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| Subject: | Traveller Commissioning Strategy: Two Years On | | |
| Date of Meeting: | 20 January 2015 | | |
| Report of: | Executive Director of Environment, Development & Housing | | |
| Contact Officer: | Name: | Andy Staniford | Tel: 29-3159 |
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| Ward(s) affected: | All | | |

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Traveller Commissioning Strategy 2012 and Action Plan were approved by Full Council on 22 March 2012.
- 1.2 The development of this strategy was shadowed by an Environment & Community Safety Overview & Scrutiny Traveller Scrutiny Panel.
- 1.3 The Response to the recommendations of the Traveller Scrutiny committed the Council to producing an annual monitoring report for the relevant Member Committee and this is the second of those updates. In addition, this report plus an update on the Scrutiny recommendations will be presented at Overview & Scrutiny Committee on 26 January 2015.
- 1.4 Progress has been highlighted in this report and the full monitoring update is attached as Appendix 1. An update on the Scrutiny Panel recommendations is attached as Appendix 2.

2. RECOMMENDATIONS:

- 2.1 That Environment, Transport & Sustainability Committee notes the progress made, achievements and challenges in delivering the strategy (Appendix 1).
- 2.2 That Environment, Transport & Sustainability Committee notes the progress made in implementing the Scrutiny Panel recommendations (Appendix 2).

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Traveller Commissioning Strategy 2012 and Action Plan were approved by Full Council on 22 March 2012.

3.2 In addition to reaffirming our commitment to the permanent Traveller site, our new strategy offers a fresh and co-ordinated partnership approach to addressing the key issues facing the Traveller and settled communities. Progress over the last year has included:

- Planning permission granted by the South Downs National Park Authority for the new permanent traveller site at Horsdean
- Two Site and Support Officers have been recruited to provide support for Travellers and warden duties at the Traveller transit site
- A new waste management contract approved to improve our response to site clearances
- The CCG funded Friends, Families & Travellers to produce a Brighton & Hove Funded Engagement Annual Report 2014 which is being used to shape the CCG's future plans for 2015/16 for consultation in January 2015
- Traveller needs incorporated into the new Violence against Women & Girls Strategy (VAWG) with commitments to developing women's peer education programmes and to improve responses to domestic and sexual violence
- Celebration of Gypsy, Roma and Traveller Month in the city and local schools
- A peripatetic teacher with a Gypsy heritage has been employed to work with Traveller children in 2014 as part of the new City's Traveller Education Unit.
- New joint Police and the Council working policies which have resulted in the tactical PIER plan (Prevention, Intelligence, Enforcement & Reassurance) to help tackle unauthorised encampments. Brighton & Hove retains a full time Police Gypsy and Traveller Liaison Officer

3.3 The development of this strategy was shadowed by an Environment & Community Safety Overview & Scrutiny Traveller Scrutiny Panel chaired by Dr. Aidan McGarry, School of Applied Social Science, University of Brighton. The other panel members were Councillors Littman, Simson and Robins.

3.4 The panel held capacity building and evidence gathering sessions where it heard from 31 witnesses representing Council services, other public sector bodies such as the Police and NHS Sussex, the Community & Voluntary Sector, resident groups, politicians and representatives from other authorities. The panel also visited the Horsdean Transit site to talk to Travellers living in Brighton & Hove.

3.5 The panel's final report has highlighted that:

'The panel welcomed the draft Strategy because it:

- *Represented a significant step forward in describing the needs of the Traveller community and determining which outcomes a Traveller Strategy for this city wished to achieve*
- *Contained a comprehensive set of high level goals about meeting the needs of Travellers and the settled community*
- *Had addressed both the needs of Travellers and the settled community in those goals*
- *Had been based on a two stage consultation process'*

3.6 The Response to the recommendations of the Traveller Scrutiny Panel were presented at Environment & Sustainability Cabinet Member Meeting on 15 March 2012 and committed the Council to producing an annual monitoring report for the relevant Member Committee.

Who we define as Travellers:

- 3.7 Travellers' is a collective term used to describe different groups who have a nomadic lifestyle or tradition/heritage of nomadism. Romany Travellers, English, Irish, Welsh and Scottish Travellers are recognised in law as ethnic groups and are identified as having a shared culture, language and beliefs. Romany Gypsies have been in England for over 600 years and Irish Travellers have a long history of travelling and living in this country.
- 3.8 The term 'Travellers' also covers some groups not currently recognised as ethnic groups including 'New Travellers' who are non-traditional travellers (most of whom originate from the settled community, although some children have been born into New Traveller communities) and Travelling showpeople. It also covers those who have stopped travelling due to ill health old age or young children. Van Dwellers are not considered to meet the definition of a Traveller in any national policy as they are effectively permanently resident in the city, such as through work or education.

Traveller Inequality:

- 3.9 The report 'Inequalities experienced by Gypsy and Traveller Communities: A Review' by the Equality & Human Rights Commission in 2009 shows that Traveller communities experience extensive inequalities, such as:
- Travellers die earlier than the rest of the population
 - They experience worse health, yet are less likely to receive effective, continuous healthcare
 - Children 's educational achievements are worse, and declining still further
 - Participation in secondary education is extremely low
 - Employment rates are low, and poverty high
 - Insecure lifestyles associated with repeated evictions can have a negative psychological impact upon children
 - There is an increasing problem of substance abuse among unemployed and disaffected young people
 - There are high suicide rates among the communities
 - Travellers who live in bricks and mortar housing can experience racist hostility from neighbours and isolation from their communities
 - There is a lack of access to culturally appropriate support services for people in the most vulnerable situations, such as women experiencing domestic violence
- 3.10 The EHRC report highlights that lack of suitable secure accommodation underpins many of the inequalities that Traveller communities experience.

Resident Concerns:

- 3.11 Responses to consultation, resident complaints, recent public events and articles in the local press have highlighted a number of resident concerns which are almost exclusively focussed on unauthorised Traveller encampments in local communities, and include problems such as:
- the loss of public space
 - anti-social behaviour, crime and nuisance
 - rubbish and fly tipping
 - damage to the environment
 - cost of site clearance and legal action

4. OUR STRATEGY, PROGRESS AND CHALLENGES

- 4.1 In response to the needs of Traveller communities and concerns of local people, the Traveller Commissioning Strategy 2012 has a vision of:

Balancing the needs of Traveller communities and the City's settled communities to reduce inequality and improve community relations

- 4.2 Our strategy has been divided into 4 main outcomes with a summary of our progress and challenges outlined below:
- Outcome 1: Improve site availability
 - Outcome 2: Improve health, safety and wellbeing
 - Outcome 3: Improve education outcomes
 - Outcome 4: Improve community cohesion

Outcome 1: Improve site availability

- 4.3 An appropriate supply of properly managed pitches will help to reduce the level of unauthorised encampments which will not only reduce conflict and tension between communities but it will help Travellers access health and education services.
- 4.4 At the Council's Cabinet meeting in March 2012 Members endorsed Horsdean as the preferred location for the new permanent Traveller site. This new site, providing 12 permanent pitches, will be an extension of the existing transit site. Over the past 2 years the Council has continued to work with the South Downs National Park Authority to take forward the planning application which has now been approved. As the site falls within the National park it is important that the design of the site not only meets the needs of Travellers but does not spoil the natural beauty of landscape. A value engineering exercise has been undertaken to reduce construction costs and these will be the subject of a planning application for minor modifications to South Downs National Park Authority, along with applications for the discharge of various planning conditions. Work on site should commence in the first quarter of 2015.
- 4.5 Overall there were 52 unauthorised encampments in 2013/14, a decrease on 2012/13 (55) but more than in 2011/12 (46). April to June 2013 saw a noticeable reduction in encampments when compared to the previous year, 11 instead of 26. However, there was a slight increase in from Jul to Sept (19 to 21) and Oct to Dec (10 to 12) and a large increase between Jan and Mar 2014 (4 to 10).¹
- 4.6 There has been a restructure of the council's Traveller Liaison Team and two Site and Support Officers have been recruited to provide support for Travellers and warden duties at the Traveller transit site, as well as providing administrative support for the team.
- 4.7 We are working with our neighbouring authorities and the Police to review the approach to Traveller site provision and response to unauthorised encampments to ensure a consistent approach that supports both travellers and local communities.

¹ Quarterly figures total more than the annual number as some encampments start in one quarter and finish in another. As a result, a number of encampments are counted twice in the quarterly figures.

Outcome 2: Improve health, safety and wellbeing

- 4.7 Travellers have a much poorer health and a significantly lower life expectancy than the general population. As with all sections of society, ensuring the health, safety and wellbeing of the Traveller communities not only raises the quality of life for one of our most disadvantaged communities, it also reduces long term costs public health costs.
- 4.8 As a result of the Traveller Commissioning Strategy the former Primary Care Trust commissioned research into the health needs of local Travellers. The resulting report informed the Clinical Commissioners Group (CCG) and City Council of priority areas for addressing Traveller needs and its findings have been incorporated into the Joint Strategic Needs Assessment.
- 4.9 In addition the Brighton & Hove CCG Annual Operation Plan outlines the CCG's commitment to work with partners to improve awareness, access and services. The CCG funded Friends, Families & Travellers to produce a Brighton & Hove Funded Engagement Annual Report 2014 which is being used to shape the CCG's future plans for 2015/16. Consultation will happen in January 2015 with the plan in operation from April 2015.
- 4.10 From 2014/15, domestic violence and sexual violence has been integrated into the overarching Violence against Women & Girls Strategy (VAWG). The Strategy and Action Plan include commitments to learn from capacity building work completed with BME women's groups to inform similar work with Gypsy and Traveller communities by developing women's peer education and similar programmes and to improve responses to domestic and sexual violence amongst Gypsy and Traveller communities; this includes ensuring any new site development addresses the safety needs of women and children in its design.

Outcome 3: Improve education outcomes

- 4.11 Nationally, Traveller children are the lowest achieving group in our schools. This has been and remains a long standing issue. We want to help embed the value of education throughout the family and make sure that children and young people from Travelling communities are able to access suitable education and training that enables them to attain educational standards that raises economic and employment opportunity.
- 4.12 Children's Services is in the process of appointing the City's new Traveller Education Unit who will work closely with the City's Traveller Liaison Team, Health and all other partners (previously this work was contracted to East Sussex County Council). Children's Services has employed a peripatetic teacher with a Gypsy heritage to work with Traveller children in 2014 as part of the new City's Traveller Education Unit.
- 4.13 Awareness raising events continue to focus on the history, culture and heritage of travelling communities:
- In 2013 there was a presentation of "Traveller Roots around the City" plus music and dance at Hove Town Hall
 - In January 2014 there was a contribution to Holocaust Memorial Day focussing on Roma and Sinti "Forgotten Victims"

- Plays were performed in 2 schools illustrating the historical persecution of Gypsies
- In May 2014, Brighton & Hove schools participated in Gypsy, Roma, & Traveller History Month national schools competition

Outcome 4: Improve community cohesion

- 4.14 Both Travelling and settled communities would like to see an end to unauthorised encampments but unfortunately until there are more stopping places for Travellers then unauthorised encampments will continue to impact on the lives of both the Travelling and settled communities. However, effective community cohesion is about more than unauthorised encampments, it is about helping the city's diverse communities understand one another to get past the common myths, prejudices and stereotypes and to ensure that all those who have a stake in the city are able to get involved in decisions about the services that affect them. This outcome also seeks to reduce fear of crime, domestic and sexual violence, anti-social behaviour, racism, sexism and homophobia and ensure community cohesion is improved across all of our communities.
- 4.15 The council's Traveller Liaison Team continues to manage unauthorised encampments in line with government guidance and following the procedures outlined in the strategy. Joint visits by the Traveller Liaison Team and Police are made to unauthorised encampments within 24 hours of arrival and throughout the duration, to reassure the settled community of action being taken. Encampments are continually monitored to minimise disruption and enforcement action revised in response to anti-social behaviour. A Joint Sussex-wide protocol on unauthorised encampments is embedded within Sussex Police and forms part of the Force Policy for dealing with unauthorised encampments.
- 4.16 Work is being undertaken with Children's Services to enable a better response to Travelling families and to address issues that may arise on unauthorised encampments. A Support protocol is being developed to formalise work with all departments and agencies providing support services to Travellers.
- 4.17 Presentations have been made to Local Action Teams providing information on available enforcement powers and the protocols and procedures of the council and the Police in working with Travellers and unauthorised encampments.
- 4.18 Joint working groups meet at regular intervals with local authority and with Gypsy and Traveller Groups. Sussex Police have strategic leads for Traveller related matters at Superintendent level (Operational and Equalities) and Brighton & Hove retains a full time Gypsy and Traveller Liaison Officer due to the high numbers of Traveller families present within the City throughout the year.

5. COMMUNITY ENGAGEMENT AND CONSULTATION

- 5.1 In keeping with the Community Engagement Framework, consultation with Travellers, partner agencies and support groups (such as Friends, Families and Travellers) and the settled community has been essential to ensure that the Travellers Commissioning Strategy meets needs in an effective way.

- 5.2 In addition, the Traveller Scrutiny Panel held capacity building and evidence gathering sessions where it heard from 31 witnesses representing Council services, other public sector bodies such as the Police and NHS Sussex, the Community & Voluntary Sector, resident groups, politicians and representatives from other authorities. The panel also visited the Horsdean Transit site to talk to Travellers living in Brighton & Hove.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 There are no direct financial implications arising from the recommendations in this report.

The costs associated to implementing the Traveller Commissioning Strategy are funded from within existing general fund revenue budgets. The net revenue budget including the cost of support services in the 2014-15 financial year is approximately £0.652m. Any budget variations arising from implementing the strategy are reported as part of the monthly budget monitoring process.

Finance Officer Consulted: Steven Bedford

Date: 05/01/15

Legal Implications:

- 6.2 As this is simply an update there is no legal comment to be made. Note has been taken of the Equalities position and this is reflected within the report.

For the next report it is advisable to be aware of the outcome of central government consultation (ongoing at this time) in relation to redefining the status of travellers in some areas – notably planning and specifically in relation to the concept of nomadic status.

Lawyer Consulted: Simon Court

Date: 4.12.14

Equalities Implications:

- 6.3 Travellers are an often marginalised group with a way of life that the authority seeks to protect whilst at the same time considering the needs of local residents. Gypsies, Roma and Travellers as a group suffer a high level of inequality, particularly around life expectancy, health and education issues, and suffer from discrimination and racial hatred.
- 6.4 Gypsies and Irish Travellers were recognised as distinct racial groups under the Race Relations Act 1976 and continue to be recognised as such under the Equality Act 2010.
- 6.5 The whole Strategy, its vision, outcomes and goals are focussed on reducing inequality and improving community cohesion between Travelling and settled communities. Alongside improving health and education outcomes specific goals are also focussed on inclusion, including:
- Goal 13: Improve further the awareness in schools about Traveller History and Culture
 - Goal 14: Increasing awareness of different cultures
 - Goal 15: Involve Travellers in service design and delivery

6.6 An Equality Impact Assessment was carried out as part of the development of the Traveller Strategy to help shape our strategic outcomes, goals and actions.

Sustainability Implications:

6.7 The repeated evictions of travelling groups from the city's parks, historic and otherwise important sites only to see them again camp on a similar site is causing distress to travelling groups, local people and the environment.

6.8 In focussing protection measures on locations most unsuitable for encampments and allowing toleration in limited circumstances the report seek to minimise the impact on residents and Travellers and also prevent further damage to the city's important open spaces.

Crime & Disorder Implications:

6.9 If we are successful in achieving Objective 1: Improve site availability this will have an immediate impact on community cohesion by minimising the unauthorised encampments that inflame community tensions.

6.10 To address crime, anti-social behaviour and nuisance the Strategy has been developed through close working with Sussex Police and the Crime & Disorder Reduction Partnership with related goals and actions in the strategy:

- Goal 9: Tackle domestic and sexual violence
- Goal 16: Effective management of unauthorised encampments
- Goal 18: Tackling crime, anti-social behaviour and nuisance
- Goal 19: Tackling racism, sexism and homophobia

Risk and Opportunity Management Implications:

6.11 With a national shortage of stopping places for Traveller and limited resources available in the city there are a number of risks associated with the Traveller strategy which will be closely monitored:

- **It is not possible to prevent unauthorised encampments and determined incursion past security measures** however the strategy seeks to proactively minimise the potential for this and take robust action when it does occur.
- **Temporary closure of the Horsdean transit site** whilst the permanent site is being developed. No alternative suitable temporary transit site has been approved. As a result there will be no official stopping places for travellers in the city which is likely to lead to an increase in unauthorised encampments.
- **Community cohesion may continue to be damaged if there are more high profile encampments.** A coordinated approach involving politicians, the local authority, the Police and the media is critical in reassuring all communities and tackling nuisance.
- **Toleration could cause environmental damage** to sites. Guidance for officers on toleration has been developed. Toleration will only be allowed in limited circumstances and carefully monitored.
- **A possible honey pot effect** with the permanent site attracting more Travellers to the area. This will be monitored closely with rigorous action on unauthorised encampments particularly as the permanent site will free up space on the transit site to help us address encampments. In addition, the allocations policy for the permanent site is likely to include criteria around local connection and welfare need.

- **The city's need for Traveller pitches has only been identified up to 2016** (which will be partially met by the provision of the permanent site with 12 pitches). It is possible that more pitches may be required beyond this date. Officers are currently undertaking a further needs assessment with the South Downs National Park Authority to cover the full City Plan period to 2030.

Public Health Implications:

- 6.12 Research has shown that Traveller health is far worse than the population as a whole, particularly around life expectancy, infant mortality and maternal mortality, mental health and suicide. These health inequalities are attributed to a combination of factors including lack of stable accommodation to promote effective service engagement, educational disadvantage, environmental hardship, social exclusion and cultural attitudes.
- 6.13 The Traveller Commissioning Strategy 2012 has been developed in partnership with Public Health and NHS Sussex (Brighton & Hove), which authored the chapter on Traveller Health & Wellbeing Needs and which has led to Outcome 2: Improve health, safety and wellbeing of the Strategy and its associated goals.
- 6.14 The success of our health objective is heavily dependent on Objective 1: Improve site availability which will help Travelling communities and professional build the trust and relationships essential for effective health, care and support services.

Corporate / Citywide Implications:

- 6.15 Traveller inequality not only impacts on the quality of life of Travellers but has an impact on public services and the public purse. By improving site provision for Travellers we will improve service engagement which will in turn help to improve Traveller health, education and employment opportunities.
- 6.16 Effective action to minimise and manage unauthorised encampments is essential to support local residents, the Traveller community and to protect the city's open spaces. An ineffective approach is likely to exacerbate the number of encampments with additional associated community tensions and costs.
- 6.17 The Traveller Commissioning Strategy has not been developed in isolation but has been led by the Housing as part of a wider partnership throughout the Council that includes Public Health, the Learning & Partnerships, Communities & Equalities, City Infrastructure, Planning & Public Protection.
- 6.18 This partnership approach has also extended beyond the Council to include NHS Brighton & Hove, Sussex Police and the Education Welfare Service provided by East Sussex County Council.

7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 7.1 The necessity of enforcement without a supply of suitable stopping places results in a cycle where travellers were moving from high profile site to high profile site as their preferred locations were no longer available. Moving encampments quicker can cause them to fragment into a larger number of smaller sites. This results in increased costs and community tensions to the detriment of Travellers and the settled community alike.

- 7.2 Alternative options would require the need for additional transit sites to meet seasonal demand and/or the use of toleration on some of our more high profile sites. These options have implications in planning terms, particularly in respect of the lack of suitable locations and on the impact of the settled community from loss of green space and are likely to increase community tensions.
- 7.3 To completely resolve the issues around unauthorised encampments and facilitate a stable pitch for all Travellers would require a national approach to site provision together with changes in the law which are beyond our remit.

8. REASONS FOR REPORT RECOMMENDATIONS

- 8.1 The Response to the recommendations of the Traveller Scrutiny Panel were presented at Environment & Sustainability Cabinet Member Meeting on 15 March 2012 and committed the Council to producing an annual monitoring report for the relevant Member Committee. Appendix 1 is the second annual monitoring report.

SUPPORTING DOCUMENTATION

Appendices:

1. Two Years On: the Traveller Commissioning Strategy in Action
2. Two Years On: Responding to the Scrutiny Panel Recommendations

Documents in Members' Rooms:

None

Background Documents:

1. One Year On: the Traveller Commissioning Strategy in Action, Environment, Transport & Sustainability Committee, 8 October 2013
2. Traveller Commissioning Strategy 2012, Full Council, 22 March 2012
3. Response to the recommendations of the Environment & Community Safety Overview & Scrutiny Traveller Scrutiny Panel shadowing the development of the new Traveller Commissioning Strategy 2012, Environment & Sustainability Cabinet Member Meeting, 15 March 2012