

**By 2030, Leeds will be fair, open and welcoming**

Leeds will be a place where everyone has an equal chance to live their life successfully and realise their potential. Leeds will embrace new ideas, involve local people, and welcome visitors and those who come here to live, work and learn.

To do this Leeds will be a city where:

- **People from different backgrounds and ages feel comfortable living together in communities;**
- **People are treated with dignity and respect at all stages of their lives;**
- **We all behave responsibly**
- **People have a shared sense of belonging;**
- **There are good relations within and between communities;**
- **The causes of unfairness are understood and addressed;**

Excerpt from Leeds new Vision consultation 'What if Leeds...?'

**What do the people of Leeds want?**

- To feel pride in the place where they live.
- To live in a city that cares about well being; inclusion and fairness.
- To live in a city where everyone can realise their potential and contribute to a diverse and vibrant local economy.
- To feel that they have the same responsibilities and opportunities as their neighbours.
- To live in an environment that is attractive, safe and sustainable.

**What does the City Council need to achieve?**

- Good value for the money it spends
- Reduction in the money it spends / increase in the money it generates.
- Adherence to legal duties including with regard to equality, welfare, health and education.
- Locally negotiated and sustainable solutions that enable cohesive and thriving local communities.

**How is discussion about Gypsy and Traveller site provision relevant to our vision for Leeds, for what local people want and for what the City Council needs to achieve?**

- Because of widely acknowledged waste and inefficiency in use of finance and other resources (including uncalculated costs in policing, crisis led support, detriment to health and education outcomes);
- Loss of potential revenue from council tax, leasing and rents;
- Potential for legal challenge and for failures in safeguarding;
- Unauthorised and uncontrolled encampment causes environmental detriment and hampers local communities' peaceable enjoyment of local amenity;
- Questions as to whether the local authority can succeed in its duty and ambition to promote good relations and cohesion between different groups;
- Housed residents and homeless Gypsy and Irish Traveller people all feel that they are treated unequally and unjustly.

### **What can be agreed on by local stakeholders to the discussion?**

- There are a minimum of 41 adults and 50 children who are permanently resident in Leeds without a suitable authorised location in which to live according to their cultural preference and legal right\*.
- Normal population growth will generate further 'local' need in the future.
- There are a further uncalculated number of people who come to Leeds from elsewhere and live on unauthorised encampments for short periods.
- Whilst not legally required to provide new sites, the City Council has *the* key role in promoting the status quo or in facilitating a solution to unauthorised encampment which occurs in Leeds.
- New site provision is unlikely to wholly end unplanned encampment within Leeds.
- The Local Authority site at Cottingley Springs is not a beacon of best practice in site provision or design but appears to be generating an operating surplus averaging £62,000 per year (according to N&E report to scrutiny).
- Gypsies and Irish Travellers living in Leeds, with few exceptions, experience poor health and education outcomes, and are socially and economically isolated from the rest of the city.
- National policy and regulation is currently unclear (successful recent challenge to the removal of Regional Spatial Strategies by Cala homes; recent statement in Parliament by Baroness Hanham that government grants for site provision will resume in 2011, forthcoming 'localism' bill)
- National policy and guidance has not, and probably cannot, create or secure locally sustainable solutions. However, locally agreed solutions are likely to be supported by anticipated national 'light touch' policy and are more likely to result in sustainable local cohesion.

\*N&E report to scrutiny- Leeds GATE believe this is a bare minimum.

### **What action does GATE suggest?**

Research by DH, CRE, EHRC and others\* has repeatedly indicated that appropriate site provision is fundamentally necessary to achieving improved outcomes across health, education, economic inclusion and civic participation among Gypsy and Irish Traveller communities. **Without appropriate site provision efforts to effect improvement across these areas of need are undermined, leading to reinforced exclusion and disaffection among Gypsy and Irish Traveller community members and ineffective 'crisis driven' use of resources by a range of agencies.**

We are deeply concerned by the circumstances of the Gypsy and Irish Traveller families we support, particularly those constantly on the roadside and subject to regular eviction. **We consider that we would be negligent in our duty of care if we did not take this opportunity to draw attention to potential failure of safeguarding systems in relation to vulnerable members of these families.** In that light we are continually astonished by decision making in respect of toleration, service provision and eviction given the local authority's certain knowledge of ongoing welfare needs among families who are well known to their officers.

Short and long term solutions are urgently needed. Our role within the Gypsy and Irish Traveller communities leaves us optimistic that solutions can be reached, provided that local stakeholders engage all parties in realistic dialogue. Dialogue alone however is not sufficient. The longer action is delayed the greater the waste of effort and resources and the greater the problems which need to be overcome. **We would respectfully suggest that ongoing policy and process in regards to Gypsy and Irish Traveller homelessness and encampment in Leeds has been successful only in promoting waste and injustice for all concerned.** Partnership work to rapidly identify locations for negotiated stopping and permanent site provision is long overdue.

\* The Health Status of Gypsies and Travellers in the UK, Dept of Health, Parry et al 2005

Common Ground, Commission for Race Equality 2007

Inequalities faced by Gypsies and Travellers, Equalities and Human Rights Commission 2009

Roads to Success: Economic and Social Inclusion for Gypsies and Travellers, Bucks New University, Ryder and Greenfields 2010

### **Negotiated Stopping**

**There is no disagreement that a reduction in unauthorised encampment by travelling families around Leeds will lead to reductions in cost; environmental impact; unaddressed antisocial behaviour; and community tension.** Continued unmanaged encampment raises reasonable questions about the ability of the City Council to genuinely implement the aims of Leeds Vision for all residents of Leeds, and to position Leeds as a beacon of inclusion, welcome and fairness. Despite lack of detail in the evidence presented in the Neighbourhoods and Housing report to this scrutiny inquiry, one can glean that **other authorities (Cheshire, Fenland, Bristol) find it possible to deal with unauthorised encampment without continuous recourse to the courts or police use of Sec 61 (CJPO).** Further evidence is available.

The term 'negotiated stopping' is used to describe agreed short term provision for Gypsy and Traveller caravans. **It does not describe permanent 'built' transit sites but negotiated agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. Agreements are made between the authority and the (temporary) residents regarding expectations on both sides.** A variety of types of locations have been used by local authorities for negotiated short term stopping, such as disused road, disused or development land which is not to be imminently developed, or brownfield land. There are a number of locations across the city which would not be described as 'sensitive land' but from which travelling families have nonetheless been rapidly evicted. Hindsight might suggest that such land could be used for short term negotiated stopping in preference to unauthorised encampment on 'sensitive land' including school playing fields and other amenity land.

Leeds GATE can see no alternative method to end uncontrolled encampment except via processes which achieve successful short term negotiated stopping and enable use of sec 62(A) (CJPO 1994) by the police (direction to an alternative location), as has been achieved by other authorities.

**We believe this is especially important in light of the assertion by Leeds homeless Gypsies and Irish Travellers that their presence on unauthorised encampments around Leeds is attracting travelling families from outside Leeds due to principles of 'safety and anonymity in numbers'. We have every reason to concur with this assertion and to assume that the number of unauthorised encampments in Leeds will reduce significantly once permanent provision has been made. Trial and refinement of processes to deal with unauthorised encampment via negotiation will significantly reduce costs associated with 'non-local' or 'transit' encampment and should allay concerns that permanent provision will not alone resolve issues related to unauthorised encampment.**

Leeds GATE suggests that negotiated stopping is used immediately in the interim before new provision for local permanent need is brought forward; and in the longer term to provide cost effective management of any outstanding 'non local' or 'transit' unauthorised encampment which occurs in the future.

### **New Provision**

There are a range of practical, sometimes innovative, routes to the provision of new Gypsy and Traveller sites. **We are given to understand that central government grants and 'incentives' will be available to local authorities for new site provision, which could ultimately generate rental income, in the new year. It isn't necessary however to rely solely on the local authority to bring forward and manage new site developments.** We are aware of 'lease and self build' schemes which are being worked up in other areas and 'social purpose' management is increasingly evident across the country. There are a number of families in Leeds, to our knowledge, who have the will and resources to buy their own land and build sites given the advice and support of the local planning authority.

New sites can significantly contribute to local cohesion and citizenship particularly when early dialogue with local settled communities is facilitated. Research conducted by JRF (Richardson 2007) illustrated the way in which initial local opposition to new sites rapidly declines once small sites are established and local relationships begin to form.

**We are resolute in our understanding that small family sized sites located in well serviced residential or mixed use areas are the most appropriate form of provision. We recommend rapid identification of locations for two small (8 to ten pitch) sites to address most urgent need.** We believe that a successful process to build two new sites, and embed the residents of those sites into the local communities, will significantly reduce local opposition to any further necessary new site build in the future. We are aware of consistent suggestions that the only likely future provision is via a further addition to Cottingley Springs on Geldard Road, or via another large site on the outskirts of the city. We are in total opposition to either of these suggestions and would comment that difficulties with the management of the existing site at Cottingley Springs detailed in the N&E report to scrutiny is argument enough against these suggestions.

**What can GATE offer?**

- Direct engagement with Gypsy and Irish Traveller people who are seeking solutions to the ongoing situation of unmanaged encampment and the detriment it causes to their own and their children's health and wellbeing.
- A thriving focus for dialogue, engagement and citizenship activity across all the Gypsy and Irish Traveller communities in Leeds, including those who 'pass through' and are not permanently resident.
- Facilitating dialogue between the City Council and those families who have the resources to provide for themselves (and possibly for others as well).
- Facilitating dialogue with representatives from other areas where negotiated stopping has been successfully implemented.
- A solution focused inclusive partnership approach to negotiated stopping.
- Provide support for rapid and realistic identification of suitable locations for new permanent small sites
- Intermediary and 'sounding board' for dialogue with concerned residents local to suggested new sites.
- Democratic legitimacy in negotiated solutions.