

1.0 Background

- 1.1 The Director of Environment and Neighbourhoods appreciates the cross-party deliberations undertaken during this inquiry and thanks Scrutiny Board for the thoroughness of the inquiry. The deliberations have been in depth and broad and have considered the matter of site provision in a thorough manner. It is the intention to look in detail at the recommendations and give serious consideration to each.
- 1.2 It is understood that some of the recommendations are not for Environment and Neighbourhoods to resolve. Nevertheless it is the intention that the directorate will be supportive in relation to such recommendations and offer assistance as needed.

2.0 Recommendations

2.1 Recommendation 1:

- (i) *That the Executive Board consider providing negotiated stopping sites for gypsies and travelers in Leeds for very short term encampments and commission the Director of Environment and Neighbourhoods to undertake further work with a view to introducing a pilot scheme and reporting back to the Executive Board.*
- (ii) *In any consideration by Executive Board those ward Members who are affected by proposals on this matter are consulted.*

The Director of Environment and Neighbourhoods will undertake work to enable Executive Board to deliberate on the recommendations.

The West Yorkshire Police state that there are no issues re the provision of a negotiated stopping site that would accommodate the traveling families that are and have been Leeds based for many years. This would ideally be located near to services such as health and education. The Leeds Travellers have made it quite clear that they will not use a site that is an extension of the current provision at Cottingley Springs.

2.2 Recommendation 2:

- (i) *That the Executive Board consider the principle of providing an additional 25 permanent pitches for 25 caravans in the city to accommodate “Leeds families” of gypsies and travelers and request the Director of Environment and Neighbourhoods to undertake further work based on national guidance to identify costs, and sources of funding and to develop a criteria for consulting and identifying suitable sites during operation of the pilot in recommendation 1.*
- (ii) *In any consideration by Executive Board those ward Members who are affected by proposals on this matter are consulted.*

The Director of Environment and Neighbourhoods will undertake work to enable Executive Board to deliberate on the recommendations.

The West Yorkshire Police refers to the provision of 25 pitches for 25 caravans. Currently each pitch provided by the Council is able to accommodate up to 3/4 additional caravans. This recommendation could result in a stopping site that could accommodate up to 100 caravans unless we are specific about the permitted numbers. The police have grave concerns about our ability to manage such

potentially large sites, which have previously seen grave anti-social behaviour and environmental issues and could also pitch different family groups together and add to the various current feuds and infighting amongst this community.

2.3 Recommendation 3:

That subject to recommendations 1 and 2 the Director of Environment and Neighbourhoods seeks to develop this pilot in the context of a wider strategic approach through the City Region and other appropriate bodies.

The Director of Environment and Neighbourhoods supports this recommendation and confirms that early dialogue with neighbouring authorities will commence immediately, with a focus on Calderdale and Kirkless where the Executive Board will note, there is currently no provision for gypsies and travellers.

The West Yorkshire Police state that joint pitches with Wakefield and Bradford Districts may be an option.

2.4 Recommendation 4:

That irrespective of recommendations 1 and 2 the Executive Board commission a review of the Cottingley Springs site to ascertain whether better use of the site could be made that would allow the provision of additional pitches and identify how this could be funded by January 2012.

The Director of Environment and Neighbourhoods will undertake work on the feasibility and costs of this proposal in order to enable Executive Board to deliberate on the recommendations.

The police state that there could be clear policing issues with an extension of Cottingley Springs. Smaller sites could be more easily be absorbed into the structure of neighbourhood policing and therefore a more effective service given to both the Travellers and the settled community

2.5 Recommendation 5:

That the Director of Environment and Neighbourhoods with the Chief Officer Legal Licensing and Registration undertake a review of the current licence in use at Cottingley Springs site to update it and incorporate current legislative changes (including the provisions of the Mobile Homes Act 1983 in future tenancy agreements).

The Director of Environment and Neighbourhoods and the Chief Officer Legal, Licensing and Registration agree to this recommendation. The review will be shaped by proposed changes to legislation and, as with any change to council licence or tenancy agreements, will need to be conducted in consultation with current residents at Cottingley Springs.

2.6 Recommendation 6:

That the Director of Environment and Neighbourhoods develop and adopt a Good Neighbourhood Code which would operate alongside any licence or tenancy agreement which would require all gypsies and travellers using sites operated by the Council to sign up to before being allowed to use these facilities.

The Director of Environment and Neighbourhoods agrees to this recommendation and suggests that the work to develop a Good Neighbourhood Code is undertaken in the next few months so that the Code is ready for introduction at the point the government implements the relevant sections of the Mobile Homes Act 1983 referred to in recommendation 5. Executive Board is asked to note that in developing the Code, reference will be made to similar Good Neighbourhood Codes in operation in other areas of the country in order to capture best practice.

2.7 Recommendation 7:

That the Director of Environment and Neighbourhoods continues to develop a strong residents group on the Cottingley Springs site that could be the catalyst to engage more with the local community and that this formal arrangement should be established by June 2011.

The Director of Environment and Neighbourhoods agrees to this recommendation and asks Executive Board to note that work to develop a stronger residents group has started and that in recent years there has been a better engagement between the local community and residents at Cottingley Springs than was historically the case. It is acknowledged that this has been largely informal and therefore formal arrangements will be established in the next few months.

2.8 Recommendation 8

That in accordance with the Local Development Framework Policy the Acting Director of City Development continue to encourage and support development of private gypsy and traveller site provision in the city which are appropriate, in keeping with the area and meet the necessary planning requirements.

The Acting Director of City Development states that the recommendation is acceptable on the basis that it is about the application of planning policy. The Directorate will engage with gypsy and traveller communities and will encourage and support their proposals when these accord with planning criteria. This recommendation does not mean that the Directorate will actively seek sites for private development. This initiative has to come from the gypsies and travellers themselves as private sites only happen if they have the necessary funding in place. The Directorate also points out that there is yet no LDF policy as there are no LDF documents adopted. The existing policy is in the UDP.

2.9 Recommendation 9

That the Scrutiny Board (Children's Services) be asked to undertake a specific investigation on the national and local position of gypsy and traveller girls school attendance and educational achievements at 11 years and above.

The Director of Children's Services has made no comment as this will be considered by Scrutiny Board (Children's Services) when considering its work programme.

2.10 Recommendation 10

That the Primary Care Trust and Director of Children's Services be asked to submit a report to Scrutiny Board (Health) on the services that have been withdrawn from gypsies and travellers and the alternative arrangements that have been instigated to protect this vulnerable group.

The Director of Children's Services challenge the suggestion that services have been *withdrawn* from gypsies and travellers. As with many services at the current time, some areas of support that do benefit gypsies and travellers are being reviewed to ensure the Directorate are targeting limited resources towards meeting priorities. However, we recognise that gypsies and travellers are a vulnerable group and that there is a need to reflect this in future decisions. It would be helpful to understand the detail of what is believed to be being withdrawn so that a more informed response can be provided. We are keen to address any specific concerns within the gypsy and traveller communities and we will be happy to respond to questions and concerns about this in any way that helps to assist the scrutiny board.

2.11 Recommendation 11

That the West Yorkshire Police be asked to ensure that the protocol between the Police and the Council is applied uniformly by Divisional Commanders across the city and that ward members are always informed of unauthorised encampments and when this power is to be used.

The West Yorkshire Police state that the Leeds District Protocol for the management of unauthorised encampments does not contain a requirement to notify local ward members when Section 61 is to be used. The police believe however that this would be good practice for a number of reasons. This practice could be incorporated in a future review of the protocol however it must be understood that the decision whether or not to use the Section 61 power will remain an operational one for the police alone to take. The responsibility could rest with a member of the Gypsy Traveller Service or the local NPT Inspector (particularly when out of office hours), which the police could agree locally. The notification on each occasion of the presence of unauthorised encampments to local members should be a matter for LACK to resolve internally. The police agree also that the protocol should be applied consistently across the 3 police divisions but that this can be best dealt with through locally arranged inputs utilizing the skills and knowledge of the Traveler Liaison Officer. The police would also like to add to the recommendation that we should also take the opportunity to promote clear understanding of the protocol amongst all the Leeds ward members.

2.12 Recommendation 12

That the Director of Environment and Neighbourhoods be asked to review and expand the information pack for use by residents and Members where unauthorised encampments occur on private land.

The Director of Environment and Neighbourhoods agrees to this recommendation and will ensure that the information currently available for Members and for residents is updated and expanded to cover all relevant aspects of unauthorised encampments on private land. This will be completed by April 2011.