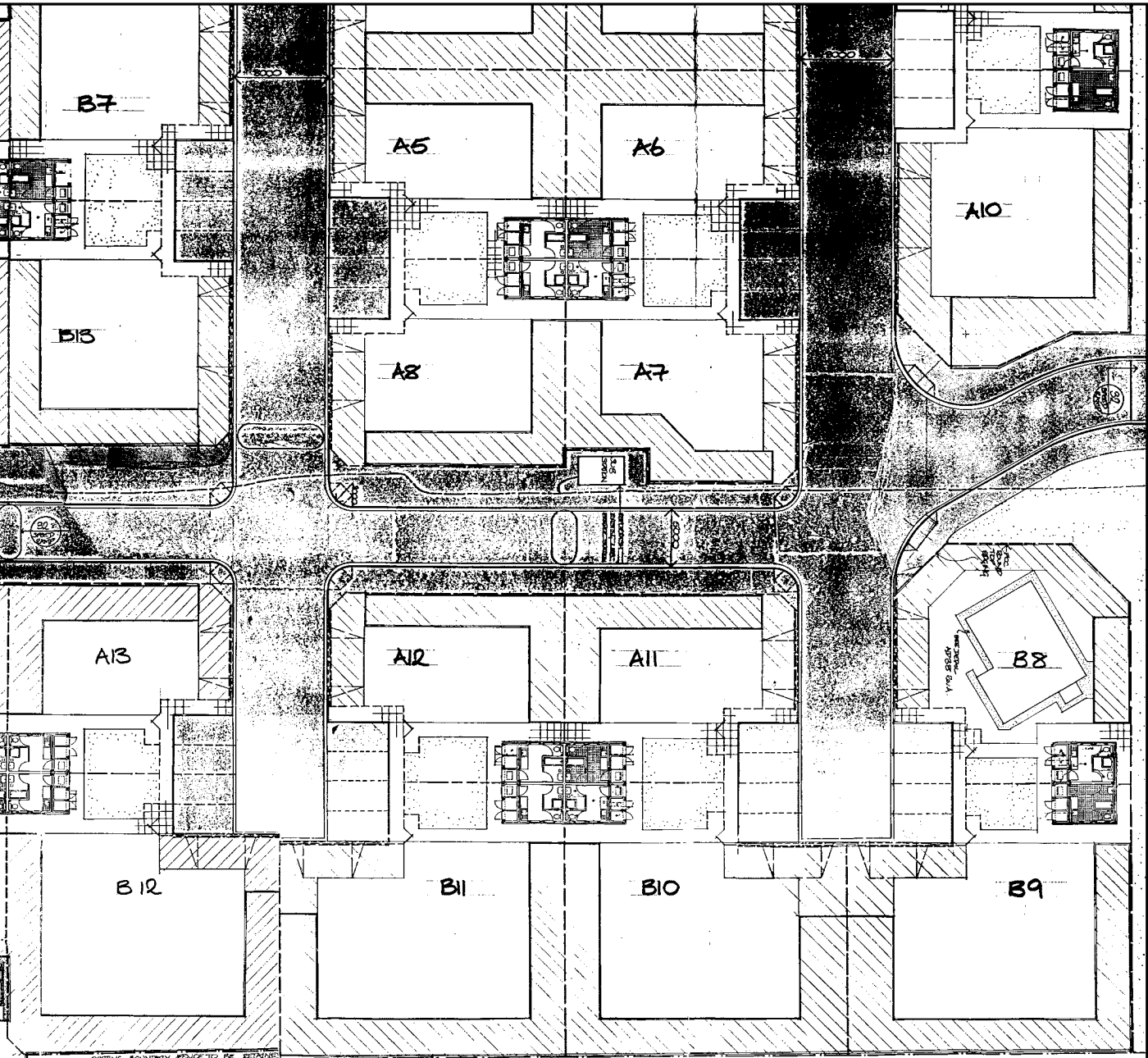
Annex B.3 Small scale site – urban location (see para 4.7)



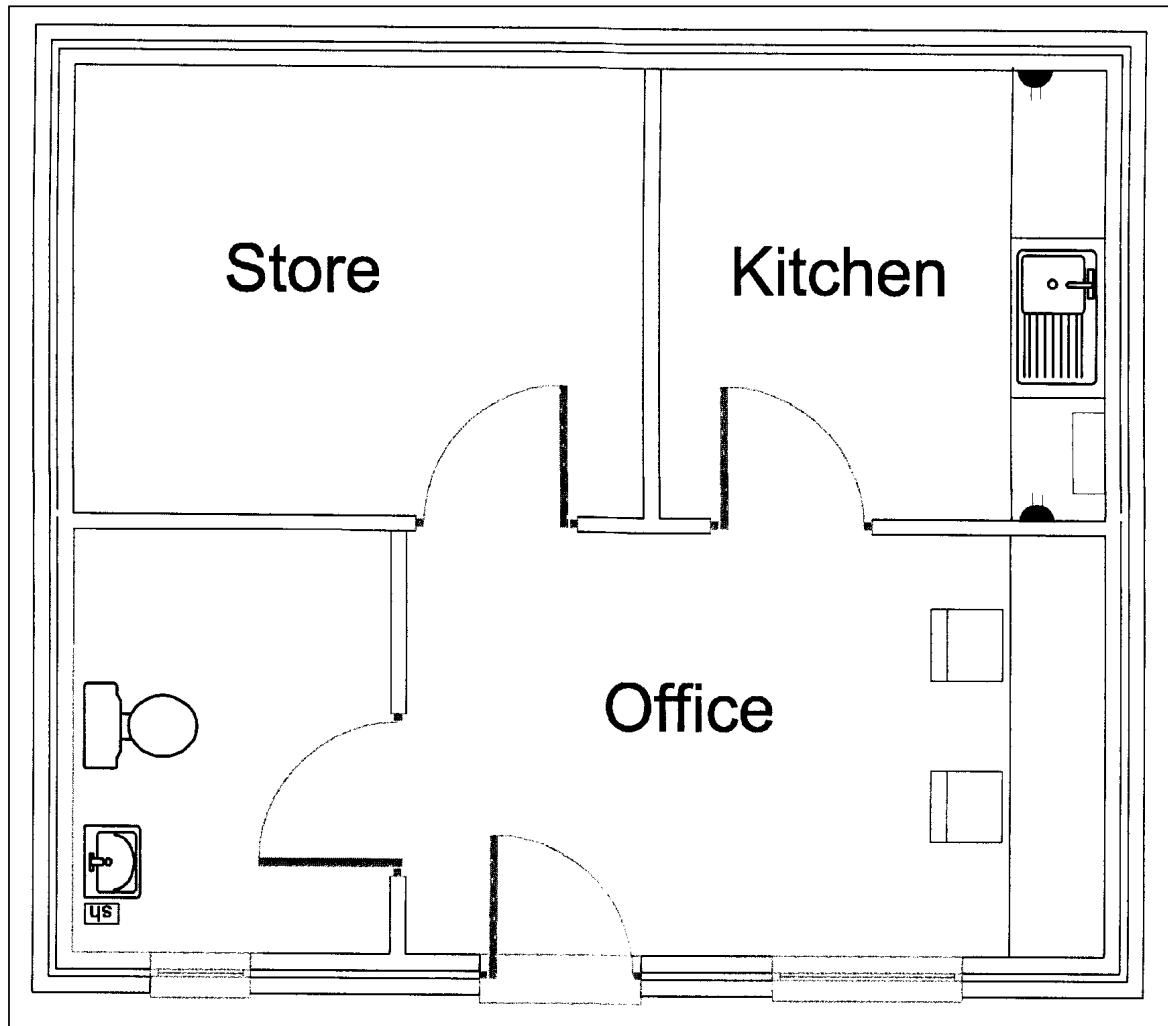


Annex B.4 Large site with small individual "closes" (see para 4.9)

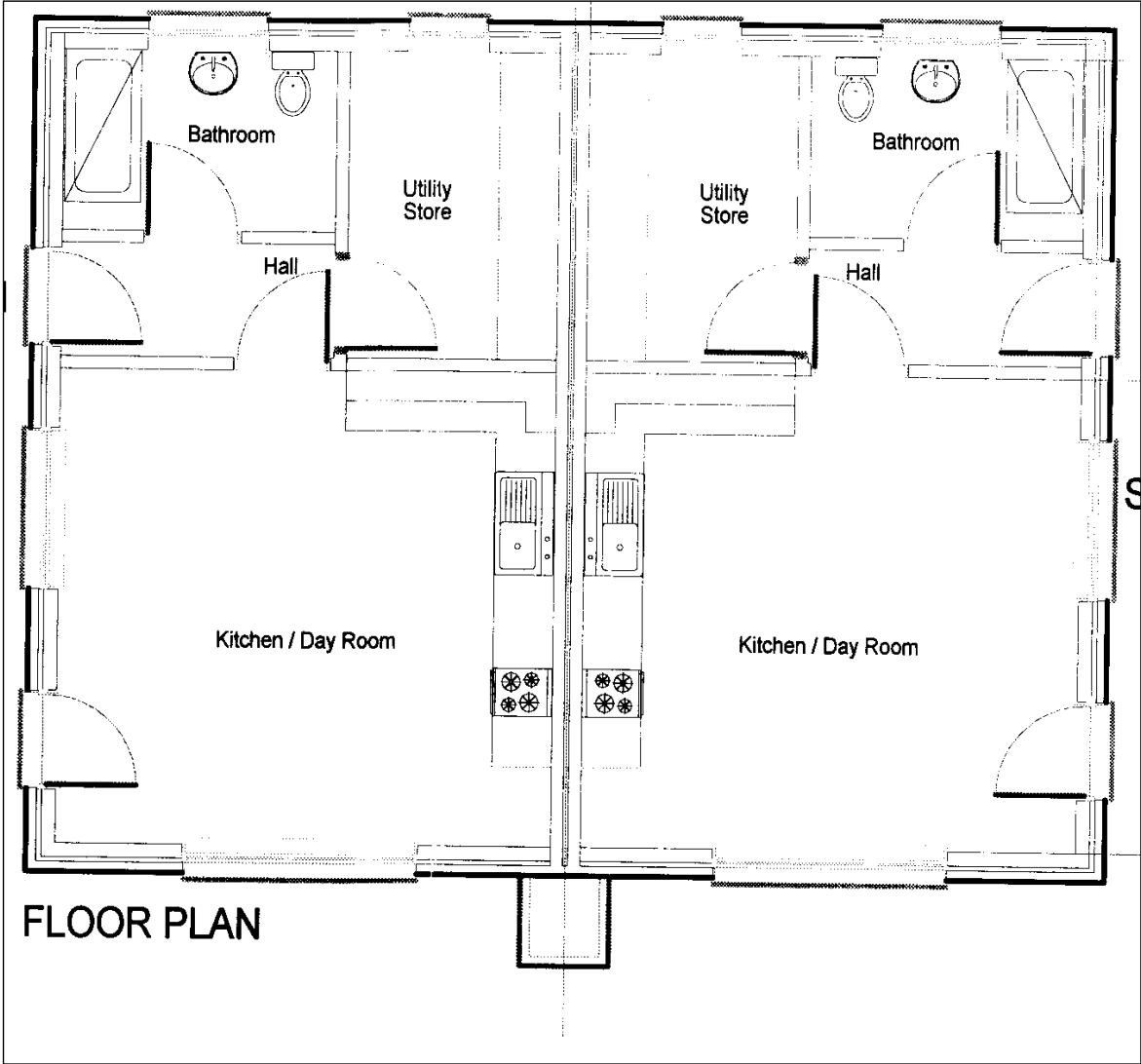




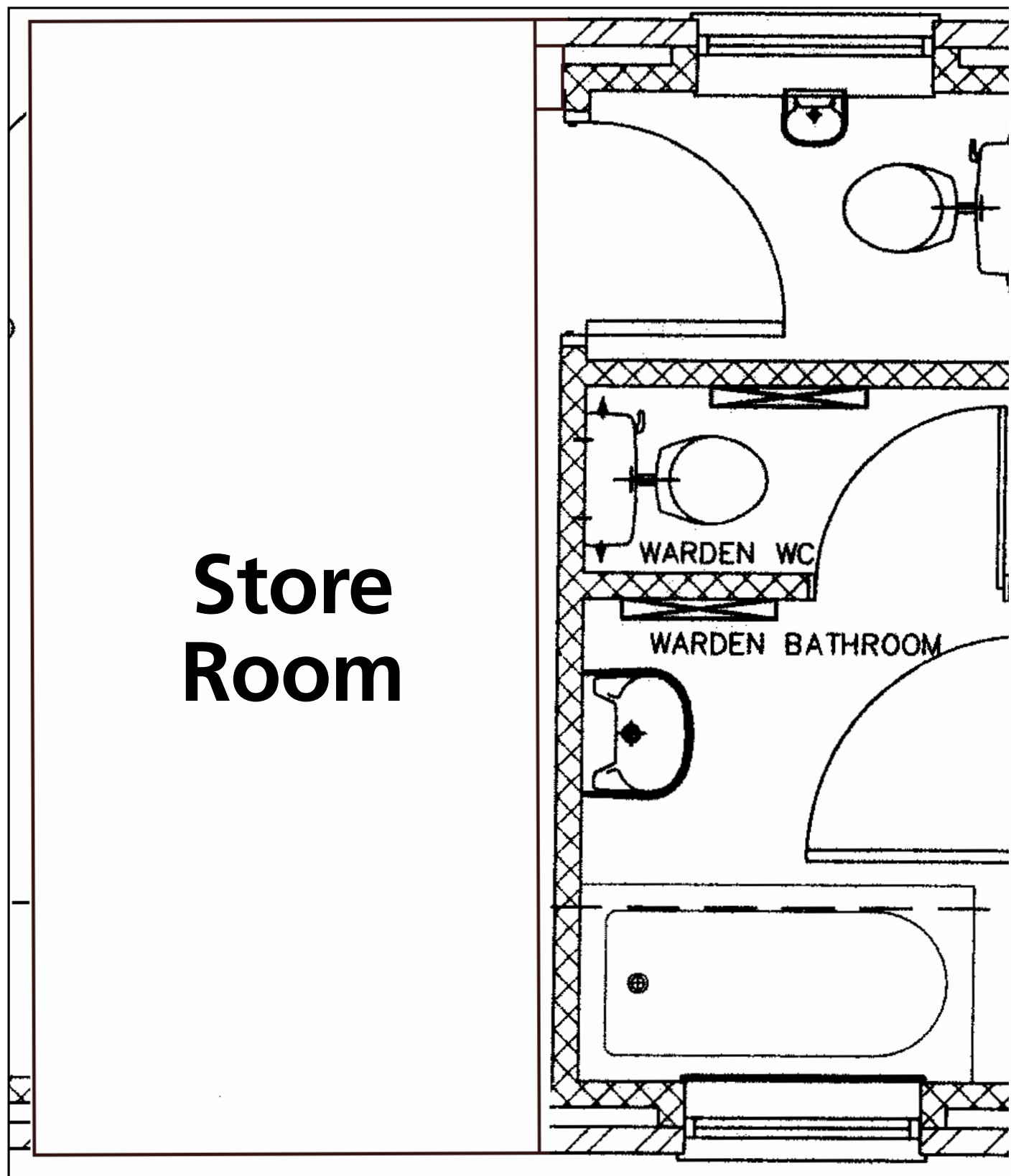
Annex B.5 Site manager's office – permanent site (see para 4.35)

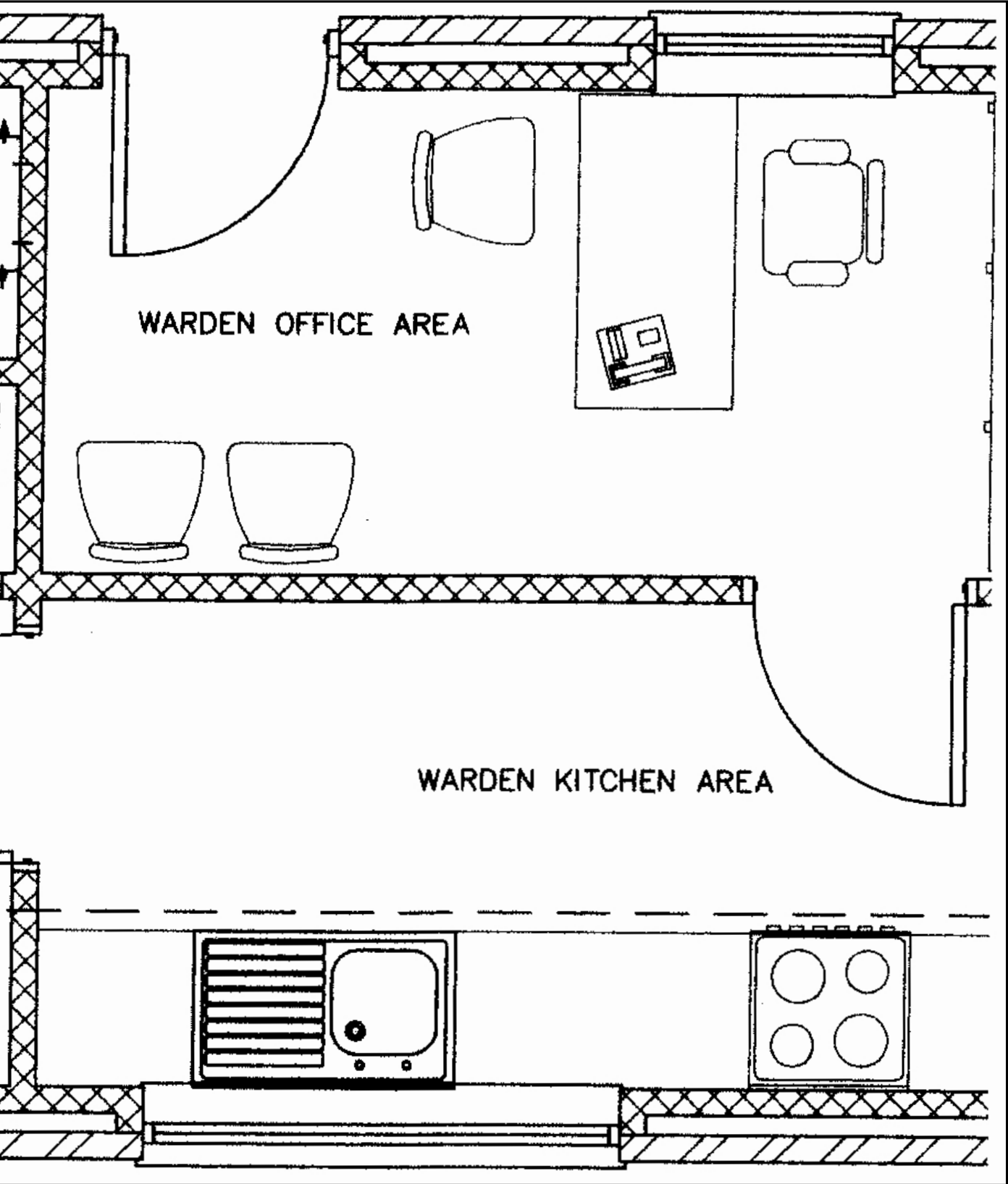


Annex B.6 Pair of amenity buildings – permanent site (see para 7.19)

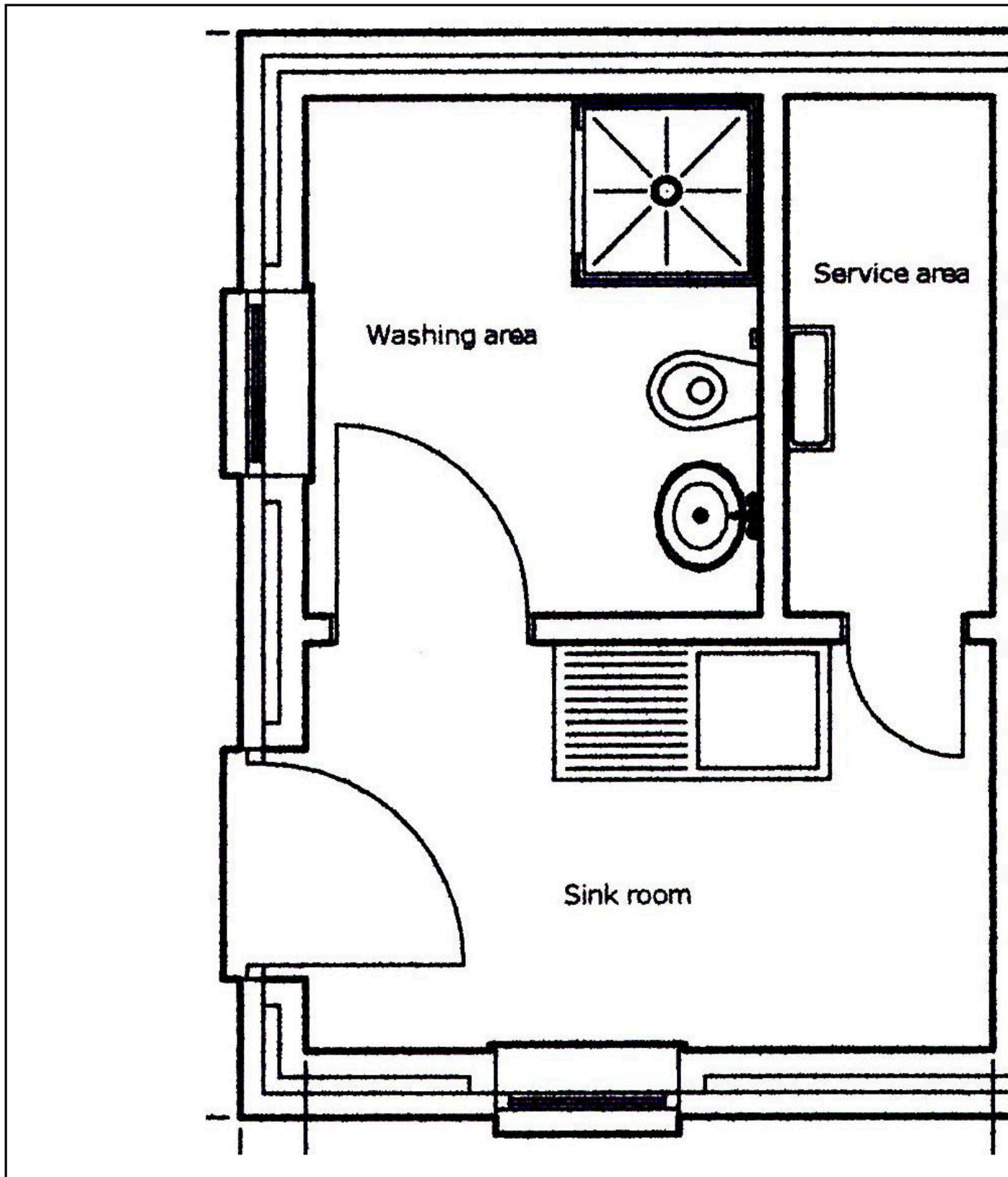


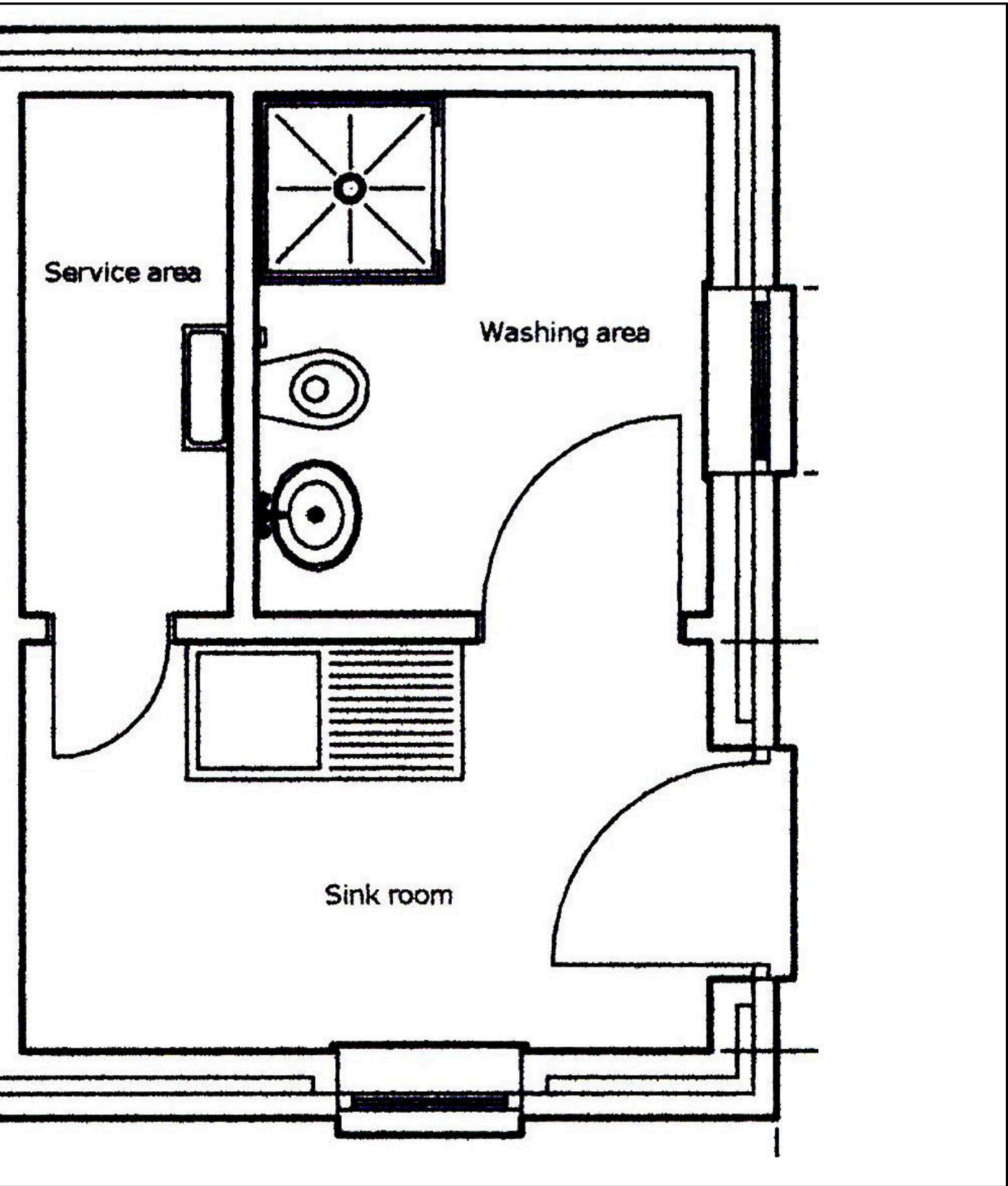
Annex B.7 Resident warden's office and accommodation – transit site (see para 8.15)





Annex B.8 Pair of amenity buildings – transit site (see para 8.29)





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Appendix B: Costs of Cottingley Springs

<u>Costs</u>	<u>2002/03</u>	<u>2003/04</u>	<u>2004/05</u>	<u>2005/06</u>	<u>2006/07</u>	<u>2007/08</u>	<u>2008/09</u>	<u>2009/10</u>	<u>2010/11</u>	<u>Total</u>
	£	£	£	£	£	£	£	£	£	£
Staffing - assume	29,472	50,125	63,610	74,522	68,659	52,118	52,261	59,659	62,588	513,013
Premises Costs	89,878	90,721	34,632	40,083	43,191	115,128	89,853	103,292	122,990	729,768
Supplies & Services	1,269	5,098	3,519	1,400	1,518	1,062	660	1,945	3,668	20,139
Fuel/Transport	3,156	4,295	2,735	4,302	5,050	3,177	2,807	2,241	3,632	31,394
Overheads	-	1,942	6,091	10,786	12,813	14,543	8,152	9,248	9,176	72,750
Receipts										
	-190,168	-203,307	-187,376	-185,147	-218,662	-226,790	-231,903	-233,254	-253,980	-1,930,587
Total Costs	- 66,393	- 51,128	- 76,790	- 54,054	- 87,433	40,762	- 78,169	- 56,869	- 51,926	- 563,523

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Appendix C: 2009/10 GTSG PROGRAMME - AVERAGE COST PER PITCH - NEW/ADDITIONAL/REFURB

NEW PITCHES

Region	Grant	Total pitches on site	New/ additional pitches	New/ additional/ refurb	Grant per pitch	
South West	£77,250	5	5	New	£15,450	
Yorkshire & Humberside	£43,986	2	2	New	£21,993	
East of England	£326,155	9	9	New	£36,239	
North East	£512,549	6	6	New	£85,425	
Yorkshire & Humberside	£1,160,000	10	10	New	£116,000	
North East	£583,009	5	5	New	£116,602	
East Midlands	£475,000	4	4	New	£118,750	
South West	£956,856	8	8	New	£119,607	
South West	£839,051	7	7	New	£119,864	
North West	£1,541,000	12	12	New	£128,417	
East Midlands	£2,891,102	20	20	New	£144,555	Rejected by Secretary of State
South East	£1,163,100	8	8	New	£145,388	Rejected by Secretary of State
South West	£1,455,355	10	10	New	£145,536	Rejected by Secretary of State
South East	£2,609,000	18	10	New	£144,944	Rejected by Secretary of State

ADDITIONAL PITCHES

Region	Grant	Total pitches on site	New/ additional pitches	New/ additional/ refurb	Grant per pitch
East of England	£279,786	18	2	Additional	£15,544
North West	£278,362	15	2	Additional	£18,557
South West	£418,163	19	2	Additional	£22,009
East of England	£475,000	21	3	Additional	£22,619
North East	£935,007	22	1	Additional	£42,500
West Midlands	£999,600	23	5	Additional	£43,461
East Midlands	£1,248,571	21	2	Additional	£59,456
Yorkshire & Humberside	£1,214,139	20	10	Additional	£60,707
West Midlands	£1,063,000	16	1	Additional	£66,438
East of England	£1,101,051	16	1	Additional	£68,816
South East	£358,072	5	1	Additional	£71,614

REFURBISHED PITCHES

Region	Grant	Total pitches on site	New/ additional pitches	New/ additional/ refurb	Grant per pitch
South East	£106,130	10	0	Refurb	£10,613
South East	£371,728	16	0	Refurb	£23,233
Yorkshire & Humberside	£740,000	10	0	Refurb	£74,000
South East	£850,000	10	0	Refurb	£85,000

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Appendix D: Estimated revenue costs of new pitch provision in Leeds

- 1.1 The following table has been produced by Environment and Neighbourhoods Finance Section. The figures are based on the current revenue costs/income at Cottingley Springs and produce an estimated revenue cost per pitch of -£46.97. This figure does include receipts for rent. The cost per pitch before revenue received is £5,641.00. Based on current provision however each pitch would receive £5688.00 rental income.
- 1.2 The figures produced by Finance however do need to be treated with some caution as certain assumptions have been made. For example the same pro-rata staffing costs have been assumed. Government changes to housing benefit might impact on assumed receipts (please note, a request has been made to the Leeds Benefits Service to provide any available information on the likely impact of benefit changes on traveller sites). These figures also assume that non-controllable overheads are applied pro-rata whereas it is likely that a more detailed analysis based on staffing time supporting the service might vary the figure. Finally the figures assume full occupancy.
- 1.3 Using these figures, the cost of providing an additional 10 pitches would produce a surplus of £496.70 per annum and for a 50 pitch site the annual revenue surplus would be £2,348.50. This revenue projection needs to be read in conjunction with capital costs outlined in Appendix C.

<u>Costs</u>	<u>Apportionment</u>	<u>2010/11</u> £
Staffing - assume	40%	62,588
Premises Costs Supplies & Services	40%	122,990 3,668
Fuel/Transport	40%	3,632
Overheads	40%	9,176
Capital Charges		29,240
Receipts		- 233,220
Total Costs		- 1,926
Number of Pitches		41
Average annual receipt per Pitch		-£46.97

Appendix F: Information from other Local Authorities Gypsy and Traveller Services

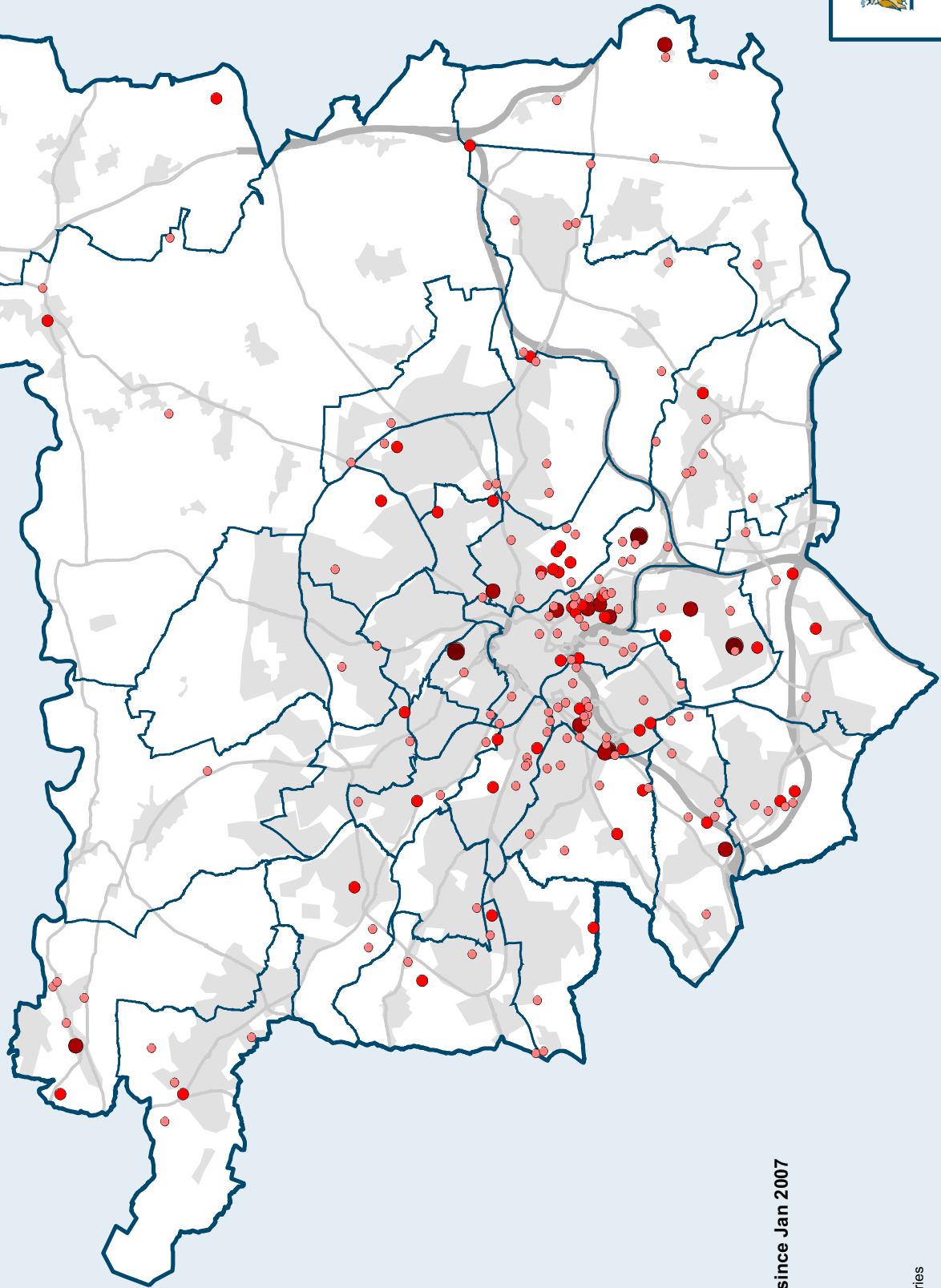
	Leicester UA and Leicestershire CC
How many authorised sites/pitches are in their LA area?	44 pitches over 3 sites.
Number of caravans per pitch	Total capacity for 75 caravans. 1.7 caravan per pitch
Are any of these transit sites?	No
How many unauthorised encampments do they have each year?	78 in 2009. 77 in 2010.
Any plans for new site development?	<p>Have put forward many plans for site development over the years all of which have failed in some way or another.</p> <p>Two firm proposals put forward for Gypsy and Traveller sites grant. Grant withdrawn and the applications returned.</p>
Do they have any protocols/agreement with Police around managing unauthorised encampments?	Service level agreement which is part of the legal compact with the police, health authority and the district borough and city councils in Leicestershire.
What is the authority's general approach to unauthorised camping?	General policy is to enforce in a firm but fair way with toleration to those camps that can abide by the code and swift action if not, (typically 5 - 7 days) also make it clear to groups that should they park on public parks playing fields or nature reserves the police will use s61 immediately (subject to the criteria being met) Take photos of the sites when the Travellers arrive and when they leave to record any mess left (this has improved the condition of 75% of the sites considerably). Use this information when assessing toleration in relation to future encampments.

Doncaster	
How many authorised sites/pitches are in their LA area?	There are 4 permanent sites with 49 pitches in total and 1 Transit site with 10 pitches.
Number of caravans per pitch	The permanent sites have a capacity of 88 caravans (1.8 caravans per pitch) The transit site has capacity for 10 caravans (1 per pitch)
Are any of these transit sites?	1 Transit site – currently not used.
How many unauthorised encampments do they have each year?	Since April 2009 until the present there has been 72 unauthorised encampments
Any plans for new site development?	No plans for future sites until/unless funding is reinstated from the Government
Do they have any protocols/agreement with Police around managing unauthorised encampments?	Working with South Yorkshire police on a policy regarding this, who have a protocol written and are inputting into it.
What is the authority's general approach to unauthorised camping?	No working transit site or official stopping places at the moment therefore using a toleration policy. Carry out normal health checks and make an informed decision on how long people want to stay, where they are parked and so on. Doncaster work in partnership with the police.

North Yorkshire	Hambleton	Harrogate	Richmondshire	Ryedale	Selby
How many authorised sites/pitches are in their LA area?	2 sites, 32 pitches.	2 Sites, 40 pitches in total.	1 site with 12 pitches.	1 site with 13 pitches.	2 sites, 24 pitches.
Number of caravans per pitch	Total capacity of 32 caravans. 1 per pitch	Total capacity of 40 caravans. 1 per pitch	Total capacity of 12 caravans. 1 per pitch	Total capacity of 26 caravans. 2 per pitch.	Total capacity of 48 caravans. 2 per pitch
Are any of these transit sites?	None	Both sites, in theory but not used as such.	6 pitches on their site are transit provision.	Hoping to get a transit site for 2 weeks of the year only.	None
How many unauthorised encampments do they have each year?	Not available.	19 encampments since February.	1 encampment as a lot of Travellers pass when travelling to Appleby Fair.	Approx 2 per year.	Not available.
Any plans for new site development?	Not available	Plans for 14 pitches.	None. GTAA suggests 3 extra pitches.	No funding for 9 pitches and 2 showman pitches.	Plans for new site. To hold an open day for public.
Do they have any protocols/agreement with Police around managing unauthorised encampments?	Not available	Have a joint working relationship with the police.	Police not used.	Yes	Not available.
What is the authority's general approach to unauthorised camping?	Not available.	Follow government guidance. Also advise private land owners.	Follow guidance.	Negotiation	Not available.

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Traveller Encampments Number of Encampments

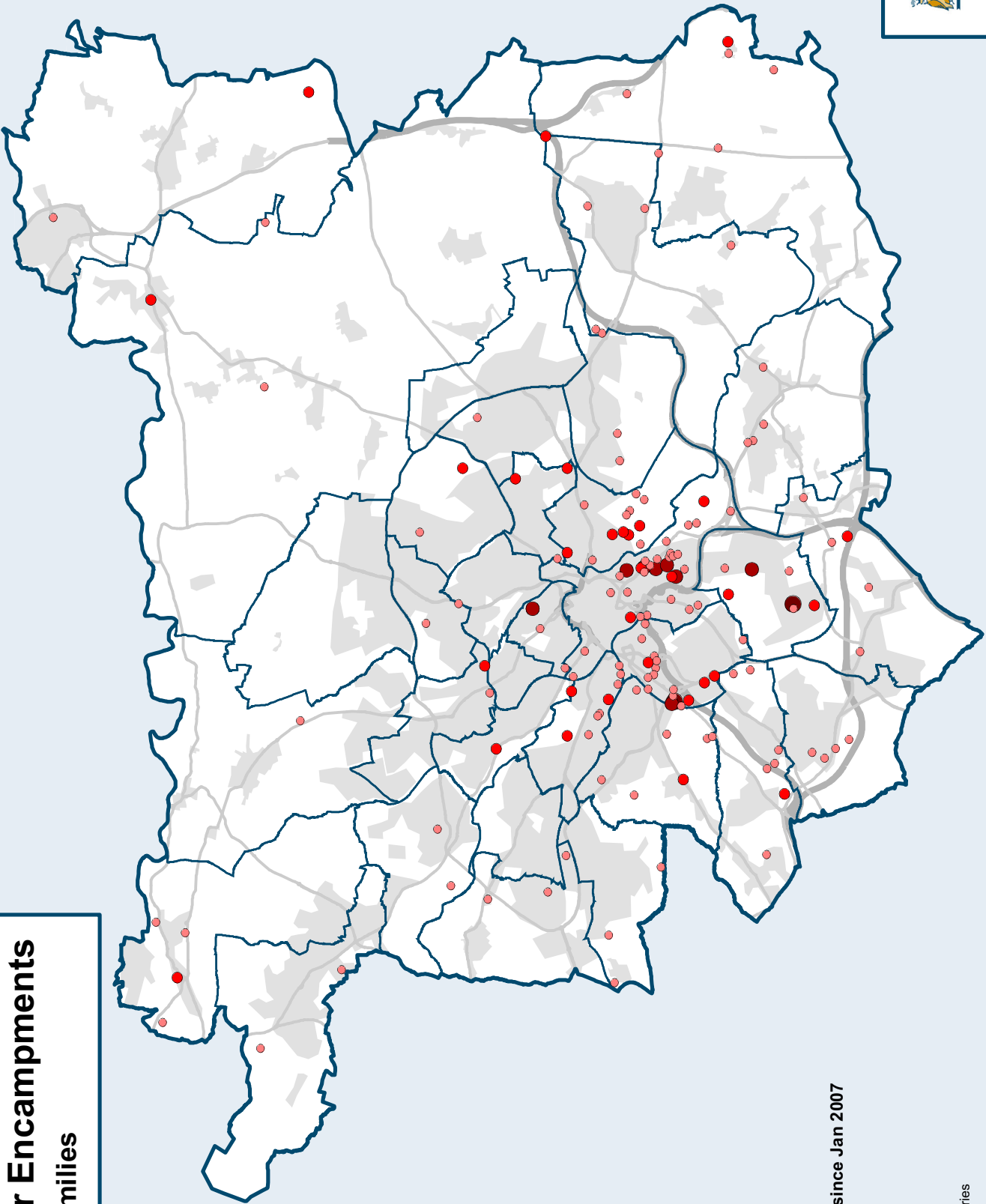


- Legend**
- Encampments since Jan 2007**
- 1
 - 2 - 3
 - 4 - 6
 - 7 - 8
- Ward Boundaries



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Traveller Encampments Known Families



Legend

Encampments since Jan 2007

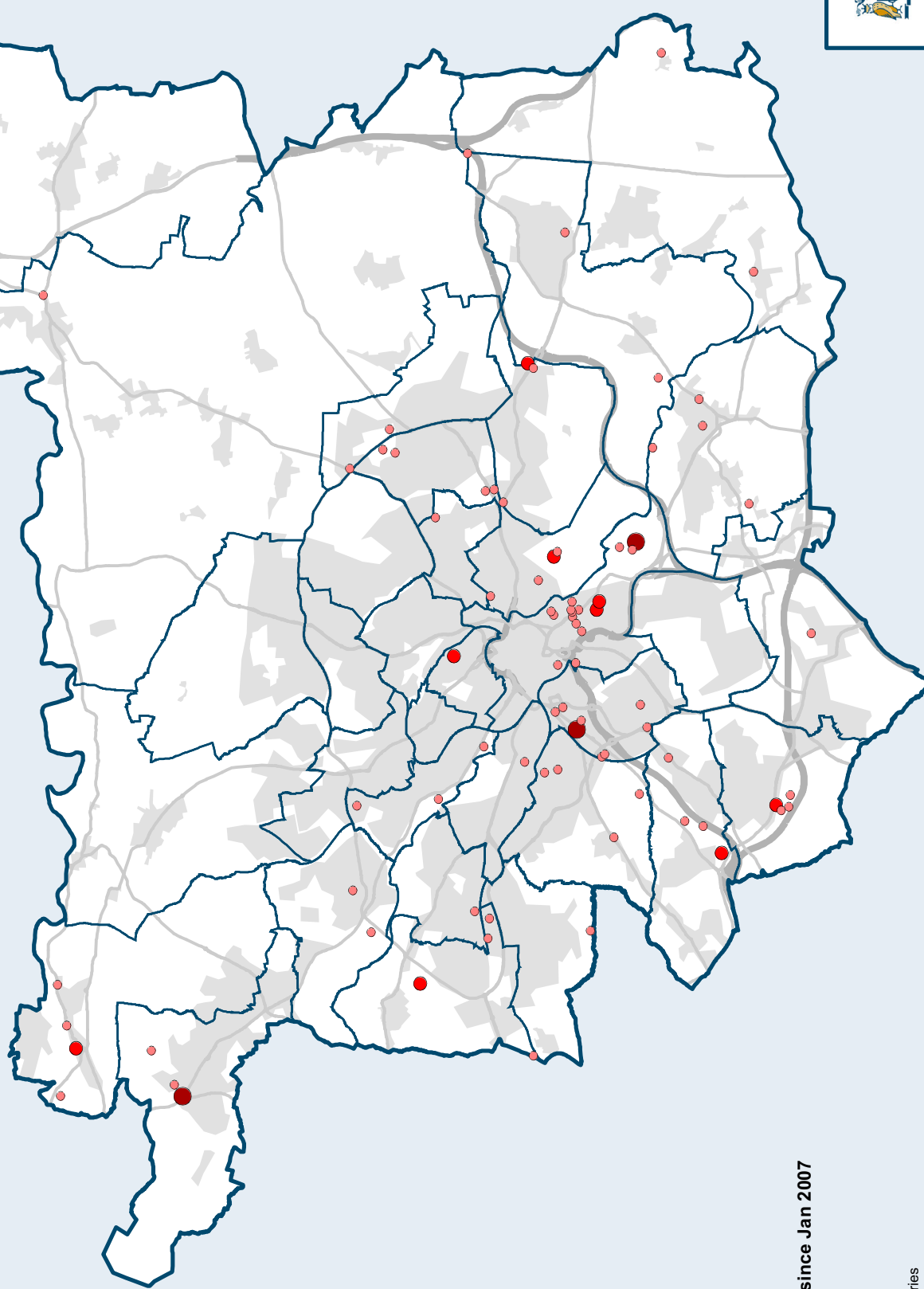
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Ward Boundaries



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Traveller Encampments Unknown Families



Legend
Encampments since Jan 2007

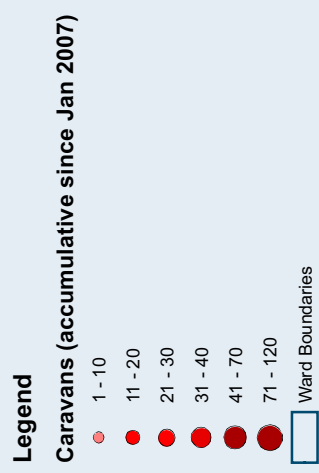
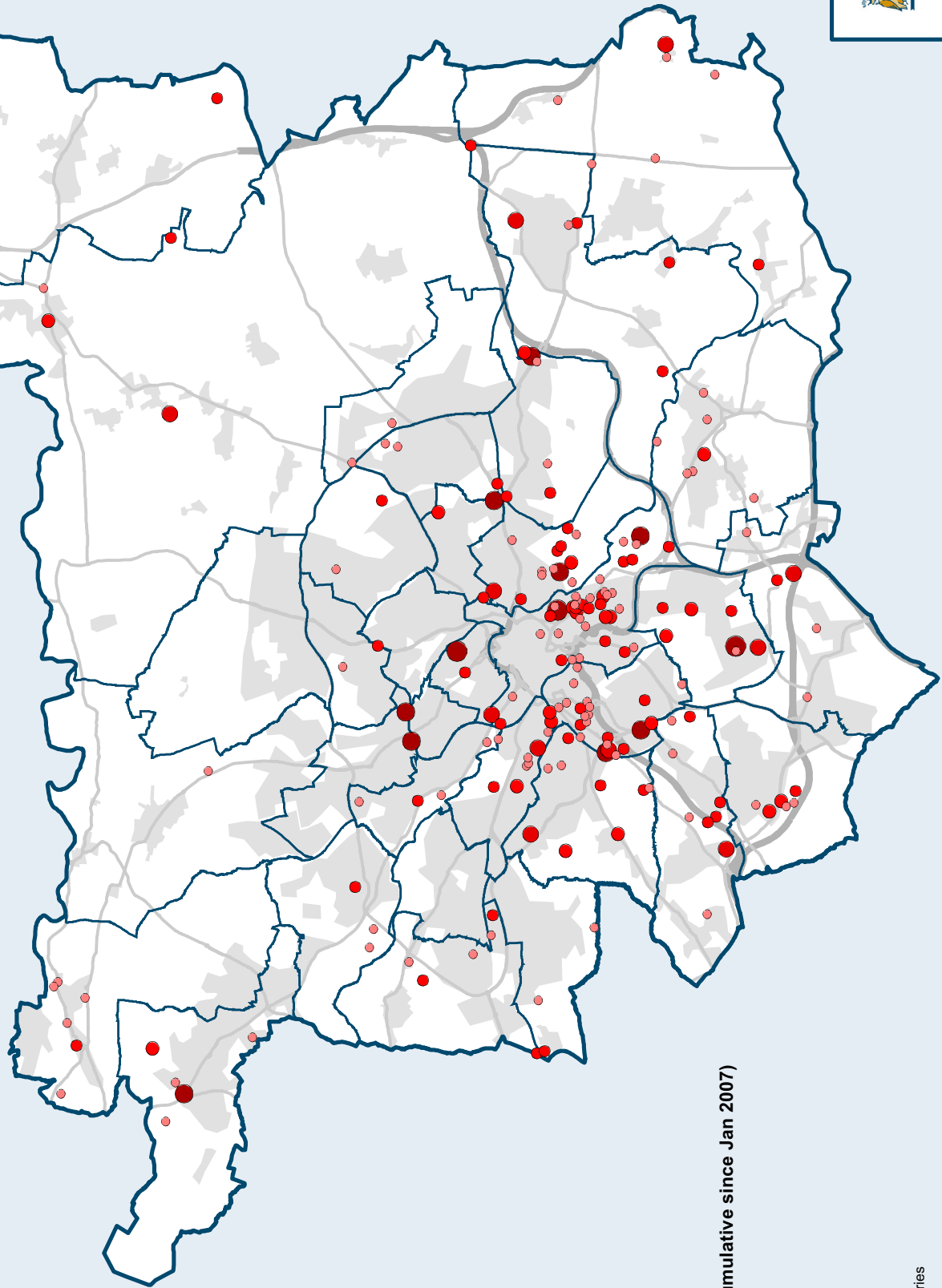
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Ward Boundaries



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Traveller Encampments Number of Caravans (accumulative)



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Report of the Head of Scrutiny and Member Development

Scrutiny Board (Environment and Neighbourhoods)

Date: 2nd December 2010

Subject: Work Programme, Executive Board Minutes and Forward Plan of Key Decisions

Electoral Wards Affected: All

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

1.1 Attached as Appendix 1 is the current work programme for this Scrutiny Board. This has been amended to take into account discussions held at the last meeting.

1.2 Also attached as Appendix 2 and 3 respectively are the latest Executive Board minutes and the Council's current Forward Plan relating to this Board's portfolio.

2.0 Recommendations

2.1 Members are asked to;

- (i) Note the Executive Board minutes and Forward Plan
- (ii) Agree the Board's work programme

Background Papers

None used

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SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Meeting 2nd December 2010*		Reports required by 22nd November 2010	
<ul style="list-style-type: none"> This is an additional Scrutiny Board Meeting to hear principally from witnesses attending to give evidence to the Board's Inquiry on Gypsy and Traveller Site provision within Leeds. 			
Session 2 Inquiry on Gypsy and Travellers site provision within Leeds	In accordance with the approved terms of reference to hear from a number of witnesses who have been invited to give evidence to the Board	Witnesses include representatives from Leeds Gypsy and Traveller Exchange (GATE), New Wortley Residents Association and a representative from the gypsy and travellers	RP
Meeting date: 6th January 2011*		Reports required by 19th December 2010	
<ul style="list-style-type: none"> * This meeting is the Scrutiny Board meeting scheduled for the 13th December which was postponed due to the fact that the Government delayed the announcement of the Budget allocation until 15th December 2010. 			
Session 3 - Inquiry on Gypsy and Travellers site provision within Leeds	To consider the Working Group's draft report and recommendations on gypsy and travellers site provision within Leeds.	The terms of reference for this inquiry were considered by the Scrutiny Board on 11 th October 2010.	RP
Initial Budget Proposals by the Executive Board for 2011/12	To consider the Executive Board's initial budget proposals for 2011/12 to be published on 15 th December 2010	The Scrutiny Board is invited to comment on the Executive Board's proposals by 21 st January 2011.	RP/DP

SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Variations against Departmental Budget	To receive a report on variations against departmental budget for 2010/11 (Months 7 & 8)	The Board agreed in September 2010 to receive regular updates on variations against the departmental budget for the main vote heads.	PM
Formal Responses to Previous Scrutiny Inquiry Worklessness	To consider the formal response to the Board's inquiry into Worklessness.	To be considered after the spending review announcement. This report to be referred to a Member Working Group comprising Cllrs Anderson, G Hyde, R Grahame, Mulherin and Ewens. The Director would like to report on this to the full Scrutiny Board now on 6 th January 2011.	DP
Formal Responses to Previous Inquiry IOM	To consider the formal response to the Board's previous inquiry into Integrated Offender Management. (IOM).	To consider comments from all our partners	DP
Possible Inquiry on acquisitive crime with focus on domestic burglary	The Chief Officer, Community Safety, Superintendent Simon Whitehead has been invited to attend the meeting to talk about the performance indicators and respond to members questions in order to determine whether to undertake an inquiry on this issue.	The Scrutiny Board was asked to agree an inquiry on this issue but Members requested to meet with the relevant officer to discuss this further, particularly as burglary figures have reduced.	PM

SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Meeting date: 17 th January 2011		Reports required by 21 st December 2010	
Inquiry on acquisitive crime with focus on domestic burglary	To consider terms of reference for an inquiry on high levels of burglary in parts of the city subject to the outcome of the meetin	Improvement priority creating safer environment by tackling crime Crime and Disorder responsibility	RP
Recommendation Tracking	This item tracks progress with previous Scrutiny recommendations on a quarterly basis		MSR
Vision, LSP and Business Plan priorities	Agree composite response to go to Executive Board.	This could be moved to the February Board meeting	RP
Variances against Departmental Budget	To receive a report on variances against departmental budget for 2010/11.	The Board agreed in September 2010 to receive regular updates on variances against the departmental budget for the main vote heads.	PM

SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Meeting date: 14th February 2011		Reports required by 26th January 2011	
Variances against Departmental Budget	To receive a report on variances against departmental budget for 2010/11.	The Board agreed in September 2010 to receive regular updates on variances against the departmental budget for the main vote heads.	PM
Meeting date: 14th March 2011		Reports required by 23rd February 2011	
Performance Management	To consider Quarter 3 information for 2010/11 (Oct-Dec)	All Scrutiny Boards receive performance information on a quarterly basis.	PM
Variances against Departmental Budget	To receive a report on variances against departmental budget for 2010/11.	The Board agreed in September 2010 to receive regular updates on variances against the departmental budget for the main vote heads.	PM
Meeting date: 11th April 2011		Reports required by 23rd March 2011	
Annual Report	To agree the Board's contribution to the annual scrutiny report.		

SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Variiances against Departmental Budget	To receive a report on variiances against departmental budget for 2010/11.	The Board agreed in September 2010 to receive regular updates on variiances against the departmental budget for the main vote heads.	PM

Key:

CCFA / RFS – Councillor call for action / request for scrutiny	B – Briefings (Including potential areas for scrutiny)
RP – Review of existing policy	SC – Statutory consultation
DP – Development of new policy	CI – Call in
MSR – Monitoring scrutiny recommendations	PM – Performance management

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Suggested Areas for Scrutiny Currently Unscheduled			
Procurement of the Grounds Maintenance Contract for 2011	To continue to oversee the procurement process for the new grounds maintenance contract.	The Board produced an interim Statement in January 2010 with a view to continuing to oversee the procurement of the new grounds maintenance contract.	RP
Future options for Council Housing	To monitor developments in relation to future options for Council Housing.	This was a referral from the Central and Corporate Functions Scrutiny Board last year.	RFS
Vacant Housing	To consider a report on vacant housing	To determine whether the Board wishes to undertake a review of this matter	RP

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EXECUTIVE BOARD

WEDNESDAY, 3RD NOVEMBER, 2010

PRESENT: Councillor K Wakefield in the Chair

Councillors A Blackburn, J Blake, A Carter,
S Golton, P Gruen, R Lewis, T Murray,
A Ogilvie and L Yeadon

Councillor J Dowson – Non-voting Advisory Member

96 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) The appendix to the report referred to in Minute No. 109 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix details the cost estimate for constructing the arena based on the RIBA Stage D+ design and specifications and reviews the funding strategy for the development of the building. It is considered that the public interest in maintaining this information as exempt outweighs the public interest in disclosing the information, as disclosure would prejudice the outcome of the procurement process for the appointment of the contractor to undertake the building works contract, as the contractor could structure their tender to match the Council's cost estimate and hence the Council may not achieve full value for money in terms of the cost to the Council of developing the arena.

97 Late Items

There were no late items as such, however, it was noted that supplementary information had been circulated to Board Members following the despatch of the agenda as follows:-

- (a) A revised set of recommendations in addition to supplementary information regarding attendance levels for Learning Disability Fulfilling Lives service provision, both of which were in respect of the item entitled, 'Transforming Day Opportunities for Adults with Learning Disabilities' (Minute No. 113 refers).
- (b) Supplementary information in the form of a 'Map Book' document, which related to the item entitled, 'Natural Resources and Waste Development Plan Document: Publication Draft' (Minute No. 108 refers).

- (c) Supplementary information providing several points of clarification in respect of the submitted report from the viewpoint of the deputation to Council on 15th September 2010, regarding local residents' concern at access to Throstle Nest Villa, Horsforth (Minute No. 107 refers).

98 Declaration of Interests

Councillors A Carter, Golton, Murray, Ogilvie, R Lewis and Blake all declared personal interests in the item relating to the future of Council Housing (Minute No. 111 refers), due to their respective positions as either a Board Director or an Area Panel member of an Arms Length Management Organisation (ALMO) or Belle Isle Tenant Management Organisation (BITMO).

A further declaration of interest was made at a later point in the meeting. (Minute No. 111 refers).

99 Minutes

RESOLVED – That the minutes of the meeting held on 13th October 2010 be approved as a correct record.

RESOURCES AND CORPORATE FUNCTIONS

100 Government Spending Review 2010

The Director of Resources submitted a report providing information about the Government's announcement on 20th October 2010 in respect of its Spending Review. The report highlighted the overall implications for Local Authorities and detailed proposals for the development of the Council's budget setting process, including the proposed delivery of a consultation exercise.

RESOLVED –

- (a) That the details of the Spending Review, as detailed within the submitted report, be noted.
- (b) That the approach to stakeholder engagement and related budget timetables, as outlined within the submitted report and appendix, be approved, subject to the final review of the consultation document.

101 Treasury Management Strategy Update 2010/2011

The Director of Resources submitted a report providing a review of, and update on the Treasury Management Strategy for 2010/2011 which was approved by Executive Board on 12th February 2010.

RESOLVED – That the update on the Treasury Management borrowing and investment strategy for 2010/2011 be noted.

102 Capital Programme Update 2010 - 2014

The Director of Resources submitted a report summarising the financial details of the 2010/2011 month 6 Capital Programme position. In addition, the report also sought approval to transfer some schemes to the reserved Capital Programme, following the conclusion of the capital review and detailed the action being taken in respect of individual capital schemes to ensure that the

overall level of the Capital Programme expenditure could be managed within the ever changing resource position.

Following Members' comments, it was suggested that further consideration was given to the capital programme by the cross-party Member Working Group recently established to consider the Council's budget setting process, with formal representations being made to the Secretary of State for the Department for Communities and Local Government on behalf of the Council in support of key investment decisions which were dependent upon further Government approval.

RESOLVED –

- (a) That the latest position on the general fund and Housing Revenue Account capital programmes be noted.
- (b) That the transfer to the reserved capital programme of those schemes classified as 'red' within Appendix B to the submitted report, be approved.
- (c) That further business cases be considered in relation to schemes classified as 'amber' within Appendix B to the submitted report.
- (d) That the transfer of £250,000 from the reserved to the funded programme in relation to the Kirkgate Market business support scheme be approved.
- (e) That an injection into the capital programme of £750,000 be agreed, and that authority be given to spend of £598,000 on the replacement of vehicles, the revenue cost of which is provided for within ALMO budgets.
- (f) That authority be given to spend of £685,000 on equipment purchases within the Parks, Sport and Adult Social Care services.
- (g) That an injection into the capital programme and authority to spend of £208,200 for East Leeds Household Waste Site funded through a government grant of £188,200 and third party funding of £20,000 be agreed.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton respectively required it to be recorded that they abstained from voting on the decisions referred to within this minute).

103 Financial Health Monitoring 2010/2011 - Half Year Report

The Director of Resources submitted a report outlining the financial health position for 2010/2011 at the half way stage of the financial year. In addition, the report detailed revenue expenditure and income projected to the year end, whilst highlighting other key financial indicators including Council Tax collection and the payment of creditors.

Members discussed the budgetary pressures specifically within Adult Social Care, with reference being made to the closer working relationships required to be established with the NHS and other health service providers.

Having made reference to the costs incurred by Local Authorities in respect of court fees when obtaining court orders as part of Councils' statutory duties, it was suggested that formal representations were made on this issue to the Secretary of State for Children, Schools and Families on behalf of this Council.

RESOLVED –

- (a) That the projected financial position of the authority after six months of the financial year be noted, and that Directorates be requested to continue to develop and implement action plans which are robust and which will deliver a balanced budget by the year end.
- (b) That further to (a) above, the actions which Directorates are currently taking, including using identified underspends to offset projected areas of overspend be noted.
- (c) That approval be given to the release of £733,000 from the Housing Revenue Account Reserve to fund the cost of a replacement Care Ring emergency alarm scheme, and the injection of the same amount into the Capital Programme.
- (d) That approval be given to the virements within Adult Social Care, as detailed within paragraph 3.4 of the submitted report.

104 Licensing Act 2003 - Statement of Licensing Policy

The Assistant Chief Executive (Corporate Governance) submitted a report presenting the outcomes arising from the review and public consultation exercise undertaken in respect of the Licensing Act 2003 Statement of Licensing Policy 2011–2013 and which invited the Board to recommend the formal approval of the Policy to full Council.

Following Members' references regarding the current levels of access to alcohol in the city, officers undertook to provide the relevant Members with responses to their specific enquiries regarding the possible actions which could be taken to address issues relating to the operating hours of licensed premises, and the high concentration of such premises in certain areas.

RESOLVED –

- (a) That the responses to the consultation undertaken and the Final Consultation Report, as detailed within Appendix 2 to the submitted report be noted, that the proposed responses to the consultation exercise be endorsed, and that full Council be recommended to approve such responses as the Council's formal response to the matters raised during the consultation.

- (b) That the revised draft Statement of Licensing Policy, as set out within Appendix 1 to the submitted report be noted, and that full Council be recommended to approve this document as the final Policy under the Licensing Act 2003.
- (c) That the decisions detailed at (a) and (b) above be exempt from the provisions of Call In, due to being matters reserved to Council.

105 Scrutiny Board Recommendations

The Chief Democratic Services Officer submitted a report providing a summary of the responses to Scrutiny Board recommendations received since the last Executive Board meeting.

RESOLVED – That the responses to the recommendations of the Scrutiny Board (Health), as detailed within the submitted report, be noted.

DEVELOPMENT AND REGENERATION

106 Deputation to Council - Wetherby Town Council Seeking Provision of a Mini-Roundabout at the Top of Crossley Street, Wetherby

The Acting Director of City Development submitted a report in response to the deputation to Council on 21st April 2010 from Wetherby Town Council regarding support for the provision of a mini-roundabout at the junction of A661, Spofforth Hill and Linton Road.

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That the provision of a mini-roundabout at the junction of the A661, Spofforth Hill and Linton Road be supported in principle.
- (c) That the provision of £30,000 of the scheme costs from Highways and Transportation budgets be supported.
- (d) That agreement be given to the scheme being injected into the programme, subject to the remaining verbally agreed £25,000 of the costs which is coming from local funding being confirmed in writing.

107 Deputation to Council - Local Residents Concerned at Access to Throstle Nest Villa, Horsforth

The Chief Planning Officer submitted a report in response to the deputation to Council on 15th September 2010 from local residents regarding their concerns in respect of access to Throstle Nest Villa, Horsforth.

Supplementary information providing several points of clarification from the viewpoint of the deputation in respect of the submitted report had been circulated to Board Members following the despatch of the agenda.

RESOLVED – That the response to the deputation, as detailed within the submitted report, be noted.

108 Natural Resources and Waste Development Plan Document: Publication Draft

The Acting Director of City Development submitted a report presenting the Leeds Local Development Framework Natural Resources and Waste Development Plan Document for consideration and which invited the Board to consider the recommendation of the Development Plan Panel to approve the document for the purposes of publication and public participation.

A 'Map Book' which accompanied the Leeds Local Development Framework Natural Resources and Waste Development Plan Document had been circulated to Board Members in advance of the meeting for their consideration.

Following a brief discussion, Members received responses to their enquiries regarding the opportunities for the Council in terms of energy generation.

RESOLVED – That the recommendation of the Development Plan Panel be noted, and that approval be given to the Natural Resources & Waste Development Plan Document, together with the sustainability appraisal report and other relevant supporting documentation, for the purposes of publication and public participation.

109 Design and Cost Report - Leeds Arena

Further to Minute No. 228, 7th April 2010, the Acting Director of City Development submitted a report providing an update on the progress made in pursuing the development of the arena at Clay Pit Lane, regarding proposals for a design and cost freeze at RIBA Stage D+ for the proposed development and seeking authorisation of related expenditure and letting of contracts.

Following consideration of the appendix to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- (a) That the progress made in pursuing the development of the arena at Clay Pit Lane, be noted.
- (b) That the design and cost freeze at RIBA Stage D+ for the proposed development of the arena at Clay Pit Lane, be approved.
- (c) That subject to the tender sum being within the project budget, authority be given to the letting of the contract to the preferred participating contractor (or the reserve contractor should the need arise) and the incurring of expenditure of £61,199,000 from existing budget provision (Capital Scheme No. 13307/COM/000) on the proposed development of the Leeds arena at Clay Pit Lane.

ENVIRONMENTAL SERVICES

110 Dog Control Orders

The Director of Environment and Neighbourhoods submitted a report outlining the outcome of the consultation exercise undertaken in respect of the Dog Control Order implementation process and which sought approval to implement specified Dog Control Order Powers under the Clean Neighbourhoods and Environment Act 2005 with effect from 1st January 2011.

RESOLVED –

- (a) That the proposals for Dog Control Orders, as contained within the submitted report, be approved, and that approval also be given to the project's progression to Phase 2.
- (b) That the following prescribed Dog Control Orders be approved:-
 - Limit the number of dogs which can be walked by a person to 6;
 - Exclude dogs from the prescribed areas as listed within the submitted report;
 - Introduce the 'dogs on leads by direction' Order.
- (c) That Scrutiny Board (Environment and Neighbourhoods) be requested to monitor the enforcement of the Dog Control Orders established at (a) and (b) above, with an update report being submitted to Executive Board in due course.
- (d) That a further report be submitted to the Board regarding the potential role which could be played by Area Committees in the development and the enforcement of the Dog Control Orders.

NEIGHBOURHOODS AND HOUSING

111 The Future of Council Housing

Further to Minute No. 168, 14th January 2009, the Director of Environment and Neighbourhoods submitted a report providing details of the outcomes from the Future of Council Housing Review, making recommendations both in relation to key reforms to the current system and also regarding a preferred model for Council house provision in Leeds, in addition to outlining proposals regarding a change in relationship between the Council and the ALMOs, with regard to pension liabilities.

With regard to the long term vision for the management of council housing provision in Leeds, the following options were outlined within the submitted report:-

1. Returning the management of the stock to the Council;
2. Transferring the ownership of the stock to a Housing Association, created for the purpose of the transfer;
3. A mixed approach which could involve ALMOs, PFI, transfer and return to the Council parts of the stock;
4. The continuation of an ALMO model.

RESOLVED –

- (a) That the continuation of the three ALMO model be supported.
- (b) That the establishment of the Strategic Governance Board and a Shared Services Centre, as set out within the submitted report, be agreed, subject to the addition of the Chair and the Chief Executive of Belle Isle Tenant Management Organisation (BITMO) to the membership of the Strategic Governance Board.
- (c) That the revisions to the Management Agreements and constitutions of the ALMOs, in order to reflect the role of the Strategic Board, be agreed.
- (d) That approval be given to phased implementation from 1st April 2011, with work beginning immediately on the change programme.
- (e) That the proposals for the future arrangements regarding the provision of FRS17 in relation to the ALMOs be agreed.
- (f) That the transfer of ALMO cash reserves not identified to be used to sustain their business plans to the Housing Revenue Account be agreed.
- (g) That the Director of Environment and Neighbourhoods together with the ALMO Chief Executives, be required to bring a report back to the March 2011 Executive Board, outlining the progress towards implementation of the above recommendations and the savings both achieved and planned.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he abstained from voting on the decisions referred to within this minute).

(Councillor A Blackburn declared a personal interest in this item, due to her position as a Director of West North West Leeds Homes ALMO)

ADULT HEALTH AND SOCIAL CARE

112 Deputation to Council - Unison Leeds Community Health regarding NHS Leeds and Social Enterprise

The Director of Adult Social Services submitted a report in response to the deputation to Council on 15th September 2010 from Unison Leeds Community Health regarding NHS Leeds and Social Enterprise.

RESOLVED –

- (a) That the response to the Unison Leeds Community Health deputation to Council be noted.

- (b) That no further action be taken in respect of the request that Executive Board refer this matter to Health Scrutiny on the grounds that arrangements are in place for Scrutiny Board (Health) to consider plans for the re-organisation of community health services in Leeds at its meeting on 23rd November 2010.
- (c) That it be noted that the Leader of the Council has written to NHS Leeds confirming the Council's support for Foundation Trust status for Leeds Community Healthcare based upon the integration of health and social care services.

113 Transforming Day Opportunities for Adults with Learning Disabilities

Further to Minute No. 180, 14th January 2009, the Director of Adult Social Services submitted a report regarding proposals to accelerate the programme aimed at transforming the delivery of day services for adults with learning disabilities by Adult Social Care in Leeds.

A revised set of the report's recommendations in addition to supplementary information regarding attendance levels for Learning Disability Fulfilling Lives service provision had been circulated to Board Members following the despatch of the agenda, but in advance of the meeting.

RESOLVED –

- (a) That the Board notes the progress made so far in the day services transformation programme, as approved by the Board in January 2009, particularly in relation to the successful re-provision of services at Moorend Fulfilling Lives Service and the next steps for West Ardsley by the end of 2011.
- (b) That the proposal to re-design the pattern of service provision to a maximum of two days per week for those who live in accommodation based services, be approved.
- (c) That the proposal to cease the delivery of day services from Horsforth and Wetherby by the end of 2011 and develop more local community based services in consultation with service users, their carers and a range of alternative service providers be noted, with a further report being provided to Executive Board in order to advise on the alternative community facilities to be used, prior to implementation.
- (d) That the Board notes the further review of both Potternewton and Ramshead Wood scheduled for early 2012, in order to determine which day centre could be re-provided once current and future need has been determined, with the outcome of the review being reported to Executive Board.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton respectively required it to be recorded that they abstained from voting on the decisions referred to within this minute).

114 Domiciliary Care Strategy and Reablement

Further to Minute No. 102, 21st October 2005, the Director of Adult Social Services submitted a report providing information on the provision of homecare services and outlined plans to further develop such services in line with the commissioning strategy and both national and local developments. The report also detailed plans to establish a reablement service in Leeds, in order to promote independence and ensure users remained within their community whilst reducing their need for long term health and social care.

RESOLVED –

- (a) That the contents of the submitted report be noted, specifically in terms of:-
- the plans and timescales for establishing a reablement service;
 - the proposals to further improve productivity and restructure the long-term in house homecare service;
 - the proposals to establish a partnership with Commercial Services for the future management of the long-term service.
- (b) That the Board notes a further report will be jointly produced by Adult Social Care and Commercial Services in July 2011, recommending the future strategic direction of the service, including options for the future provision of the long-term community support service.

DATE OF PUBLICATION: 5TH NOVEMBER 2010

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 12TH NOVEMBER 2010 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on 15th November 2010).

LEEDS CITY COUNCIL

FORWARD PLAN OF KEY DECISIONS

Extract relating to Scrutiny Board (Environments & Neighbourhoods)

For the period 1 December 2010 to 31 March 2011

Appendix 3

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Waiver report for a contract for whole house improvements under the Decent Homes standard to ALMO managed properties To agree to waive Contract Procedure rule 13.1 and agree a new contract for whole house improvements and structural repairs to cover the period from 1 January 2011	Director of Environment and Neighbourhoods	1/12/10	Previously undertaken with the ALMOs	None	Director of Environment and Neighbourhoods john.statham@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
<p>Belle Isle Tenant Management Organisation contract extension - waiver report Decision to permit extend current responsive repair contractor for 6 months until October 2011</p>	<p>Director of Environment and Neighbourhoods</p>	<p>1/12/10</p>	<p>Previously undertaken – BITMO Board</p>	<p>Report to decision panel</p>	<p>Director of Environment and Neighbourhoods chris.simpson@leeds.gov.uk</p>
<p>Golden Triangle Partnership extension scheme Award construction contract to George Hurst and Sons Ltd in line with procurement exercise</p>	<p>Director of Environment and Neighbourhoods</p>	<p>1/12/10</p>	<p>2 week ward member consultation across the following wards: Alwoodley, Otley and Yeadon, Wetherby and Harewood</p>	<p>Tender evaluation report (compiled by ERYC)</p>	<p>Director of Environment and Neighbourhoods lee.paton@leeds.gov.uk</p>

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Request to enter into a Supporting People Contract with St Anne's Community Services Floating Supported Living Service at a total contract value of approximately £260,284.24 per annum Authorisation to enter into a Supporting People Contract with St Anne's Community Services Floating Supported Living Service at a total contract value of approximately £260,284.24 per annum	Director of Environment and Neighbourhoods	1/12/10	n/a	Report to be presented to the Delegated Decision Panel	Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
<p>Farsley Andrew Street car park, toilet block and Ginnel: Re-development works</p> <p>Support the scheme design and implementation. Give authority to spend £283,100 from Town and District Centre Regeneration Scheme: Andrew Square Farsley 12154/AND/000</p>	<p>Director of Environment and Neighbourhoods</p>	<p>1/12/10</p>	<p>Consultation has already been undertaken with Local Councillors</p>	<p>Design and Cost report and feasibility study</p>	<p>Director of Environment and Neighbourhoods sam.woodhead@leeds.gov.uk</p>
<p>Restructure of Senior Management (JNC) within Environment and Neighbourhoods Directorate</p> <p>To approve the restructure of Senior Management (JNC roles) within Environments and Neighbourhoods Directorate</p>	<p>Director of Environment and Neighbourhoods</p>	<p>3/12/10</p>	<p>n/a</p>	<p>Delegated Decsion Report</p>	<p>Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk</p>

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Care Ring replacement programme Authority to spend on full scheme	Executive Board (Portfolio: Neighbourhoods and Housing)	15/12/10	Executive member, Chief Executives – Leeds ALMO's	The report to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods bridget.emery@leeds.gov.uk
Small scale solar photovoltaic initiative To endorse the development of a scheme to install a minimum of 1000 solar photovoltaic (PV) systems on Council Housing at zero capital cost, which will generate an income of £3.4m over 25 years	Executive Board (Portfolio: Neighbourhoods and Housing)	15/12/10	Environment and Climate Change Working Group (complete); CLT (complete); Strategic Landlord and ALMO Chief Officers (22 nd November); tenants (February 2011 onwards).	The report to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods george.munson@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
<p>Developing a Rent to Mortgage Housing Model</p> <ol style="list-style-type: none"> 1. Approve the implementation of a "Rent to Mortgage" scheme as set out in this report. 2. Approve in principle the disposal of ten properties to East North East Homes Limited on the terms set out in this report so as to facilitate the implementation of the Rent to Mortgage scheme. 3. Approve the eligibility criteria for participation in the scheme as annexed to this report. 4. Delegate the ability to make changes to the eligibility criteria to the Director of Environment and Neighbourhoods. 5. Subject to all necessary consents being obtained delegate the settlement of detailed terms for the leases to East North East Homes Limited to the Director of City Development. 6. Delegate the determination of the terms of the assured shorthold tenancy (including the amount of 	Executive Board (Portfolio: Neighbourhoods and Housing)	15/12/10	Ward member consultation, 2009	The report to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods maggie.gjessing@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
<p>Request to invoke the second one year extension to the Supporting People Contract currently held with Leeds Irish Health and Homes</p> <p>Authorisation to invoke the second 12 month extension to the 3(+1+1) year contract currently held with Leeds Irish Health and Homes at an annual value of £304, 547.65</p>	<p>Director of Environment and Neighbourhoods</p>	<p>1/1/11</p>	<p>n/a</p>	<p>Report to be presented to the Delegated Decision Panel</p>	<p>Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk</p>

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
<p>The Leeds Local Investment Plan (LIP), 2011-15</p> <p>Approval of the Leeds LIP. This includes : -</p> <p>1 The strategy element, which consists of the aims and objectives for regeneration in Leeds, the rationale for determining Leeds' spatial and thematic regeneration priorities over the next four years, and the approach to measuring outcomes in terms of improvements to place.</p> <p>2. The programme element, which sets out the city's key regeneration investment opportunities, spatially and thematically, and the investment request of the Homes and Communities Agency (HCA) - and other potential investors - to deliver the desired outcomes.</p>	<p>Executive Board (Portfolio: Neighbourhoods and Housing)</p>	<p>5/1/11</p>	<p>A wide-ranging consultation process has been ongoing since Autumn 2009 on the Leeds Regeneration Framework – the overarching 'blueprint' for regeneration in Leeds that provides the strategic context and direction of the LIP. This has been led by the Chief Regeneration Officer, and has involved a large number of internal and external stakeholders, including those in attendance at two peer review workshops held in Summer 2010. The LIP has been developed over the last five months in close partnership with HCA colleagues. It has been informed by ongoing detailed discussions with different parts of the Council and with Members. Further internal and external consultation will take place over the next few weeks to agree the priority investment opportunities within the plan. This will include agenda items at key meetings, including Environment and Neighbourhoods Senior Management Team, City</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>Director of Environment and Neighbourhoods stephen.boyle@leeds.gov.uk</p>

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Proposal to Restructure Community Safety Staffing in Leeming House A Director using Delegated Authority	Director of Environment and Neighbourhoods	10/1/11	Full staffed consultation commenced July 2010 including team and individual briefings. Ongoing communications plan in place and followed. Trade Union consultation also commenced July 2010 and ongoing.	DDP Report including appendices, EDCI Impact Assessment Action Plan	Director of Environment and Neighbourhoods neil.evans@leeds.gov.uk
Award of contracts under the Skilled For Success Programme To award contracts with an approximate value of between £40k - £325k per contract. The tendering opportunity is within £500k	Director of Environment and Neighbourhoods	21/1/11	Procurement Unit	Report to award contracts with delegated decision notification will be submitted in January 2010	Director of Environment and Neighbourhoods stephen.boyle@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Adaptation Strategy Endorsing results of detailed bid solution phase. To agree the Adaptation Strategy for implementation	Executive Board (Portfolio: Neighbourhoods and Housing)	11/2/11	Previously undertaken	The report to be issued to the decision maker with the agenda for the meeting	Chief Officer Environmental Services helen.freeman@leeds.gov.uk
ALMO / BITMO Wide Quality Gas Audits Key decision to approve new contract	Director of Environment and Neighbourhoods	1/3/11	With ALMO's / BITMO	Proposed new contract	Director of Environment and Neighbourhoods paul.m.clarke@leeds.gov.uk
City wide Almo properties for Abestos Removal Key decision to approve new contract	Director of Environment and Neighbourhoods	1/3/11	With ALMO's	Proposed new contract	Director of Environment and Neighbourhoods paul.m.clarke@leeds.gov.uk
ALMO and BITMO City Wide Domestic and Commercial Electrical Testing Programme Key decision to approve new contract	Director of Environment and Neighbourhoods	1/3/11	With ALMO's and BITMO	Proposed new contract	Director of Environment and Neighbourhoods paul.m.clarke@leeds.gov.uk

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