

<b>Subject:</b>	<b>Traveller Commissioning Strategy: Three Years On</b>		
<b>Date of Meeting:</b>	<b>24 November 2015</b>		
<b>Report of:</b>	<b>Executive Director of Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Andy Staniford</b>	<b>Tel: 29-3159</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT 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 third of those updates. In addition, this report plus an update on the Scrutiny recommendations will be presented at Overview & Scrutiny Committee on 25 November 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. CONTEXT / BACKGROUND INFORMATION**

- 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.

3.3 Progress over 3<sup>rd</sup> year of our strategy has included:

- Development of the new permanent site at Horsdean commenced on 7 September 2015 and is estimated to complete in June 2016 (the Horsdean transit site is now closed for duration of build)
- In response to the closure of the transit site at Horsdean, the PIER plan (Prevention, Intelligence, Enforcement & Reassurance) to help tackle unauthorised encampments has been reviewed and amended. Three Gypsy Traveller Liaison Police Officers are working alternate shifts to improve cover with supervision aligned to provide support to these officers
- Building on the findings of the Brighton & Hove Funded Engagement Annual Report 2014 the CCG has identified Equality and Diversity Champions and Participation Champions in all teams. Their training will help embed understanding of the city's diverse communities, including Travellers, within teams in the CCG
- A work programme has been completed for professionals to ensure they are confident in identifying and responding to Domestic Violence, Sexual Violence and other forms of Violence Against Women & Girls (VAWG). A resource pack, guidance and training will be developed
- Traveller history and culture is embedded in schools cultural diversity celebrations. All schools in the city have received support and assistance from the City's Traveller Education Unit, including staff training and a wide range of resources

3.4 The development of the 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.

3.5 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.

3.6 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'*

- 3.7 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:

- 3.8 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.
- 3.9 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

Our Strategy, Progress and Challenges:

- 3.12 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*

- 3.13 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

- 3.14 An appropriate supply of properly managed pitches will help to reduce the level of unauthorised encampments which will reduce conflict and tension between communities and also help Travellers access health and education services.
- 3.15 The Horsdean transit site was operating at a reduced capacity for most of 2014/15 whilst drainage concerns were investigated. As we had fewer transit pitches there was an increase in the number of unauthorised encampments. Also, encampments were moved on 17.5% quicker than in the previous year (6.6 days on average in 2014/15), however this has a side effect of causing more encampments as Travellers move to a nearby site when they want to remain in the city. These factors contributed to a 71% increase in the number of unauthorised encampments in 2014/15 (89) when compared to 2013/14 (52).
- 3.16 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 3 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. Work on site commenced on 7 September 2015 and is due to complete in summer 2016.
- 3.17 Horsdean transit site is now closed whilst the new permanent site is being built. As a proposed temporary transit site was rejected, the closure is expected to result in a further increase in the number of unauthorised encampments throughout 2015/16 until the new site is open. The Police and Council have reviewed their operational plans to improve availability to enable a swift response to unauthorised encampments.

- 3.18 As part of the National Planning Policy Framework<sup>1</sup> and Planning Policy for Traveller Sites<sup>2</sup>, local authorities are required to assess the transit and permanent site needs of Gypsies, Travellers and travelling showpeople. The latest Gypsy and Traveller Accommodation Assessment was carried out in partnership with the South Downs National Park Authority and published in December 2014. The assessment identifies an objectively assessed need for 32 additional permanent pitches for Brighton & Hove by 2030 (19 in the city's urban boundary and 13 in the city's South Downs National Park area).
- 3.19 The extent to which this need can be met will be tested through the preparation of City Plan Part 2 (Development Management Policies and Site Allocations). As part of this work a joint site search exercise will be undertaken with the South Downs National Park Planning Authority. The site search exercise will be part of the evidence base informing relevant policies in the City Plan Part 2. It is anticipated that work on Part 2 of the City Plan will commence early 2016.

Outcome 2: Improve health, safety and wellbeing

- 3.20 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 public health costs.
- 3.21 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.
- 3.22 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. Initiatives include the identification of Equality and Diversity Champions and Participation Champions in all teams who will help embed understanding of the city's diverse communities within teams in the CCG.
- 3.23 The Brighton & Hove Preventing Violence against Women & Girls: an Integrated Strategy & Action Plan 2012-17 includes commitments to develop women's peer education 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.
- 3.24 A work programme has been completed for professionals to ensure they are confident in identifying and responding to domestic violence, sexual violence and other forms of violence against women and girls. Guidance and training is to be developed which will include a resource pack. Support for Gypsy, Roma and

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<sup>1</sup> DCLG (2012) National Planning Policy Framework:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

<sup>2</sup> DCLG (2012) Planning Policy for Traveller Sites:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457420/Final\\_planning\\_and\\_travellers\\_policy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf)

Travellers who experience to domestic violence, sexual violence and other forms of violence against women and girls will be a topic in the training strategy.

#### Outcome 3: Improve education outcomes

- 3.25 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.
- 3.26 Schools have reported improved attendance of children from Traveller families. Support from the Traveller Education Unit has meant that all schools received assistance in home-school liaison and all pupils new to a school during term-time were supported by a peripatetic teacher. In addition, all children resorting to the city were visited by an Engagement Officer and multi professional outreach team. This intervention has seen 140 pre-school children accessing the Play-bus during 2014/15 and all primary school aged children in families staying on the transit site enrolled in school. Although arrangements were made for secondary school children there was low take-up. Due to the improved attendance of children from the transit site, schools have been offering long-term intervention, for example reading recovery programmes and additional regular personalised teacher support.
- 3.27 Training for professionals, resources for schools and awareness raising events have continued: In June 2015, a cultural awareness and resources presentation was given at a Head Teachers and senior managers' conference. A Best Practice document based on a local school's successful inclusion has been drawn up and shared with other schools.
- 3.28 Discussions have taken place with Head Teachers regarding anticipated training requirements and a programme has been drawn up for 2015/16:
- Seven sessions of Cultural Awareness 'Persona doll' have been provided with a total of 340 children and 15 staff attending.
  - Gypsy, Roma and Traveller culture is now embedded in schools cultural diversity celebrations and a total of 1,950 children attended assemblies or whole class lessons. In addition, there were 25 entries for the Gypsy, Roma and Traveller History Month national competition
- 3.29 Experience has shown that the uptake of school places and pre-school resources from children living on the transit site has been improving but, in contrast, there has been very little engagement with the highly mobile children living in unauthorised encampments due to trust barriers and regular eviction. It is foreseen that the closure of the transit site will have a detrimental effect on Traveller children's education and will not pick up again until the school year following the reopening of the transit site and new permanent site.

#### Outcome 4: Improve community cohesion

- 3.30 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.

- 3.31 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 any action taken to end an encampment is based on the Community Impact Assessment. 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.
- 3.32 The Traveller Liaison Team has continued to provide support to those families on unauthorised encampments and is looking to formalise work with other support agencies in the delivery of services to Traveller communities.
- 3.33 Due to the closure of the transit site, enhanced staffing has been put in place to cope with a potential increase in unauthorised encampments. The Police have reviewed and amended PIER plan and cover has been improved with 3 Gypsy and Traveller Liaison Officers working alternate shifts and a named Sargent overseeing the management of encampments and procedures.
- 3.34 The Council, in conjunction with the police, are looking at the possibility of using PSPO (Public Spaces Protection Orders) under the Anti Social Behaviour Crime and Policing Act 2014. The aim would be to deal with anti-social behaviour (ASB) in parks and open spaces to ensure that everyone can enjoy these spaces.
- 3.35 In Brighton and Hove and subject to consultation, the intention could be to apply PSPOs to parks and open spaces where there is substantial evidence of nuisance and annoyance caused by some people using those areas such as driving on grass, the occupation of land by people in caravans, vehicles or tents, fly tipping, lighting fires and using park areas to defecate/urinate. Vehicles and structures would have to be removed within 12 hours and failure to comply would be a criminal offence.
- 3.36 The council intends to begin three months consultation on the use of PSPO's at the end of November. If their use is approved, they are likely to come into force around the same time as the opening of the transit site in summer 2016.
- 3.37 The Traveller Liaison Team is exploring the opportunities of putting projects in place for the residents of the new permanent site and initial meetings have been held with the Irish Traveller Women's Group and work and learning specialist

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 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.
- 4.2 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.
- 4.3 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.

## **5. COMMUNITY ENGAGEMENT & 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. CONCLUSION**

- 6.1 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.

## **7. FINANCIAL & OTHER IMPLICATIONS**

### Financial Implications:

- 7.1 This report gives an update on the development of the Traveller Commissioning Strategy. The costs associated with any further actions to implement the Strategy will need to be met from within current agreed capital and revenue resources. The capital budget for the new permanent Traveller site at Horsdean is £2.100m as reported to Policy and Resources Committee 9<sup>th</sup> July 2015.

*Finance Officer Consulted: Monica Brooks*

*Date: 19/10/15*



### Legal Implications:

- 7.2 This is a for note report and consequently there is little legal advice required at this stage. Legal advice in relation to the commissioning activities has been previously given. And this should be referred too.

*Lawyer Consulted: Simon Court*

*Date: 09.11.15*

### Equalities Implications:

- 7.3 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.

- 7.4 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.

- 7.5 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

- 7.6 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:

- 7.7 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.

- 7.8 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:

- 7.9 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.
- 7.10 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:

- 7.11 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.
  - **Limited ability to improve children's education** whilst the transit site is closed. It is harder for families to engage with education services on unauthorised sites as they are very short lived.
  - **The need for additional pitches** as identified in the Gypsy and Traveller Accommodation Assessment published in December 2014. The assessment identifies a need for 32 additional permanent pitches in Brighton & Hove by 2030. 19 of these are in the city's urban boundary with Brighton & Hove City Council as planning authority and 13 in our National Park area coming under the South Downs National Park Authority.

Public Health Implications:

- 7.12 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.
- 7.13 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.
- 7.14 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:

- 7.15 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.
- 7.16 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.
- 7.17 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.
- 7.18 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.

**SUPPORTING DOCUMENTATION**

**Appendices:**

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

**Documents in Members' Rooms:**

None

**Background Documents:**

1. Two Years On: the Traveller Commissioning Strategy in Action, Environment, Transport & Sustainability Committee, 20 January 2015
2. One Year On: the Traveller Commissioning Strategy in Action, Environment, Transport & Sustainability Committee, 8 October 2013
3. Traveller Commissioning Strategy 2012, Full Council, 22 March 2012
4. 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