

# Managing and delivering Gypsy and Traveller sites: negotiating conflict



Jo Richardson and Janie Codona MBE

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In Memoriam: Eric, Lord Avebury

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# Executive summary

## What's the issue?

There are many symptoms of an ongoing failure to accommodate Gypsies and Travellers by providing sufficient sites. These include continued poor health, anxiety, and an increasing disconnect from the broader community with Gypsies and Travellers, and poorer education outcomes for their children. Council officers and elected members receive complaints about unauthorised encampments and have difficulty responding if there are no appropriate sites to offer as alternatives.

This is a complex problem with no 'quick fix' solution. But it is possible to deliver well-managed Gypsy and Traveller sites and where that is achieved encampments and associated problems also reduce.

## Ways forward

A number of councils and housing associations are progressive in their management and delivery of sites. Here are some of the key approaches and lessons from the research that many housing organisations could consider:

- Providing more sites is the key to resolving unauthorised encampments in an area.
- Where sites are not yet available, local authorities should consider 'negotiated stopping', rather than eviction, as a more resource-efficient and humane approach.
- Unauthorised encampments and permanent sites need to be seen strategically as a housing issue: data on unauthorised encampments should feed into accommodation needs and plans.
- Councils and housing associations with robust Gypsy and Traveller Accommodation Assessment data and open channels of communication with residents will be more successful in managing and delivering sites.
- Local authorities need to identify sites in plans and should consult with Gypsies, Travellers and other residents on their location.
- Elected members can play a key role in leading local debates on managing and delivering sites: they should be supported through training and by national political leadership.
- Councils have a duty to promote equality; discriminatory discourse should be challenged in line with this duty.
- As with general housing stock, there needs to be a mix of tenure, size and location for new Gypsy and Traveller sites.
- Gypsy and Traveller site management can form part of other social housing management, in terms of policies, processes and standards, albeit with reasonable adjustments for lettings and in terms of equality.
- There should be parity in quality of services, such as repairs and asset management, between Gypsy and Traveller sites and the wider housing stock.
- A well-run site will not cost councils or housing associations money in the long-term (income covers costs on such sites), but capital is needed initially.
- Efficient delivery, resident consultation, considered asset management plans and well-trained, supported officers are vital if new sites are to be successful.

- Inefficiencies occur when lines of accountability between departments and agencies are blurred. Information sharing is key to good management.
- Councils undertaking a review of their sites need to pay careful attention to future management and ownership. Divesting of site stock can weaken lines of accountability and governance and can, in some cases, put longer-term sustainability in jeopardy.

## Background

There has been a long-term policy and practice failure to deliver and manage Gypsy and Traveller sites in the UK. The resulting shortage of sites manifests itself in unauthorised encampments, weakened community cohesion and expenditure on clearing up and eviction. More importantly these protected ethnic groups face poorer health, education and employment outcomes and feel marginalised in society. A mutually beneficial outcome would result from appropriate levels of site provision to meet needs.

Good quality sites are provided in some areas, but historically a number of councils have ignored the strategic issue and only use reactive enforcement measures against encampments. In other areas there may be sites, but they are so poorly managed that they are expensive and unsustainable.

National policy and legislation has also not provided the impetus to deliver sufficient sites and is often not enforced. However, as evidenced by this study, it is possible with political will and officer management to provide sites where people want to live and which will support health and wellbeing rather than detract from aspirations and life outcomes.

## Challenges and conflict

Planning for and managing Gypsy and Traveller sites in the UK is certainly a 'complex' challenge, as there are a number of interconnecting strands and multiple points of resistance. The research team found examples of internal conflict between different departments of a council, or between agencies that would normally work together. This impeded sound management and delivery of sites. In addition, there are often external conflicts and objections to plans from neighbours, the wider community and politicians. Multiple layers of conflict need identifying before plans are put in place to communicate, negotiate and resolve management and delivery issues.

Conflict resolution and negotiation approaches are useful methods to pursue in the management of existing sites and the delivery of new ones. The methods employ real listening techniques, with open minds, to all parties, based on issues rather than historic positions. Such a process is still uncommon, with many debates, particularly on new site delivery, based on previous positions and with patchy consultation and communication. The study found that, in the three case study areas, the councils and housing association seemed to find the opportunity of talking to an independent observer helpful in seeing problems through fresh eyes. Questioning of processes provided useful points for reflection and potential change.

## Site management

The study found varied site management quality and different management styles and frameworks. A few local authorities and housing associations are dynamic and forward-thinking in their styles ('grasping the nettle'). Many organisations have a just-sufficient approach: doing only what is needed to keep sites at a standard ('ticking along'). Some local authorities are not doing enough, perhaps hoping the 'problem' will go away ('ostrich').

In interviews with residents and professionals from three case study areas and from site visits across the UK, a number of questions and themes arose repeatedly. These prompted the study team to consider what the 'key ingredients' were in good site management and the report includes an evaluation of these, with examples of where they are included and lessons from where they are not. The ten key ingredients for good site management are:

1. Clear plans, policies and lines of accountability; particularly a fair and well-communicated lettings policy.
2. Reasonable pitch fees (and utility rates).
3. Clear processes for repairs and maintenance, an asset management strategy and site investment with a strong focus on physical environmental issues.
4. Resident communication, participation and engagement.
5. Managing and designing-in safety and security on sites.
6. Consistent policies for dealing with animals on sites.
7. Communal facilities on sites (can be a source of conflict or cohesion).
8. Supporting and facilitating opportunities for Gypsies and Travellers in their daily lives.
9. Supporting and training staff for site management.
10. Negotiated approaches to unauthorised encampments to bring business and social benefits to the locality.

## Site Delivery

There are real challenges in turning evidenced need for accommodation into sites identified in Local Plans, and then from plans into accommodation on the ground. Some of the key challenges are:

- Identifying and acquiring appropriate land within the planning authority area, either by using council land in preference to other uses, particularly private sector housing development, or acquiring other public sector or private land.
- Obtaining planning permission and overcoming local objections. There are examples of councils turning down their own applications for sites, or including conditions that add expense and delay to site delivery. In some cases councillors do not lead positively to allay residents' concerns.
- Cost of decontaminating and/or preparing sites. Many identified sites or their surroundings require land decontamination from previous uses, or need significant work to protect against flooding.
- Expense of contracts and funding mechanisms. Contractors may submit tenders that are higher than for mainstream housing, sometimes under the apprehension that for safety reasons they need more labour. Lenders are not universally attracted to sites as a housing product so there can be difficulty in securing loans to top up HCA funding.
- Agencies misunderstanding Gypsy and Traveller sites. In some examples HMRC have charged VAT at 20 per cent on amenity blocks ('sheds') that do not have bedroom facilities, or that have a planning condition that they cannot be used as such; and so they are judged non-residential buildings and subject to VAT (this is not always the case where plans are clearly communicated and use of amenity blocks is more flexible and sustainable).

Some local authorities and housing associations are delivering new sites and there appear to be certain key ingredients for success:

1. Robust and defensible evidence of accommodation need.
2. Strategic, not reactive, local decision-making on plans.
3. Political will and leadership.
4. Good communication, accompanied by Gypsy and Traveller will and leadership.
5. Good site design with appropriate facilities.
6. Effective financial and project management.
7. Adaptable and agile approaches with consideration of the alternatives.

An eighth ingredient – that there must be strategies in place for sustainable lettings and long-term management of new sites – links back to the ingredients for successful site management.

## Recommendations

The study has 12 recommendations to housing bodies, local authorities and government agencies:

1. Recognise that site provision is the key to resolving continuous unauthorised encampments in an area.
2. Where sites are not already in existence, consider ‘negotiated stopping’, rather than eviction, as a more resource-efficient and humane approach to unauthorised encampments.
3. Understand unauthorised encampments and lack of permanent sites as housing issues reflecting unmet accommodation needs.
4. Have robust Gypsy and Traveller Accommodation Assessment data based on open channels of communication with residents.
5. Identify sites in Local Plans and consult with Gypsies, Travellers and other residents on location of sites.
6. Encourage elected members to play a key role in leading local debates on managing and delivering sites, supported through training and by national political leadership.
7. Recognise a duty to promote equality in this area; challenge discriminatory discourse about Gypsies and Travellers as part of this.
8. Plan for a mixture of tenure, size and location for new Gypsy and Traveller sites, as with general housing stock.
9. Bring in Gypsy and Traveller accommodation alongside other social housing, in terms of policies, administration and standards of management.
10. Recognise that a well-run site will not cost money in the long term (income can cover costs) but capital funding is needed initially to support delivery.
11. See information sharing as key to good management: inefficiencies occur when lines of accountability between departments and agencies are blurred.
12. Pay careful consideration to future management and ownership issues when undertaking reviews of local authority sites.

### Conclusion

There is an accommodation shortage, especially for affordable housing, across the UK. This includes Gypsy and Traveller sites. There are challenges and issues in managing and delivering such sites and the research fully acknowledges this. But the report aims to bring balance and make counter arguments to the pervasive notion that all sites are problematic and that Gypsy and Traveller issues belong in the 'too difficult' pile of things to do by local authorities. The overriding message from this research is that sites can be well-managed, sustainable and vital elements of a diverse community. Challenges can be overcome. Inequalities in treatment of Gypsies and Travellers must be addressed, and one element of that – an essential first step – is the provision of sufficient, appropriate, well-managed accommodation.

### About this research

The research team:

- Conducted meetings and interviews from September 2014 to early July 2016 with 51 Gypsy and Traveller residents on sites and 55 professionals in various spheres of public administration and management, in three case study areas.
- In wider research visits across the country the team interviewed a further 71 Gypsy and Traveller residents and 40 professionals.
- The 122 residents interviewed in total included English Gypsies, Irish Travellers, Welsh Travellers, Scottish Travellers and New Travellers.
- 54 sites were visited by the research team; all, bar two, were public sites run by local authorities or housing associations.



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# Chapter One

## The context for Gypsy and Traveller site provision

### Introduction

There are many symptoms of an ongoing failure to accommodate Gypsies and Travellers in England and Wales (and indeed more broadly in the UK and the rest of Europe). They include poor health, anxiety, lower education outcomes for children and an increasing disconnect with the broader community. For officers working in councils and housing associations, and for parish, district and county councillors and MPs, the symptoms may be more frequent unauthorised encampments and complaints from local residents.

The research was undertaken to look behind the symptoms, better understand the challenges and suggest ideas and recommendations for the future. It took place between September 2014 and July 2016. It looked at site management and delivery for Gypsies and Travellers in England and Wales, with some examples from the wider UK. This includes English Romany Gypsies, Irish Travellers, Scottish Travellers, Welsh Travellers and New Travellers. The research does not specifically include Roma or Showpeople, whose accommodation needs are different. Similarly, the research did not include interviews specifically with Gypsies and Travellers currently living in permanent housing. If this research were an accommodation needs report then that would have been essential, but the focus of this study was on challenges in site delivery and management, and so the methodology was similarly focused on sites and site residents. The research found issues of complexity and challenge, but also areas of improvement and some success. The report sets these out and evaluates some of the negotiation and conflict resolution measures that can be considered.

### Context and background

There are between 10 and 12 million Roma, Sinti, Gypsies and Travellers in Europe; they are Europe's largest ethnic minority group. The Council of Europe (2012) estimates that between 150,000 and 300,000 Gypsies and Travellers reside in Britain. The national census of 2011 shows 54,895 recording their ethnicity as such, but this is considered by many working with the communities to be a significant underestimate. The Irish Traveller Movement in Britain (2013) looked additionally at numbers recorded in all Gypsy and Traveller Accommodation Assessments (GTAAAs) and found the population for England in 2012 was 122,785. Census, count and GTAA data collection does not reach the whole Gypsy and Traveller population, however, and for a variety of reasons Gypsies and Travellers may not self-ascribe as such. The GTAA population figure will most likely still show an undercount, but the 2012 figure is closest to the low end of the range calculated by the Council of Europe.

Approximately one-third to a half of all Gypsies and Travellers live in caravan/mobile home accommodation (either on the roadside or on sites), and the remainder in housing. Of those not in housing, a quarter live on unauthorised sites (on their own land without permission, on other land or on the roadside). It would be difficult to find any other ethnic minority group in this country with such large numbers that are effectively homeless: Gypsies and Travellers are among the most excluded groups in British society.

## The context for Gypsy and Traveller site provision

The most recent data collected and published by government, during this study, was the January 2016 *Count of Traveller Caravans*.<sup>1</sup> This shows a steady increase in numbers over the last two years (see the details in Figure 1).

**Figure 1: Number of Traveller caravans by type of site, England, 2014-2016**

	Jan 2014	Jan 2015	Jan 2016	% of total caravans	Change Jan 2015 - Jan 2016	% Change Jan 2015 - Jan 2016
Caravans on Authorised Sites (with planning permission)	16,859	17,452	18,500	87%	1,048	6%
Socially Rented Caravans	6,846	6,867	7,046	33%	179	3%
Private Caravans	10,013	10,585	11,454	54%	869	8%
Temporary Planning Permission	1,018	815	712	3%	-103	-13%
Permanent Planning Permission	8,995	9,770	10,742	50%	972	10%
Caravans on Unauthorised Sites (without planning permission)	2,660	2,671	2,806	13%	135	5%
Caravans on sites on Travellers' own land	1,682	1,893	2,130	10%	237	13%
Tolerated	903	1,060	1,054	5%	-6	-1%
Not tolerated	779	833	1,076	5%	243	29%
Caravans on site not on Travellers' own land	978	778	676	3%	-102	-13%
Tolerated	403	328	264	1%	-64	-20%
Not tolerated	575	450	412	2%	-38	-8%
Overall Total	19,519	20,123	21,306	100%	1,183	6%

Source: CLG (2016) *Count of Traveller Caravans*. London: CLG.

The various counts show an increase in the total number of Traveller caravans of 28 per cent from 2007 to 2016. Where the count fell in 2016 was in unauthorised encampments (caravans on land not owned by Travellers, which can be a mixture of public and private land) – from 978 in 2014 to 676 in 2016 – including a marked reduction in ‘tolerated’ unauthorised encampments which nearly halved over the two years.

The data coincides with examples in some areas of a reduction in ‘toleration’ of encampments and the use of more adversarial processes of eviction, move-on and injunctions. Whilst there are pockets of good practice in negotiating with unauthorised encampments for the mutual benefit of Travellers and the wider community, and at demonstrable savings to local budgets, there appears to be a ‘tougher’ approach to encampments in some areas and this appears to be borne out in the count data.

## Legislation and policy in the UK and Europe

One of the principal causes of the site shortage and growth in unauthorised encampments and numbers in housing has been a failure of policy in the past. There were some improvements up to 2010, addressing the shortage of sites through a range of policies including a duty to assess accommodation needs specifically for Gypsies and Travellers. But these positive steps are in contrast with changes under the coalition government and more recently. Cuts to funding

<sup>1</sup> DCLG (2016) *Count of Traveller Caravans, January 2016, England*. London: DCLG, p.3.

The context for Gypsy and Traveller site provision

threaten any ring-fenced budget for provision of more council sites while, in England, the Housing and Planning Act 2016 removes even the duty to undertake specific Gypsy and Traveller Accommodation Assessments to understand need. The definition of Gypsies and Travellers for England was changed in an updated *Planning Policy for Traveller Sites* in August 2015, no longer allowing for those who stop travelling for health, education or other reasons to define as such. Through current ongoing accommodation needs assessments and readjustments based on the new definition, some areas are recording a reduction on paper of the number of Gypsies and Travellers in their areas, as defined by government for planning purposes.

Figure 2 shows the very broad legislative/policy context for Gypsy and Traveller site provision in the UK. It provides an indication of key points rather than a detailed legislative analysis. There are some progressive policies in Wales that could provide lessons for the other UK countries, in terms of duties within the Housing (Wales) Act 2014 and subsequent detailed guidance from the Welsh Government on delivering and managing sites.

Figure 2: Legislative and policy provision for Gypsy and Traveller site provision in the UK

England	Wales	Scotland	Northern Ireland
<ul style="list-style-type: none"> <li>• Housing and Planning Act 2016 – removes duty to separately identify Gypsy/Traveller accommodation needs</li> <li>• Criminal Justice and Public Order Act 1994 (repealed Caravan Sites Act 1968 duty to provide sites; sections 61 and 62 used for evictions)</li> <li>• Mobile Homes Act 1983 as amended by Housing and Regeneration Act 2008 – security of tenure on public and private sites.</li> <li>• <i>Planning Policy for Traveller Sites</i> (2015) – changes definition of Gypsy and Traveller and consideration of Green Belt land</li> <li>• Human Rights Act 1998</li> <li>• Equalities Act 2010</li> </ul>	<ul style="list-style-type: none"> <li>• Housing (Wales) Act 2014 – duty to ‘properly’ assess need and LAs compelled to ensure sites identified as needed are delivered</li> <li>• Criminal Justice and Public Order Act 1994 (repealed Caravan Sites Act 1968 duty to provide sites; sections 61 and 62 used for evictions)</li> <li>• Welsh Assembly Government Circular 30/07 <i>Planning for Gypsy and Traveller Caravan Sites</i></li> <li>• Welsh Government framework (2016) <i>Travelling to a Better Future</i></li> <li>• Welsh Government (2015) <i>Designing Gypsy and Traveller Sites in Wales</i></li> <li>• Welsh Government (2015) <i>Managing Gypsy and Traveller Sites in Wales</i></li> <li>• Mobile Homes (Wales) Act 2013 – security of tenure on public and private sites</li> <li>• Human Rights Act 1998</li> <li>• Equalities Act 2010</li> </ul>	<ul style="list-style-type: none"> <li>• Scottish Government Planning Policy (2014)</li> <li>• Housing (Scotland) Act 2010 – includes provision and management of sites under the definition of ‘housing services’</li> <li>• Circular 10/2009 enforcement of unauthorised sites in planning procedures</li> <li>• Human Rights Act 1998</li> <li>• Equalities Act 2010</li> <li>• Scottish Parliament <i>Where Gypsy/ Travellers Live</i> (2013)</li> </ul>	<ul style="list-style-type: none"> <li>• Criminal Justice and Public Order Act 1994 (repealed Caravan Sites Act 1968 duty to provide sites; sections 61 and 62 used for evictions)</li> <li>• Human Rights Act 1998</li> <li>• Northern Ireland Act 1998 imposes more limited equality duties than in rest of UK</li> <li>• Equality Commission for Northern Ireland (2009) <i>Outlining Minimum Standards for Traveller Accommodation</i></li> <li>• Northern Ireland Housing Executive responsible for managing and delivering appropriate accommodation</li> </ul>

Note: Thanks to Marc Willers QC, of Garden Court Chambers, for assistance in the compilation of this broad summary.

Looking across Europe, the picture is one of inequality, lack of suitable accommodation and barriers to accessing education, employment and healthcare. In its assessment of Roma integration strategies, the European Commission (2016) noted some positive trends, but

highlighted 'serious bottlenecks' and asked member states for a 'political recommitment to Roma integration'.<sup>2</sup>

Their recommendations (p.17) were:

- enforce anti-discrimination and anti-racism and xenophobia legislation
- prevent evictions on the grounds of ethnic origin
- eliminate segregation in education and housing
- put in place safeguards and targeted measures to ensure that mainstream interventions effectively reach out to Roma
- extend and multiply smaller-scale initiatives
- further develop data collection, monitoring and reporting methodologies
- make full use of National Roma Platforms to ensure inclusive involvement of all stakeholders.

The UK has made a patchy response to implementation of Roma strategies over the last decade of 'Roma Inclusion'. The impact of the vote in June 2016 for the UK to leave the EU is likely to be one of slowing down rather than advancing many of the strategies to improve the lives of Roma, Gypsies and Travellers.

### Challenges and conflict

Planning for and managing Gypsy and Traveller sites in the UK is certainly a 'complex' challenge, as there are a number of interconnecting strands and multiple points of resistance. The research team found examples of internal conflict between different departments of the same council, or between agencies that would normally work together. This impeded sound management and delivery of Gypsy and Traveller sites. In addition, there are often external conflicts and objections to plans from neighbours, the wider community and politicians. Multiple layers of conflict need identifying before plans are put in place to communicate, negotiate and resolve management and delivery issues.

Conflict resolution and negotiation approaches are useful methods to pursue in the management of existing sites and the delivery of new ones. The methods employ real listening techniques, with open minds, to all parties, based on issues rather than historic positions. Such a process is still uncommon, with many debates, particularly on new site delivery, based on previous positions and with patchy consultation and communication. The study found that, in the three case study areas, the councils and housing association seemed to find the method of talking to an independent observer helpful in seeing current problems through fresh eyes. Questioning of processes provided useful points for reflection and potential change.

Lessons and ideas from the case studies and the further examples are found throughout the rest of the report.

### Structure of the report

This chapter has set out the broad focus of the research and the context for Gypsy and Traveller site provision. Chapter two will outline the methodological strategy for the research and some detail on the three case study areas. Chapters three and four focus on site management: first looking at different approaches and culture and then key ingredients, with lessons from the case studies and from site visits across the country combined with those from wider literature. Chapter five examines the key issues related to site delivery – again with ideas from case studies and other area visits. Finally, chapter six offers conclusions and recommendations.

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<sup>2</sup> The word 'Roma' is used in much European policy and reporting; but it is a term that encompasses Roma, Gypsies and Travellers.

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# Chapter Two

## Research design and case studies

### Introduction

This chapter outlines the methodological approach and research design for the study. It then goes on to set out key characteristics and issues related to the three case studies, and how the material from them is used throughout the report.

### Research design

From the outset the research was designed to be co-productive in approach. It built upon previous 'listening exercises' which developed the research question: 'What can we learn about the conflict inherent in Gypsy and Traveller site delivery and management, to suggest improvements for the future?' The study design included close consultation with four Gypsy and Traveller agencies, one with a particular expertise in training public sector bodies on Gypsy and Traveller issues and with an interest in mediation, and three advocacy/advice agencies working with Gypsy and Traveller communities, one in each of the three geographical case study areas.

The research need that emerged from initial discussions with Gypsies, Travellers, local authority and housing association officers and elected members in the three case study areas was for a practical focus on the issues on site management and site delivery and the inherent conflicts and challenges involved. The report adopts these two key areas of focus- site management and site delivery – not just in the case study areas but across the country. In all three case studies, whilst there were issues of conflict and examples of not 'grasping the nettle,' there were also individual officers, residents and advocates who showed huge commitment and empathy.

### Methodology

The case study areas were selected in partnership with JRF and the project advisors, based on knowledge of where there were particular issues of conflict related to site delivery and management at the time the project started. The three areas are based in one county in England, but there are differences related to numbers of existing sites, local political leadership, management arrangements for sites and challenges in delivery of new sites. The three areas remain anonymous in this report – anonymity was offered so that respondents could speak frankly.

The research team conducted meetings and interviews from September 2014 to July 2016 with 51 Gypsy and Traveller residents on sites in the case study areas (of which ten were male). In the wider research visits across the country the team spoke with a further 71 Gypsy and Traveller residents (of which 22 were male). The total of 122 resident respondents on sites included English Gypsies, Irish Travellers, Welsh Travellers, Scottish Travellers and New Travellers.

The researchers also undertook interviews with 55 'professionals' in the three case study areas – these included senior local politicians, councillors, and officers dealing with housing,

planning, site management, repairs, asset management, health and police. The study then undertook a wider set of research visits across the UK in which the team spoke with a further 40 'professionals' from various spheres of public administration and management. There were visits to 21 different geographical locations,<sup>3</sup> in addition to the three case study areas, covering all the English regions and all countries in the UK. There was a mix of rural and urban examples throughout. Over the period of the project 54 sites were visited by the research team, all but two were public sites run by local authorities or housing associations.

There was a large element of 'snowballing' too from the 'grey literature' on council websites, as well as from emerging evidence from respondents, for example: 'Have you been to X? They have great/awful sites there.' From these, the team were able to visit many, but not all, of the areas suggested by a variety of sources. Site visits were selected to represent a variety of practice including those areas keen to share 'good' practice, sites which were in need of better management and renewed focus and also those that were 'ticking along' with neither excellent nor poor practice, but possibly representing the majority of site provision.

In addition to face-to-face site visits and interviews, the research team have spoken to a great many more Gypsies, Travellers and professionals in telephone calls, emails, and at conferences in order to share ideas and to ask questions pertinent to the emerging themes from the research.

### The case study areas in more detail

The findings from the three case study areas are woven throughout the report. Here are short pen portraits of them; their key characteristics are summarised in Figure 3.

#### Case study one

The area has a large population of Gypsies and Travellers; it is a mix of urban and rural locations and some parts of the area face high levels of deprivation and exclusion. There is not a high level of political leadership or drive to deliver further new sites, particularly social sites from the local authority or housing association, although planning staff at the council argue that the provision of additional pitches on existing sites demonstrates political support in the recent past. The local authority has undertaken a number of paper exercises in recent years to update the waiting list and the GTAA which have seen the number of pitches required drop dramatically – indeed the latest GTAA suggests there is a significant surplus. No new public sites have been delivered, but some additional pitches have been created on existing sites. The area has a very high number of private sites.

The public sites are managed by the housing association. The study team perceived a lack of clarity and accountability in management processes, but by the end of the research project there was a sense that the issue was being grasped and asset management plans for the sites developed.

#### Case study two

This is a largely urban area with some rural fringes. As with case study one there are pockets of deprivation. At the beginning the study team found demonstrable political leadership to

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<sup>3</sup> The majority of the 21 additional areas examined were county-based 'cases' where sites were visited in specific locations. Some were also large or capital cities, including London, Belfast and Dublin.

promote site delivery; however as a result of local elections the political landscape changed and the proactive commitment seemed reduced. In case study two there is one large council-managed site and one informal site being built out and regularised as a result of a pragmatic approach to dealing with a specific unauthorised encampment. There are pockets of good practice and a very strong advocacy organisation.

Sites are managed by a dedicated team of officers at the council. Individually there is commitment to the issue; however despite this the net result is a site that has issues of conflict, a poorly maintained proposed communal area, comparatively high rents for pitches and a tense relationship at times between council and advocacy organisation. Recent political changes mean there is less commitment to a pragmatic approach to unauthorised encampments and there are no sites identified in local plans.

### Case study three

This area has an historic urban heart surrounded by rural fringes. A tightly bound planning authority area has made it difficult for the council to identify sites in plans. Indeed there are none, as the two previously included were removed under latest national guidance because they were in the green belt. A recent change following local elections means any previous political support for site delivery has disappeared. The council has individual dedicated officers, but there is also a current review of sites that will likely result in outsourcing of management. No new public sites have been delivered, but some additional pitches have been created on one of the existing sites.

There is a history of conflict particularly on one of the three council sites, where there was an incident of alleged arson against the community hub. There are also flashpoints of conflict with the local advocacy and support organisation that have resulted in an attempted legal challenge on rent increases. The conflicts seem to have a common thread of perceived insufficient communication reported by some site residents and the local support organisation, although the council states that there are regular site visits and communication with residents via newsletters and direct mail to individuals. The council argues that the main reason for conflict arises when responsibilities set out in the pitch agreement, e.g. on parking, fly-tipping and anti-social behaviour, are breached.

## How the case study and other examples are treated in the report

The aim of this study is to examine the challenges but also to provide positive examples of sites being delivered and well-managed. In the three case study areas these are anonymised as a matter of course, as promised by the research team. For examples from outside the case study areas, where good practice can be learned, the areas are named. Where it would not benefit the area to name them and where lessons derive from challenges and previous poor practice, the examples are also anonymised. References to the three case studies in boxes are labelled as 'Case study one', etc. and wider examples are labelled 'Example'.

**Figure 3: Summary of case study characteristics**

	<b>Case Study One</b>	<b>Case Study Two</b>	<b>Case Study Three</b>
<b>Estimated Gypsy and Traveller population</b>	Approx. 4,000. <sup>1</sup>	Approx. 3,000. <sup>2</sup>	2011 Census and 2013 GTAA state 269 people identified themselves as G/T; likely to be significant undercount. Traveller advocacy organisation estimate approx. 350 families.
<b>GTAA stated pitch requirements</b>	Sub-regional GTAA study for period 2011–2016 stated 59 pitches required. GTAA undertaken in 2014 and independently reviewed, showed 41 pitches needed. In 2015, following provision of 16 additional pitches on two public sites, and council reduction of the waiting list from 33 to two, showed a surplus of 56 pitches in year one, and a five-year surplus of 12. The 2016 GTAA refresh showed a five-year surplus of 93 with a current 'unmet need' figure of surplus 16.	Sub-regional GTAA study for period 2008–2015 (never formally accepted by council) found need for 48 additional pitches. No additional pitches were delivered during that period. Updated GTAA for the city conducted in 2014 found a requirement for 62 pitches in the 14-year period to 2027/28.	2013 GTAA outlined requirement for 33 additional pitches in the period to 2018, with a further 33 in the period from 2019–2030.
<b>Number of public sites/pitches</b>	Three Gypsy and Traveller Sites. 53 pitches. One New Traveller Site. <sup>3</sup> Transit site was closed down a couple of years ago – no current transit provision.	One main site with 41 pitches. One temporary site for approx. five informal household plots. No current transit provision.	Three council sites with a total of 61 pitches. No current transit provision.
<b>Public site rents per pitch</b>	Range from £69.15 to £91.44 per week. <sup>4</sup>	On the main site ranges from £119.22 per week for plot with one caravan to £205.84 for plot with four caravans. <sup>5</sup>	Across the three council sites, rents range from £72.83 for older plots up to £99.94 for newly refurbished plots on one of the sites.
<b>Number of private sites/pitches</b>	56 mostly small sites, with some larger private sites.	Zero authorised/recorded by local authority.	One historically tolerated private site plus two unauthorised developments. →



	<b>Case Study One</b>	<b>Case Study Two</b>	<b>Case Study Three</b>
<b>Number of unauthorised encampments during the study period (1 September 2014 – 31 March 2016)</b>	The council reports zero current unauthorised encampments, but there are 72 unauthorised development pitches on existing or new small private sites in the authority area. <sup>6</sup>	The council noted a total of 88 unauthorised encampments over the eighteen-month period: 53 on council land and 35 on private land. <sup>7</sup>	The council noted three unauthorised encampments in January 2016 and two the preceding June. It is acknowledged that throughout the year there are approximately four unauthorised encampments that travel in this area and in the wider region. <sup>8</sup>
<b>Public site management arrangements</b>	Housing association management.	Local authority traveller team within housing department.	Local authority traveller team within housing department.
<b>Traveller Pitch Fund Grant sought or awarded</b>	In 2011/12, £1.44m awarded for 12 additional pitches on one local authority site and four additional pitches on a second.	In 2013/14, £810,000 awarded for refurbishment of 41 pitches. In 2014/15, awarded £1,074,000 but not deliverable because permission for 12 additional pitches on the existing LA site was refused.	In 2013/14, £423,500 awarded for an additional six pitches to one of the council sites.
<b>Local Gypsy and Traveller advocacy</b>	Gypsy and Traveller expertise at a voluntary service council.	Well-renowned advocacy organisation based in the city.	Travellers organisation based in the city.
<b>Political control of council</b>	Since May 2013 under Labour control. Directly elected Mayor.	Since May 2015, under Labour control.	Since May 2015, no overall control. Council is run by a coalition of Conservatives and Liberal Democrats.
<b>Local Development Framework/Plan</b>	Some allocation of underused and unused private sites in policy SP21 but Sites and Policies document has been withdrawn. Currently in process of consultation and preparation of Local Plan; consultation closed December 2015, publication date unknown.	Number of existing sites safeguarded under policy HG6, three small sites (four plots) proposed for allocation in plan under policy HG7. Draft site allocations plan consultation ended November 2015, publication date unknown.	Site identification had been undertaken and two sites were originally included in the consultation Local Plan. But the plan was halted in October 2015. Consultation recommenced in July and completed in September 2016; but the two sites were withdrawn from the 2016 document because they were in the green belt.

**Notes:**

1. This was the top of the range estimate in GTAA 2015.
2. Estimate from advocacy organisation from baseline study in 2005 and local knowledge.
3. This area also manages three non-Gypsy/Traveller residential sites.
4. Compares with £27.89 per pitch per week on non-Gypsy/Traveller residential sites and with £70.95 per week average LA/HA rent at 2015.
5. Compares with average rent for property with one bedroom of £61.65 to property with five bedrooms of £76.19 per week

- (city council letter dated 15 October 2013 in response to FOI request).
6. GTAA for the authority, published March 2016.
7. Email clarifying data from council on 16 June 2016.
8. The council was asked for UE figures from 1 September 2014 to 31 March 2016; the response referred to count data collected in January and June each year. The official count published by DCLG shows zero for this authority for the last several counts. This example demonstrates why the bi-annual count is seen as an 'under-count'.

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# Chapter Three

## Site management: approaches and culture

### Introduction

A well-managed site can be self-financing and sustainable. In areas where Gypsy and Traveller sites are managed well, there is less likelihood of objection to proposals for new sites (Richardson, 2007). Sustainable sites not only contribute towards a mix of accommodation provision, but they can also be part of diverse and cohesive communities.

The study found a range in quality and style of social site management. There were elements of good practice in many areas. In some locations the local authority took a leadership role, but there were other examples where the leadership and good practice came from an advocacy agency, a charity, police liaison or Gypsy and Traveller representatives. In several areas examined, there was a 'lone voice' producing an excellent service in spite of a wider inter-organisational framework of apathy or even proactive disengagement from the issue.

The chapter describes site provision across the UK and then categorises and describes the management approaches and cultures found in the study.

### Site provision in the UK

Across the UK, there are approximately 382 local authority sites or schemes owned and/or managed by local authorities or housing associations. There are 316 recorded local authority sites in England, accommodating approximately 7,046 caravans (CLG, 2016). The majority of sites visited by the research team were sufficient, but with room for better everyday repairs and minor improvements. Some were of excellent quality, places where anyone would be happy to live. Other are not maintained to high standards nor do they make best use of space; several sites needed refurbishment and stronger management.

In Wales there are 19 local authority sites managed by councils or housing associations providing 371 pitches (Welsh Government, 2016). In Scotland there are 32 local authority-managed Travellers sites across the country (Scotland Shelter, online).

Across all of the different locations the research team visited for data collection, there were diverging approaches to site management and delivery. The list below is not exhaustive, but the variety of approaches covers most of the different management styles the study team encountered on research visits.

### Variety of site management approaches

1. Local authority owned and managed.
2. ALMO or housing association managed.
3. Local housing association managed.

Within the above three management approaches there are further typologies:

- a. A non-Gypsy/Traveller direct employee visits the site to undertake any management duties required.

- b. A Gypsy/Traveller direct employee who is non-resident on any of the sites visits them to undertake any management duties required.
  - c. A Gypsy/Traveller site resident is employed by the organisation to undertake some management duties on that site and possibly other nearby sites. Site residents may refer to this role as a 'warden'.
4. Multi-agency unit managed – normally this is led by a county council in an area and includes police, health and education officers in the team.
  5. Housing association proactively building and managing sites in an area.
  6. Private Gypsy/Traveller organisation managing sites on a lease agreement.
  7. Private Gypsy/Traveller managing sites acquired from council divesting stock.

### Cultures of site management

There were different cultures in the organisations in dealing with issues, and this had an effect on the quality of site management. These cultures and their effect on site management can be broadly categorised and analysed as:

- grasping the nettle
- the ostrich
- ticking along.

#### Grasping the nettle

In this category were locations where the local authority expressed responsibility for Gypsy and Traveller site provision, where grant had been applied for in the recent past to refurbish sites and where officers, politicians and Gypsies and Travellers were engaged in attempting to meet ongoing need for site provision. In some areas, councils had taken back management of sites from organisations previously contracted out to manage or lease them, in order to tackle problems and regain control.

#### EXAMPLE: 'Grasping the nettle'



##### County Durham

Durham has six social sites providing a total of 126 pitches. The rents, reviewed annually, are consistent across all sites at £70.59 per week for a double pitch and £66.48 for a single pitch.

##### Proactive management and maintenance

The county council directly manages the sites, there is no arms-length lease arrangement, and site management benefits from being firmly rooted in a council strategic plan. The county also has a detailed lettings policy. Durham has developed a process for capturing data and recording changes that take place. This is through a monthly check by the team leaders visiting each site, speaking with site managers and reviewing any issues that arise. These are logged and monitored each month. This allows problems to be discussed and conflicts avoided. Issues discussed include voids and unreported absences, number of visitors staying on pitches, incidents of conflict, fly-tipping and grazing, and repairs. This means that repair notifications are reviewed each month and closed where appropriate or highlighted if still an ongoing issue.



There are checks on water, so for example if a resident is away, the water is turned on every two weeks to help prevent incidents of Legionnaires disease from standing water. The monthly check also includes recording of who is on the site, including visitors stopping for a short time with family, along with a general head count of numbers of children and adults on the site.

### Site investment

The council is forward-thinking in terms of capital investment and refurbishment on sites. All six sites have been refurbished since 2009. The council have been successful in applying for HCA grant, but with political support and leadership have also invested significant capital themselves to keep the sites well-maintained.

The 2015 refurbishment of one site, which was relocated outside a flood zone, required a large investment in ground works. The site is close to settled neighbours, schools, shops and the hospital. The utility blocks ('sheds') are brick-built and blend in with the wider residential area. The sheds are generous in size; there is under-floor heating, double glazing and a good quality finish. On-site there is a community building and site office, equipped with solar panels for efficient energy. At the time the research team visited, 52 children were resident and could use the clubs and sessions run from the building.

The site has a resident site manager from the Gypsy and Traveller community, who also manages another council site. The residents 'love' the new sheds and the county council has a good reputation with the community.

### Transit sites

There is one 'stopover' site in the county available for all-year use. Other transit provision is offered on a need-to-use basis, so six other stopover areas are brought into use in the summer, particularly for those travelling to Appleby Fair in Cumbria.



Photo: Jo Richardson

There are a number of local authorities and housing associations 'grasping the nettle', getting on top of any site problems, refurbishing and maintaining sites as they would do their wider housing stock. Even where councils are proactively managing sites and they are well run, there can be issues that jeopardise harmony; but a local authority that is already in touch with residents and understands the site can be quick to respond.

The study also found examples where site management had been outsourced previously, proved unsatisfactory and was brought back 'in-house' to allow better governance and control and to implement plans for improvement.

### EXAMPLE: Taking site management back in-house



#### Norfolk

Within Norfolk there are five local authority-owned sites and two owned and managed by housing associations. The council-owned sites were previously managed by an external management company who employed a member of the Gypsy and Traveller community to assist with day-to-day management.

Norfolk County Council has taken back responsibility for three of the sites, now managed by Norfolk and Suffolk Gypsy and Traveller Services. For two of the sites this means there is no longer an on-site Traveller manager, a similar approach to that of other areas who are 'mainstreaming' services.

It is still early days and there are plans underway for refurbishment of some sites where work is needed. But the change acknowledges that the previous management scheme was not working and lines of accountability to the local authority are now stronger.

### The ostrich

A few local authority areas visited were reluctant to acknowledge Gypsy and Traveller site management and delivery as important issues and, at times, were hesitant in engaging with the research team. Some of this was possibly related to limited human and financial resources to deal with issues; but this was often also linked to lack of leadership. Refurbishment grant, for example, had not been sought to update 'sheds' and maintain roadways, street lighting and common areas and, when questioned, no one seemed sure why it had not been applied for. Local politicians and some officers felt that accommodation needs had been overstated, or that ad-hoc reactive private planning permissions would be sufficient to meet future need, rather having than a proactive, strategic approach to site management and delivery.

In some 'ostrich' locations 'lone voices' were working within an otherwise apathetic system to try to get things done. Some of these were individual officers or they were local politicians swimming against the tide; in other cases they were advocacy agency workers trying to penetrate bureaucracies to get Gypsy and Traveller voices heard. Some 'ostrich' areas found the issue of Gypsy and Traveller sites politically embarrassing and felt that site delivery and management could be done through the market. In these areas council site stock had been divested for 'best value' and sites were sold or long-leased to a private individual or organisation.

### EXAMPLE: Privatising site provision



#### A number of authority areas

A number of local authorities have sold or leased site stock in the recent past and more are following suit. Whilst councils might think this is a quick fix solution to divest themselves of the 'problem' and obtain capital receipts, it is a short-term 'solution' and many residents spoken to in the study described their unease about this happening.

For Gypsy and Traveller residents on council sites this can be a worst-case scenario as there is a loss of accountability and leadership from the council over lettings and management.

Residents' comments included: 'It might be ok on smaller [family] sites, but not on bigger sites, it is open to power and bullying.'

Whilst some 'ostrich' locations were benignly not engaging with issues, others were more overtly hostile to Gypsies and Travellers.

### EXAMPLE: Poor and insufficient accommodation for Gypsies and Travellers

#### Anonymous example, East of England

In this town the local council has taken an extremely strong enforcement approach. The council took out an injunction that was effectively a blanket ban on all Travellers. Whilst not unheard of, the action was coupled with high-profile negative discourse by some local politicians and a local MP. Unauthorised encampments were seen historically as automatically a police, rather than a housing, matter. The hostile injunction also needed to be seen in the context of local site provision, since there is no current transit site.

Two permanent sites in the local area were managed by the county multi-agency unit. One of those visited looked well-managed, but the other was in a very poor state.<sup>4</sup> There were some void plots with partially demolished utility buildings covered in graffiti and surrounded by smashed glass and other rubbish. At the entrance to the site there was a burnt-out trailer and nearby were burnt-out cars. The county is aware of the need for refurbishment and plans are underway. Coupled with action on some residents' agreements this should result in a repaired site with a small number of pitches available to those on the waiting list. However, from appearances during the visit, this site would match the worst imaginings of settled residents and would act as a barrier to agreeing any proposals for a new site.

For the avoidance of any doubt, the less than desirable site described in this example is not typical or representative of Gypsy/Traveller sites and indeed the second site in the town was well-managed and in good condition. Some of the more challenging residents should not be seen as representative of Gypsy/Traveller culture or lifestyle. Good management, with political support and executive leadership, could solve the problems and turn it around. But that requires a culture of 'grasping the nettle'.

Even in areas such as the one above there were lone voices trying to work within the hostile political environment, either in responsible agencies or within teams for the wider county.

### EXAMPLE: Poor conditions

#### Anonymous example, Northern Ireland

One further example of this 'ostrich' approach was found. During the study team visit, the 'lone voice' officer from the city council talked with Travellers on site to see what support they needed. The council in this case was not the manager of the site; it was managed by a more wide-reaching public agency. There was no electricity to the site on the day and had not been for some time, there was flooding on one pitch due to a water tap being stuck 'on'.



Photo: Jo Richardson.

<sup>4</sup> It should be noted that the site visit was undertaken with the police in a police vehicle on a winter afternoon. The study team is aware that on some sites there is hostility to the police and that perhaps the site would have had a different 'feel' with a non-police colleague accompanying the visit and on a brighter day.

The site had an overwhelming feeling of neglect and there was rubbish piled near the site entrance and further away on one boundary. The council liaison officer explained that he had looked in the rubbish pile on the boundary (presumed to be fly-tipping by residents) and had clear evidence that it did not belong to site residents. He believed a fly-tipper was taking advantage of the site looking neglected and as if no one cared.

It is rare for sites such as these to be under public management. Most local authorities do not take an 'ostrich' approach entirely, but there may be issues or isolated sites that are so challenging they are left in the 'too difficult' pile. However, it is possible to move from 'ostrich' to 'grasp the nettle' by reviewing and refurbishing a site and putting in place a long-term asset management strategy and appropriate lettings policy. Once sites are improved and the wider community sees they can be well-managed, conflict and tension will be reduced.

### Ticking along

The most common category for site management is where local authorities and housing associations understand some of the issues but have not comprehensively grasped the need for consistent and clear management and future strategies. Such sites might have existed for decades, they are unlikely to have been recently refurbished but facilities will be basically sufficient and there will be no entrenched or ongoing crises.

### EXAMPLE: Long-term managed and sustainable site



Photo: Jo Richardson.

#### Elim Housing Association

The association manages a number of Gypsy and Traveller sites in the South West of England and they develop sites too (see chapter 5). One site visited was long-standing, formerly managed by the council. There were no major issues apparent; a long-term resident spoken with on the walkabout seemed content with it. The site appeared to be well looked-after by residents and the housing association. It is largely 'self-managing' in that there is no warden and does not take a disproportionate amount of officers' time. This is typical of much site provision in the UK.

However, for some sites, lack of a proactive approach means a 'stop-start' trajectory to delivering and improving sites, to the frustration of residents. In some of the 'ticking along' areas visited, there was a sense of having to 'go over old ground' again and again because staff had changed since the last visit, or there was institutional amnesia. This was frustrating for the research team and much more so for residents.

Case study one was an example where site management saw a number of changes over the course of the 18 months of visits. Whilst individual staff change is to be expected, so many changes over a relatively short period can affect institutional memory of issues and can lead site residents to feel there is a lack of control leading to things just not being done. Linked to this is where arrangements are complex. In case study one the sites are run by a housing association with a close relationship to the local authority and it is not always clear, from an observer's point of view, who is responsible for which part of the service, and even within one organisation which team is looking after what.

### CASE STUDY ONE: The 'Pothole of Doom'



A pothole on one of the sites in case study one became emblematic of a problem being reported but nothing being done. On repeated study visits residents talked to one of the housing association officers about getting it fixed and were told it would be looked at, with no result. Follow-up emails from the research team enquiring about the pothole were met with replies that it was in process and would be fixed. On one visit a resident showed minor damage to their trailer caused by a car driving fast over the pothole. It became an emblem of poor communication and institutional understanding of site management processes for specific problems that included rubbish near the entrance, small repairs requested repeatedly and issues related to street lights, drain covers and rubbish on a communal area. But it was the pothole which seemed to become a symbol of low-level, 'daily grind' conflict.



Photo: Jo Richardson.

Officers on subsequent visits were asked who was responsible – which officer and which team – but there seemed to be a lack of management. It got 'reported in' but it was never very clear where. The 'pothole of doom' even prompted the research team to request a meeting across different parts of the organisation to talk about communication (as well as to share emerging findings from the case study and to share wider good practice from elsewhere). Happily, the pothole was finally repaired before the end of the study, the rubbish was cleared and the drain cover fixed. It is important to note that although the example is shown here for case study one, there are similar, emblematic, long-running maintenance issues on many sites, that can cause residents to feel unheard and neglected.



## Chapter Four

# Site management: key ingredients for better management

### Introduction

Throughout the study period, listening to the views of residents and professionals particularly in the case study areas but also across the UK, there were a series of themes and sources of conflict in site management, repeated time and again. These are summarised in Figure 4. The remainder of the chapter describes in detail ten 'key ingredients' identified as essential in dealing with such conflicts.

**Figure 4: Expressions of conflict on sites and key ingredients to address them**

Expressions of conflict reported by residents, officers and elected members	Key ingredients needed to address them
'It's not fair, I don't understand why they were given that pitch' (resident)	<ul style="list-style-type: none"> <li>✓ Clear and fair published lettings policy (<b>ingredient one</b>)</li> <li>✓ (and sufficient pitches to meet need)</li> </ul>
'I can't afford the rent, I work and am not on benefits' (resident)	<ul style="list-style-type: none"> <li>✓ Reasonable pitch fees and potential options of trailers/ park homes rented by the council (<b>ingredient two</b>)</li> </ul>
'We don't like the rubbish on site. As soon as we resolve it or clear it away, the problem comes back' (residents and officers)	<ul style="list-style-type: none"> <li>✓ Strong focus on improving the physical environment and resolving issues of fly-tipping through working with residents. For entrenched problems, use security features (e.g. CCTV) on site to monitor the situation on communal areas and to provide evidence where it is not site residents who are responsible for fly-tipping (<b>ingredients three and five</b>)</li> </ul>
'They don't listen to us, I've been asking about this for ages' (resident)	<ul style="list-style-type: none"> <li>✓ Clear processes for reporting repairs, follow-up and feedback to residents on long-running maintenance issues. Clear asset management strategy and site investment (<b>ingredient three</b>)</li> <li>✓ Site residents' group or wider Travellers Forum to represent big issues and wider community views (<b>ingredient four</b>)</li> </ul>
'I don't feel safe' (resident) 'Cars are parked both sides of the road, an ambulance couldn't get down here if needed' (residents & officers) 'Kids on their quad bikes – someone is going to get killed' (residents & officers) 'We don't like the loose dogs/horses, it's not safe, they cause a mess' (residents, officers, other services)	<ul style="list-style-type: none"> <li>✓ Design in security features where needed – gates at site entrance, CCTV where appropriate (<b>ingredient five</b>)</li> <li>✓ Engage as part of multi-agency approaches. Ensure community police officers visit sites where appropriate.</li> <li>✓ Policies for dealing with animals on site and in the wider area, where appropriate (<b>ingredient six</b>)</li> </ul>
'I sometimes feel isolated/lonely' (older resident) & 'We don't understand that [forms and processes] why can't they just...' (resident)	<ul style="list-style-type: none"> <li>✓ Use community facilities on site for meetings with others (<b>ingredient seven</b>)</li> <li>✓ Support for young people and adults through work with advocacy and advice agencies in the area (<b>ingredient eight</b>)</li> </ul>

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Site management: key ingredients for better management

<p>'I don't know who deals with that, I just report it in' (officer)          'I'd like to know more about Gypsy/Traveller culture and site management, is there training for that?' (officer)</p>	<ul style="list-style-type: none"> <li>✓ Team-wide, organisational and inter-organisational plans and policies for management with clear lines of accountability <b>(ingredient one)</b></li> <li>✓ Training the right staff for site management; whether a specialised role or as part of generic patch management role <b>(ingredient nine)</b></li> </ul>
<p>'As soon as there is an unauthorised encampment, my constituents are on the phone' (elected member)</p>	<ul style="list-style-type: none"> <li>✓ Where there is sufficient provision (both permanent and transit) unauthorised encampments are seen to reduce</li> <li>✓ A negotiated approach where appropriate sites might be used on a short-term basis can reduce time and costs and improve relations with the community <b>(ingredient ten)</b></li> </ul>

The remainder of this chapter discusses and evaluates the study findings under each ingredient theme.

**Ingredient One: Clear plans, policies and lines of accountability, particularly a fair and well-communicated lettings policy**

The previous chapter gave an extensive example of County Durham as an organisation that is 'grasping the nettle'. The study found this organisation had plans and policies at its fingertips. Whenever the study team asked for a document or policy it was available. It was also apparent that there is a clear management structure and officers know what each other should be doing. It helps that the site managers have long experience with the authority and know the sites well.

This ingredient is certainly not in place generally. There are a number of organisations and partnerships where lines of accountability are blurred and not everyone, including residents, is clear on processes and procedures. It is not always necessary to have special processes for sites, indeed there is a trend towards mainstreaming. But it is necessary to know how site management fits into the broader picture of social housing management and to keep lines of accountability and channels of communication clear. Clear systems, policies and lines of accountability can also help combat the institutional amnesia that can occur.

Lettings procedures vary, but increasingly councils and housing associations are moving towards approaches similar to those for general housing stock. Due to family dynamics on some sites, there is need for a sensitive understanding of issues to ensure a new let is not going to lead to wider discord. In the majority of cases an empty pitch is let to the person at the top of the list who has the most points, or is in the premium priority banding and in urgent need (e.g. on the roadside). In the majority of areas visited by the study team, this approach was taken. However, there may be cases where it would be inappropriate to let a pitch to a particular applicant because it would disrupt harmony and site cohesion.

**CASE STUDY TWO: Local lettings policy for a specific site** 

In case study two, there is a site under more permanent development that has been used as an informal site over recent years under a conciliatory approach to encampments. During the end of the study period the council was consulting with residents about a local lettings policy. One specific element of this was 'bypassing' and the rationale for this is set out in the draft policy:

*With specific reference to the 'Area Specific' bypass, customers may be bypassed for offers at [the site] where a risk assessment concludes there is potential for conflict between the prospective tenant and current residents which would adversely affect the good management of the site as a whole.*

The site manager's and residents' views may be a material consideration in the decision not to let a pitch to the person at the top of the list, but this should not be the sole consideration and organisations are advised to keep careful notes on the decision-making process. Applicants should also be advised of the appeals process.

### EXAMPLE: Lettings panel notes from the plot allocation group



#### Surrey County Council (SCC)

There is a clear policy using robust allocation criteria adapted from the points system most local authorities use for establishing housing need. A plot allocation group comprised of various officers, including the council solicitor, meet to discuss the letting of each pitch. The person who tops the list, based on need, will normally be let the pitch unless serious considerations apply that would affect the social harmony and long-term sustainability of the site. Once the process is complete, the council solicitor will present the findings to the SCC property services manager for 'sign off'. The council solicitor takes detailed notes of the decision-making process so that a clear record is held.

A number of councils across the country have lettings policies which require a local connection in order to be considered for housing, and this can extend to Gypsy and Traveller sites. In early 2016 a judicial review was brought by a Traveller in North Somerset against the council, and although a settlement was reached the day before the case went to court, the judge ordered the council to review its housing allocations policy. Local authorities with a similar local lettings approach will need to consider their policies too (Barnes, 2016).

A deposit should not be required on a council or housing association site at the point of letting, as this is not standard practice across the social housing stock. The research team did see examples where deposits had been charged historically, but this practice is now rare.

Waiting lists should also be checked and updated periodically, just as for the wider housing stock. However, it is important to be sensitive in the use of communication methods and in application of time limits.

### CASE STUDY ONE: Updating waiting lists



The council planning department undertook an updating exercise on site waiting lists. Residents were given little time to respond, and those that did not renew their application were said to be no longer in need of accommodation and taken off the list. Advocacy organisation staff in the area voiced their unease to the research team at the speed with which the exercise was undertaken as it disadvantaged Gypsies and Travellers who were away travelling, or who were not adept at reading and responding to official correspondence. As a result of the exercise the waiting list dropped dramatically from 33 to two and the new number was included in a GTAA revision which resulted in an assessed net oversupply of pitches, rather than net need. A year later the waiting list had gone up to 18 to reflect the reality of the Gypsy and Traveller population. According to the 2016 GTAA, six of those on the waiting list are internal transfers either on or between housing association sites.

Whilst exercises like this must be undertaken, they should not be so hasty as to miss the reality of Gypsy and Traveller lives in an area.

### **Ingredient Two: Reasonable pitch fees (and utility rates)**

Rents/ fees charged per pitch per week ranged across the organisations spoken to as part of this research, from just under £40 to over £200 per week.<sup>5</sup> Local authorities are asked for pitch fee/ rent information by CLG as part of the caravan count but this is unpublished (and therefore not checked/verified by CLG). The indication from this data is that the lowest pitch fee in the country is £22 per week and the highest £244 per week.<sup>6</sup> For local authorities, site rental income is not part of the Housing Revenue Account (HRA) but instead within the General Fund. This means that, traditionally, councils may not have ring-fenced site budgets and reconciled income and expenditure. Income from site rents might have supplemented related activities aside from site management. Before welfare reform and the notion of the benefits cap, well-meaning council employees may have thought there was no harm to site residents in having high rents as in many cases this was covered by housing benefit. However in recent years, a more proactive approach to supporting residents into education and employment means not all residents are on benefits, and even for those who are, the benefits cap means there is real hardship on sites where rents are high.

#### **CASE STUDY TWO: High pitch fees/rents**



This organisation has had high rents for as far back as institutional memory and processes can recall. On the main council-run site, rents range from £119.22 per week for a plot with one caravan to £205.84 for one with four caravans. This is for the plot and the utility block ('shed') and does not include the additional cost of renting a chalet or mobile and additional caravans for older children. Utility bills are payable in addition.

In research for the DWP, Wagstaff (2006) reported beliefs from county councils and the private sector that rent officers should consider issues specific to Gypsy and Traveller sites, such as:

- much higher maintenance and repair costs
- the need to deal with disputes
- greater wear and tear due to many motor vehicles
- damage caused by some children
- extra management because of the culture of Gypsies and Travellers
- high degree of illiteracy among Gypsies and Travellers
- poor location and physical environment of sites.

Some of these reported issues are contentious and open to arguments of inequality in decision-making. However, the main thrust was that a site for Gypsies and Travellers would have these costs over and above the standard running costs of a non-Gypsy/Traveller mobile home park, and that rent levels would reflect them. This traditional argument seems to account for the highly differential rents charged for Gypsy/Traveller sites and non-Gypsy/Traveller sites in case study one (the latter being much lower). The judge in the case *R (Knowles) v Secretary of State for Work and Pensions* [2013] EWHC 19 (Admin)<sup>7</sup> in considering the costs associated with Gypsy and Traveller site management said:

*On the evidence, I am entirely unconvinced that the additional costs upon which this claim is based are significant. (para.84)*

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<sup>5</sup> This was the top end of the rent prices on one site where on a pitch with one caravan the rent was just under £120 but with more caravans the price went up; the rent of over £200 is for a pitch with four caravans.

<sup>6</sup> It is not possible to know what comprises the higher fee – it could be that it includes a park home or static unit, or it may just be comparatively a very expensive pitch.

<sup>7</sup> For discussion see [www.11kbw.com/blogs/local-government-law/housing-6/202](http://www.11kbw.com/blogs/local-government-law/housing-6/202)

In considering the wider issues on Gypsy and Traveller site rents, and indeed management practice, resulting from the Knowles case, there is a tendency in housing organisations to talk about ‘mainstreaming’ delivery; and if this is the case then ultimately there may be a need to consider mainstreaming rents so that those on mobile home sites – whether for Gypsies and Travellers or not – are comparable for what is offered.

### CASE STUDY THREE: Appeal on pitch fee increases



In January 2014 the council wrote to residents on their three sites about a proposed rent increase. It was to include a cost of living increase in addition to a further £25 provision for site management costs. This would have raised rents by nearly 50 per cent, raising objections from residents and an advocacy organisation. Following meetings with the council the proposed rent increase was reduced to £12.90 – still almost a 25 per cent increase, well above RPI. The advocacy organisation again tried negotiations with the council, but when that was not effective they sought legal resolution. The judge who reviewed the evidence did not give permission to proceed and following this news in May 2015 the residents and the advocacy organisation reluctantly accepted the rent increase.

The story of case study three and the pitch fee increases is not just about money and affordability – although that is naturally an important consideration. It is a story about consultation and communication. As it happens the increased pitch fees are at a level with many others, and less expensive than some. But residents perceived the increase as severe and that it came ‘out of the blue’ after a long period of relatively low fees and few increases, although the council states that a number of letters were sent to residents and the support organisation during the consultation.

Utility rates on sites vary but time after time the research team was told by residents, councils and advocacy organisations about very high bills for gas and electricity.

### EXAMPLE: Analysis research on utility bills



Citizens Advice in York has undertaken research into the very high electricity charges faced by residents on sites in the city. As expected, there is no one ‘silver bullet’ to resolve the issue, but the work has identified some key issues. Having water heating systems that are controllable, energy-efficient appliances, being aware of electricity usage and switching tariffs can all make a big difference to costs. The installation of timers on immersion heaters has reduced costs by £100s per year. Getting the best tariff has saved residents an average of £200. In addition, specific problems with a few meters were identified and resolved where considerably higher costs were being masked by the wider high usage issues. Continued work is needed to bring utility bills down through checking that meters are working properly, shopping around for and maintaining best tariffs, the installation of controls, energy-efficiency measures and smart meters and also working with residents to reduce energy usage where possible.

Again this is an area that local authorities and housing associations are attempting to ‘mainstream’ so that each resident is an individual customer of the utility company. Traditionally the energy or water would have gone to a shared meter and then the site manager would have had to collect a calculated contribution from each resident.

### EXAMPLES: Utilities on sites

#### Oxfordshire

Residents have smart meters fitted and pay for their own electricity. Water is charged through the county unit at a rate of £10 per week regardless of individual usage.

#### County Durham

Residents have individual electricity meters. They also have payment cards for the water meters, the site manager has noticed a difference in water usage now each pitch is individually metered and the rates are reportedly around £9 or less per week. The combination of appropriate meters and change in usage means the charges are significantly lower.

Individual metering is now preferred by providers and moreover by residents, who feel they can control their water and electricity usage and potentially reduce bills.

However, there are many examples of very high bills to site residents even where individual meters are fitted.

### CASE STUDY ONE: Negotiating with energy companies

A resident on one of the housing association-run sites continued to have extremely high bills even after a new meter was fitted to replace a faulty one. The management team worked with the resident on ways to reduce usage, but the bills remained high. There was a considerable amount of determined communication between staff and the utility company. The company finally came to look at the new meter and concluded that it too was faulty. A new meter was fitted and the bills for the resident have fallen considerably.

### CASE STUDY THREE: Advice on utilities and new council smart meters

It was noted by residents, an advocacy organisation and an advisory organisation that utility bills were higher than expected. As a result, a worker from an advisory organisation visited sites to talk to residents about their bills, provide advice on energy usage, and also to liaise with the utility company.

The council has recently fitted smart timers to new electricity meters, and improved the insulation on one of their sites. Residents have reported that this has resulted in lower bills. A test is also being run with meter timers being fitted to boilers on another two sites in the area so that comparisons can be made between pitch utility rates.

There is a recognition that pre-payment tariffs are more expensive than monthly direct debit plans; but the precarious nature of Gypsy and Traveller accommodation means that traditionally pre-payment plans are by far the preferred method of bill paying and there is reluctance from residents spoken to by the research team to move towards direct debit processes. More work needs to be done, perhaps through a co-ordinated approach from Citizens Advice Bureaux across the country, to help Gypsies and Travellers negotiate better terms with utility companies.

This is also an important lesson for future site design: good insulation, solar panels and other energy-efficiency measures can really help Gypsy and Traveller residents to avoid fuel poverty.

### Ingredient Three – Clear processes for repairs and maintenance, an asset management strategy and site investment with a strong focus on physical environmental issues

A clear investment or asset management strategy is important. Where utility blocks ('sheds') need updating or replacing then this should be properly planned.

#### EXAMPLE: Refurbishment of site



##### Rooftop Housing Association

The housing association runs a 23-pitch site on the outskirts of Birmingham. The rent is around £70 per week. The site has recently been refurbished and residents expressed satisfaction during the research visit, showing the team their new sheds (off-site manufactured modular units) which are spacious, double-glazed and efficient to heat. One of the sheds has been adapted for disabled residents.



Photo: Jo Richardson.

The repairs and maintenance policy for sites should mirror the standards in the wider local authority or housing association stock. It is a good idea to have published service standards so that all parties – residents, site manager and contractors – all understand expectations. Many of the local authorities and housing associations talked to in this research were going through a process of 'mainstreaming' certain services on Gypsy and Traveller sites, of which repairs and maintenance was a primary example. There is a need for transitional protocols to be in place for those residents who have been on site for a very long time and who are used to reporting repairs verbally to a 'site warden'. Ringing through to a call centre to report a repair can be a daunting prospect if there are multiple automated options and the call may take some time to complete – this is compounded by the prospect of a large phone bill if a resident uses a pre-paid mobile phone. Many residents still liked the idea that they could report a repair to a person who visited the site (this was even the case when repairs were not being completed in a timely fashion under this system).

Housing organisations should also scrutinise existing contract arrangements for repairs services. Unless there is a specific issue on a site, contractors should not be charging for two people where a repairs job should take one, justified as 'safety' or 'security'. Cultural awareness training could be offered to contractors to allay preconceptions and fears and there could be accompanied introductions by the site manager on a first visit. Thereafter the contractor would be expected to mirror the service they offer in the wider housing stock on service quality and price for comparable jobs; otherwise the housing provider might consider entering into a new procurement process.

### EXAMPLE: Structured, personalised training

#### The Surrey Gypsy Traveller Communities Forum (SGTCF)

The Forum provides training for a wide range of agencies – police, fire, ambulance, NHS, trading standards, contractors, charities and voluntary groups – plus public presentations delivered by a mix of experienced people that will always include a Gypsy/Traveller. This provides an important sustainable income for the forum, but fees are negotiable and in some cases waived depending on circumstances. There is no charge for contractors, as this training is delivered by Surrey County Council staff who are forum members and the training has a proven beneficial outcome for the council in terms of service delivery: for example, greater confidence to work on sites, and better communication and understanding. The majority of contractors are pleased that training is on offer and take it up.

### EXAMPLE: 'Mainstreaming' repairs processes

#### Oxfordshire

This is not mainstreamed completely; officers will take repairs reports and direct them to the contractor and then be informed on completion. Contractors are happy to visit all the sites, but on one they request a county council chaperone.

#### Case studies one, two and three

The case studies were all in various stages of 'mainstreaming' repairs during the study period. In case study three, one resident said he had to wait a long time to get through the phone options and this wasn't good for his pay-as-you-go mobile phone bill. However, in all three areas there was a movement towards site residents calling in their own repairs. But on site visits officers showed they were prepared to help residents who were struggling with the transition and to follow-up repairs requests.

In addition to responsive repairs, residents also reported frustration at long-standing maintenance issues, such as roadways (see the earlier 'pothole of doom' example), major rubbish clear-up, refurbishment of 'sheds' and street lighting. In some areas residents said they had frequently been promised refurbishment but it had not taken place. This was especially hard to bear on sites where new pitches had been added next door to their pitches, with modern 'sheds' fitted with insulation and environmental features to reduce energy bills. Looking over the fence at these whilst coping with an old building suffering damp, mould, condensation, leaking costly heat and not being big enough for a table and chairs was a source of immense frustration and conflict. Part of the tension was from not knowing, or being told a date for refurbishment only for this to be delayed or cancelled.

### Strong focus on physical environmental issues

In most of the areas visited, and in all three case studies, there were discussions around fly-tipping on sites. The research team made a number of observations of very large amounts of waste disposed on or on the edges of a site. Responses from residents suggested that either they did not know who was dumping the rubbish or that it was being brought by people from off the site.



Clearing the fly-tipping is very costly and for residents it is upsetting if as soon as an area is cleared, more rubbish is dumped. If there is concern about contaminated waste then it can also add to the time and costs. Fly-tipping is also one of the most dominant issues in press reports of unauthorised encampments; although this was not a main theme emerging in the three case studies, it was more focused on tipping on social sites. One solution suggested by housing providers and some residents is the installation of CCTV as a deterrent and also to record who is tipping the waste.

### CASE STUDY ONE: Clearing the waste



Waste on one site really built up and was a source of distress to residents and officers alike. It was there for some time, but towards the end of the research project had been cleared. The association managing the sites installed CCTV in May 2016 and it is hoped this will prevent further fly-tipping or provide evidence of who is doing it.

On another site in this study area there is an issue with rubbish dumped along the access road which seems to be a perennial problem; again it is hoped that CCTV and a sustained asset management plan will help to resolve the issue.

It is important to recognise that a strong approach to the physical environment requires a consistent set of management practices, so that tipping isn't cleared only for it to reappear. Particularly in communal spaces and access roads, where there is less of a feeling of 'ownership', site residents may feel less able to 'challenge' anyone who is tipping waste. If management is outsourced, quality of service needs to be checked to ensure a strong focus by the contractor on maintaining the physical environment of the sites.

### EXAMPLE: Changing fortunes on site



Anonymous site, East of England

This is a large site with 41 pitches where £1.8 million was spent in 2009/10 on refurbishment while it was under private management. Since then, the team manager for the councils reported that the site had seriously deteriorated with anti-social behaviour, postal services not reaching the site, damaged sheds and a memorial, and such serious fly-tipping that the projected clearance costs were £100,000.

The site was brought back in-house in December 2015 and the research team were told that further refurbishment would be done, rubbish was being cleared and CCTV installed to deter further incidences. There is a full-time sites maintenance officer (resourced through a £5 per week service charge on the pitch fees) who spends the majority of his time on this site undertaking small-scale repairs and keeping an eye on it. During a visit to the site in late May 2016 the work had yet to be undertaken, but the CCTV was due to be installed imminently, although the very large fly-tipping heap was still in evidence.

This is a team in transition and it is possible that new appointments to support a more management-based approach will enable strategic plans to be formed and implemented in the future.

### **Ingredient Four: Resident communication, participation and engagement**

Members of the research team have been asked on many occasions for advice on engaging 'hard-to-reach' groups. There is a need for a cognitive reset on this, as it is not true that Gypsies and Travellers are 'hard-to-reach', more that appropriate lines of communication have not been used to initiate a discussion and a working relationship. In many parts of the UK there are thriving, active, representative and advocacy organisations helping to facilitate communication between residents and public organisations (such as police, health and councils). As Jones (2011) writes:

*The two words most used by everyone we have spoken to are respect and listen. This is standard community engagement advice and no different with Gypsies and Travellers than with any other group. (p.12)*

Whilst in all three case study areas there were well-known advocacy organisations, there were no strong examples of resident participation through formally constituted Traveller Forums representing site residents. In case studies two and three the advocacy organisations were particularly vocal in talking with the council in support of Gypsies and Travellers and were both prominent in strategic policy-making discussions locally and nationally.

#### **CASE STUDY THREE: Support from advocacy organisation on behalf of residents**



In 2014 the council wrote to all site residents informing them of a rent increase. Residents felt that it was too steep and the local advocacy organisation looked into the issue. They took initial legal steps having looked at the decision-making and communication process, but were, in the end, unsuccessful. Although the action was adversarial, it was felt at the time that there was no other option.

This is an example of where conflict should not be avoided however, as it can positively disrupt an existing paradigm and reset a relationship. The advocacy agency did not appeal the outcome and the rents were indeed increased. However, in addition to putting the rents up, the council also 'grasped the nettle' on some of the management issues and re-examined how the sites were managed.

A new site team leader was brought in and although the initial fear was that the role was all about enforcement and not so much about liaison, the new officer did listen to residents' views. Unfortunately, towards the end of the research project the new team leader left and the post was being re-recruited.

The study team did not find specific reasons why formally constituted groups function effectively on some sites but not on others. Individually, the study team observed residents making their views known on site issues, but it may be that the 'daily grind' nature of different problems means there is no space in residents' lives to think about collective action. It perhaps needs a particularly big problem or very specific issue for residents to realise that a collective, constituted group might have the power to achieve change.

### EXAMPLE: Gypsy and Traveller Forums

#### Surrey Gypsy Traveller Communities Forum (SGTCF)

This is a very active Gypsy and Traveller Forum that meets regularly to discuss issues related to accommodation needs, strategic plans for sites and a variety of other topics. The forum is so successful in getting its message out and building bridges that a local residents association asked to come to one of the meetings to hear more about sites and the culture of Gypsies and Travellers. The forum members include Gypsies and Travellers as well as other volunteers. This mixture of expertise means the forum can react quickly, such as recently knowing about a planning hearing, and taking the opportunity for a Gypsy member to speak for three minutes in support of it.

#### Case study two

In case study two there had been attempts by the council to encourage a constituted residents forum with whom the site management team could consult. Whilst a small group of people, respected by some fellow residents as informal 'leaders,' might have offered to speak up on particular concerns, there was no one who wished to have a formally constituted group. Informal, ad-hoc representation of issues from residents was seen to be the preferred option on this large site.

## Ingredient Five: Managing and designing-in safety and security on sites

In order to respond to the comment 'I don't feel safe', there are a number of measures that can be examined. Feelings of lack of safety can be a result of environmental factors, or physical and emotional impacts of wider conflict.

CCTV on sites can be a divisive issue – it is of course an imposition to have surveillance of what residents do, no matter what type of accommodation they live in. However, it is not a binary debate in which CCTV is popular with site managers but not with residents. On many of the sites visited, residents requested CCTV at the entrance way to a site for peace of mind. Residents on sites where there is rubbish dumping, that they believe is coming from off the site, would also like CCTV to provide evidence.

### EXAMPLE: CCTV to protect the site residents

#### Anonymous example, East of England

On one visit to a small newly refurbished site, run by the council, residents rushed out to talk to the research team and the council officer to complain about CCTV being taken down following a small case of vandalism. The CCTV made them feel safe enough on the site to allow them to travel away at the weekend – the fear was that without the security of having the entrance under surveillance, previous residents on the site before it was refurbished and improved, and who had caused trouble for some current residents, would return, take over the site and force the existing residents off.

#### Case study three

The installation of a CCTV mast on a site in case study three was seen to be a tipping point resulting in an arson attack on the mast and the community hub. Since the incident a wi-fi pole, CCTV camera and a replacement hub are now back on site.

For successful installation of CCTV it is of course important to think about design and location, but even more it is vital to carry out consultation on the reason for the installation and to reduce the chances of rejection of the new system.

Either through physical observations on sites, or through resident and officer responses, the study found a significant amount of 'doubling-up' with the potential for overcrowding. Where Gypsies and Travellers had nowhere else to go, or family members were travelling through an area with little or no transit provision, they brought their trailer and stayed on family or friends' pitches for a while. Some doubling-up is brief and part of a pattern of travel or for a specific family occasion; but some is longer-term. Longer-term doubling-up can lead to overcrowded pitches, putting a strain on communal areas and roadways, adding to the number of children on a site and noise levels, and increasing conflict. More dangerous is the potential fire risk created by trailers and caravans being parked more closely together and more cars being parked along the roadway. A clear response to this would be through the provision of sufficient permanent and transit sites in an area to meet demand.

A number of site residents' security fears across the country were related to the physical attributes and location of accommodation – this was particularly acute in areas prone to flooding.

### CASE STUDY THREE: Environmental safety – flooding



On one site in the area there was a major flood. There are different perceptions about the efficacy of the initial response from the authorities, compounded by the fact the flood occurred on a bank holiday in winter. Some residents told the study team in the following June that they were still waiting for their trailers to arrive and it was observable that there were fence panels still missing, wheelie bins yet to be replaced and remnants of what was thought to be oil that had come up through the drains on site, still observable on the old watermark on the boundary wall. Replacement trailers were provided through charitable funds. The council stated that fence panels were reinstated once all the replacement trailers were on site, due to the size of the static trailer replacements.

One resident told the study team that she did not feel safe on the site, worried that it could flood again 'everytime it rains, you know... [you worry]'. The council and Environment Agency have undertaken a review and state that measures have been taken to prevent a flood of such magnitude in the future.

There was some 'bridge-building' that occurred, as can happen during a time of crisis; the neighbouring supermarket to the site sent hot drinks, sandwiches and other items to the site to show their support for residents.

Some of the key problems identified were in terms of the safety of vehicles on sites. Residents on many sites commented that vehicles parked on both sides of the road cause a safety risk as ambulance and fire services cannot gain access if needed and refuse collection is more difficult. In case study areas two and three the research team observed parked vehicles preventing clear access. In both cases the councils try to ensure cars are parked on pitches or in parking areas; for example one council sends letters to residents reminding them of their pitch agreement, and the need to be mindful of health and safety. In case study one the research team were

## Site management: key ingredients for better management

shown a mark on a resident's trailer where a car had been speeding and hit a pothole nearly ending up in her pitch. Traffic calming measures such as speed bumps are used on some sites, but on others this is not practicable.

One important aspect of feeling safe on a site is to know that it is not neglected. On sites where there are issues that prevent services such as the post coming onto the site, this can leave residents feeling neglected and insecure.

### CASE STUDY THREE: Police community support



In case study three, the police community support officers regularly visit one of the sites, usually on bikes.

They talk to residents and show they are willing to be present and not neglect the site, even though they are not universally welcomed by all residents.

The officers visit all three council sites in the area as a matter of routine.



Photo: Jo Richardson

A multi-agency approach is helpful even when there is no formal multi-agency unit in operation. Where there is such a unit some officers struggle with a dual role of enforcement and liaison, concerned that they are seen to be wearing 'two hats' and worried that enforcement can undermine the liaison role and perhaps affect trust on site. However, many consider that a 'firm but fair,' open and accountable style of management can mitigate this.

## Ingredient Six – consistent policies for dealing with animals on sites

In discussions with multiple agencies, residents and site managers in the three case study areas and the majority of other areas visited, animals – specifically horses and dogs – were cited as causes of conflict. Dogs tend to be a local issue causing tension or preventing services from delivering to a site. Horse-related problems seem to cause wider conflict and were mentioned in nearly every area visited. Dealing with horses is therefore discussed in more detail.

### Dogs

Loose dogs and dog fouling were a source of grievance for residents on some sites, but many felt they may not be able to bring the subject up with neighbours and they wanted the site manager to control the situation. Tension related to loose dogs was an issue local to each site and was not a source of conflict between the site and settled neighbours. In some areas visited, site managers had to resort to notifying dog wardens to issue notices related to dog fouling to try to change behaviour on site.

### Horses

In some areas, horses were an issue of conflict on-site as well as a source of wider community tension; the latter is discussed in more detail in the next chapter.

Horses pose a wider issue of conflict where they graze on the roadside or on other land without permission ('fly-grazing'), causing nuisance and a potential hazard. In every area visited, including the repeat visits to the three case studies, fly-grazing was an issue. On a national level it was given attention in the Control of Horses Act 2015 which amended the Animals Act 1971 and gave new powers to local authorities and landowners to detain horses, and made the horse-owner liable for any damage.

#### CASE STUDY TWO: Negotiated grazing land



It was decided to negotiate an approach to dealing with fly-grazing. One member of the council team spent time talking with Travellers and landowners to negotiate use of two parcels of land that could be used and which would reduce the problems.

Many local authorities have a protocol for managing horses that is not specifically related to Gypsies and Travellers at all, because issues related to horse welfare and loose horses are found in all parts of the community. Some organisations employ horse bailiffs to deal with the problem where there are particularly high numbers of horses. Nevertheless, the difficulty in accessing grazing land does seem to impact more heavily on Gypsy and Traveller communities, perhaps as traditional stopping places and grazing strips are no longer available and it is more difficult to keep horses safely. Certainly, from a local authority perspective, the issue of horses and fly-grazing was linked in the minds of respondents closely to Gypsy and Traveller sites, management and enforcement issues.

#### EXAMPLE: Managing horses



##### Case study three

The local authority has a protocol for the management of horses in their area which includes clear processes for a range of scenarios including fly-grazing, welfare concerns and loose horses on the highway. The council has a contractor horse bailiff which it uses when needed. In addition, the council has negotiated with some landowners to lease grazing land to Gypsies and Travellers, working with them to ensure the terms of lease agreements are met.

##### Cheshire West and Cheshire

In Cheshire West and Cheshire the Traveller Team and authorities in the area turn to the National Farmers Union online pack (2015) on fly-grazing horses, as they find this to be a comprehensive approach and includes a range of template documents.

##### Norfolk and Suffolk Horse Policy

On one site there is neighbouring land that provides grazing for four residents' horses; this is owned by Suffolk County Council and then through licence arrangement let to the horse-owners. The team has also negotiated with a city council to lease a field in their ownership to a horse-owner. Working with the RSPCA, horses are checked, wormed and passported. The team are hoping to secure further land for residents' horse-grazing.

### **Ingredient Seven – Communal facilities on sites (can be a source of conflict or cohesion)**

Communal areas on Gypsy and Traveller sites can be contentious spaces; when there is no sense of community ownership or responsibility they can become even more so. This is not just a challenge for Gypsy and Traveller sites, Newman (1996) talks about the need to create 'defensible spaces' in communities and estates; but the effects of conflict over community spaces can feel amplified on Traveller sites. Shared spaces on smaller sites can sometimes work well, but on larger sites there is perhaps less feeling of 'ownership', a larger variety of personal aspirations for using and controlling the space and potential for conflict.

#### **EXAMPLE: Communal space**



##### **Case study two**

A communal area (nicknamed 'the compound') has a small portable unit provided by the advocacy organisation for use by a variety of groups for different activities. The area is surfaced and fenced; it is located next to the council site office. On a number of occasions it was observed to be in poor condition, with some burnt areas on the ground from a specific incident relating to infestation of some of the residents' bins. On other occasions it is used by a worker from the advocacy organisation to host games and activities for younger children on the site and transforms into a joy-filled space.

During multiple conversations with different residents there were varying responses; some suggest a play area is needed, but others resolutely insist that this would not work as a purpose-built play area. Some residents suggest that the children themselves would argue about who could use it (this site has a very high proportion of children). The council also suggests that there is no funding available to develop the area – and even if money could be found, there is no budget for ongoing maintenance. If the site were smaller and had a residents' group then it might be possible to take a resident-led approach to turn the compound into a more pleasant space, but its size and layout do not favour this and despite many community-led initiatives on a variety of issues, nothing has yet been achieved. The council reported at the end of the study period that the area had fallen into disrepair due to vandalism and the portacabin was due to be removed as a result.

##### **Case study one**

On one site there is a small green communal space with a gate to protect the entrance. Rubbish gets dumped on it and as soon as neighbouring residents or the landlord clear the space, it happens again. The two residents with pitches on either side would like a clearly delineated purpose for the space, or for it to be divided in two so as to extend their pitches. It is argued that a play area would not work as it is at the end of a cul-de-sac rather than in a central spot where all residents can watch their children play.

There was an example of a community space provided on a site in case study three that, through perceived lack of communication and consultation with residents, resulted in the space being put out of use. The council states that, having identified a shortage of communal space on site through resident consultation, there was then difficulty in reaching agreement about how it would be used. Some residents did not want play equipment and, with the exception of a rule disallowing dogs on the space for health and safety reasons, the communal area was left as a flexible space for children to play ball games. Unfortunately the space seems to attract some

fly-tipping and dog-fouling. However, in the same case study area there is perhaps the opportunity, with the right communication and consultation, for a new communal space – see next case study example.

### CASE STUDY THREE: A space to bring together site residents and their neighbours?



Before she left the council, one officer was in talks with a charity about a possible project on a piece of land directly adjacent to one of the three sites. This site is almost 'self-managed'; there are not the same issues or low-level conflict that apply to the other two sites in the area. It is also next door to houses that were developed after the site. The particular space being considered was, on the day of the most recent study visit, used informally to graze horses. The talks



Photo: Jo Richardson

with the charity by the former employee had been about transforming it into a common area that could be accessed by children and residents from the site and from neighbouring houses for social and play activity. Unfortunately, since the officer left there does not seem to be anyone who has taken on this project. This was an excellent idea, however, which could have brought two communities together to develop a communal space and through which better relations could have been forged. It is a missed opportunity.

There are cases where the right size and layout of a site can deliver a communal space that enhances the site and the residents' enjoyment of their homes. An example of a new site that has achieved this is discussed in the next chapter, under site design.

### Ingredient Eight: Supporting and facilitating opportunities for Gypsies and Travellers in their daily lives

On a number of visits by the research team, responses from some residents included statements like 'I don't understand the system', or 'I can't read and write, why can't the council just...'. Of course the processes and systems need to be clear and transparent so that all residents, not just on Gypsy and Traveller sites, can understand them. Equally where residents have not had access to a traditional education and cannot read and write, or where there are learning difficulties, then there is a need for support. A number of organisations offer floating support, or charities visit sites with a learning bus or health bus to provide support.

There are some excellent support agencies that provide services for Travellers; these are administered variably through Citizens Advice Bureaux, Community Voluntary Schemes, advocacy organisations, Gypsy and Traveller Exchanges, and education and health teams. If all the good practice examples of buses going onto sites, healthy cooking lessons, sewing groups, nursery play schemes, etc. were included here it would take up the entire report.



### EXAMPLE: Learning zone and cookery lessons for residents



#### Aberdeen, Scotland

There is a spacious community centre on this site where residents can use computers and children can do their homework in a 'learning zone'.

There are a variety of clubs and lessons, such as cookery, on offer.

At Christmas, Santa (one of the council's team) gives out presents.



Photo: Jo Richardson.

There has been a squeeze on support under the programme of government austerity, but services do exist and local authorities and housing associations can network locally to find how to bring services to sites, but also importantly how to build bridging capital in the community and encourage site residents to access services in the wider community. One challenging question that emerged for the study team was that Gypsies and Travellers have had things done 'to' or 'for' them for a long time and that this might have led to a culture of dependency for some residents on some sites.

### EXAMPLE: Asset-based community development



#### Leeds

Leeds Gypsy and Traveller Exchange is a nationally renowned organisation for Travellers in Leeds, that influences national policy and debate and which initiates new ideas and projects, such as 'negotiated stopping,' that can be replicated elsewhere. One such project is 'asset-based community development' (ABCD) which recognises the need for a step change to move on from traditional support and advocacy to an ABCD approach which assists Gypsy and Traveller community members to look from within at the resources and skills (assets) they already have and to utilise those for progress on entrenched challenges and issues.

## Ingredient Nine – Supporting and training staff for site management

Site managers, regardless of the model of management, should be professional and well-trained. Ideally, site managers will build trust with residents and with a variety of agencies and be able to pool together resources and skills from across organisations. This can only come with time and experience and is difficult to achieve when staff turnover is high. Preferably, site managers should be keen to do their job. In two of the case study organisations there had been changes in staff structure that resulted in someone from another part of the team being 'given' responsibility for Gypsy and Traveller sites, but approached the job with some reluctance. This was made apparent in one example when the research visit was hosted by a former site manager who voiced concerns that the new officer had not engaged with her, nor sought out institutional policies or shared knowledge of how to manage sites and encampments.

In case study three the research team spoke to one member of the site management team who asked about recommended and available training, and approached the head of the section to ask if they could take a course. Unfortunately resource constraints meant it was not possible. It is difficult to inculcate cultural awareness and continued motivation to provide a quality service where training opportunities are not afforded.

As is reflected in discussion about ‘purposeful’ versus ‘accidental’ housing careers in the broader social housing sector, many officers ‘fell into’ the role of site manager, either because they had a generic patch management brief which included a site in their area, or because an opportunity arose and they took it, in spite of lack of knowledge about Gypsies and Travellers. During one research visit, the team leader talked about managing a site in a different local authority some time ago, and joked that she ‘knew nothing’ about Gypsies and Travellers at the time and imagined that she ‘might meet David Essex!’ This lack of preconception at this early stage in the officer’s site management career, and rather joyful approach to the task at hand, led to an open style of management that created opportunities for genuine listening and communication. This particular officer has now had many years’ experience and learnt as she went along. For others though, particularly where it is actively requested, training on Gypsy and Traveller issues and site management should be made available.

Although emerging from anecdotal evidence in discussion with respondents during the research project, there are a number of local authority Gypsy and Traveller liaison officers or site managers with former police or armed forces experience, who have gone into this area as a post-retirement career. Whilst this is not a central finding, it offers a counter-narrative to the ‘accidental’ career path noted by other respondents.

### **Ingredient Ten: Negotiated approaches to unauthorised encampments to bring business and social benefits to the locality**

One of the most evident examples of designed-in conflict is in policies on unauthorised encampments (UEs). Insufficient numbers of sites, combined with a policy of ‘bundling-off’ common land and deep verges that were traditional stopping places, lead to unauthorised encampments. The traditional model of dealing with UEs sees enforcement, eviction and move-on as the norm; and this can create conflict between Gypsies and Travellers, police, local authorities and settled residents. A policy of ‘toleration’ or preferably ‘negotiation’ or ‘co-operation’ can reduce the effects of UEs and create more cohesive communities.

There are clearly costs associated with UEs – these are social costs (to the Gypsy and Traveller families themselves and to cohesion with the ‘settled’ community), political costs (councillors reporting to the study team that constituents are quick to phone them to complain) as well as financial costs. Morris and Clements in their 2002 research said:

*It is probably safe to assume that the actual figure of £6 million derived from this research could be multiplied a number of times before the real annual cost of managing unauthorised encampments is reached. (p.50)*

There has been no further work to update the figures from Morris and Clements, but this is something that would be beneficial to demonstrate the cost of not providing authorised sites. Some UEs will be moved on quite quickly with little cost, others that require legal action will be expensive. Some organisations have attempted to ‘guesstimate’ savings that have been made by taking a more balanced approach to UEs.

### EXAMPLE: Negotiation and co-operation on unauthorised encampments

#### Leeds

There is a well-known 'negotiated stopping' policy in Leeds which, using negotiation rather than eviction where appropriate, means there are better social outcomes for Gypsies and Travellers and savings to the public purse. The study team<sup>8</sup> looked at this initiative further and asked for costs from the council's Traveller team and police. The net impact found in the analysis was that authorised/ negotiated encampments are self-financing. Unauthorised encampments cost on average £9,136 per encampment to the local authority and police. The savings resulting from negotiation rather than eviction, therefore, are potentially of this order.

The incidence of UEs in Leeds is quite variable, averaging 83 per year in the nine years from 2003/04 to 2011/12, 40 in 2014/15 and 59 in the 12 months to January 2016. It would appear that numbers have fallen since the work of Leeds GATE (Gypsy and Traveller Exchange) in the area led to the negotiated stopping approach, but it is too early to conclude this definitively. However, the reduction per year appears to be in the region of 20-25 UEs giving a saving of between £180,000 and £230,000 in local authority and policing costs.<sup>9</sup>

#### Northern Ireland

Elsewhere in the UK, the Northern Ireland Housing Executive also has a policy of 'co-operation' for unauthorised encampments. On their website, they say:<sup>10</sup>

*We do recognise that there will always be exceptional cases with special circumstances which would require a different approach. Our co-operation policy is not a substitute for permanent or transit sites.*

However, one council officer interviewed as part of the research has suggested that because of the lack of development of new sites, the 'co-operation' policy has become a *de facto* substitute for site accommodation, albeit with no infrastructure provided on sites where there is co-operation.

## Conditions necessary for conflict and for negotiation

Why is it possible for negotiation to work in one particular case and not another? Why can Leeds negotiate on unauthorised sites, while other areas evict and take out injunctions?

The research team noted the conditions for conflict to emerge from latent 'everyday grind' to more visible, overt conflict, either between site residents, or as tension between residents and site managers. The two key conditions for conflict were:

- A crisis or 'tipping point' – this might be a protest at an unauthorised encampment or development where communities demand a reaction from the council. In some cases a negotiated approach to future encampments is designed. In other cases though, the crisis can further cement existing power imbalances. For example, in the Carrickmines tragedy in Ireland a fire killed many members of one family and they then faced initial objection by local people to a proposed temporary site to house the survivors; this forced the local authority to back down to public objection and find an alternative site with no settled neighbours.
- Residents on a site demonstrating dissatisfaction, through anti-social behaviour or escalated disagreements manifesting in violence; this creates a situation where the council may realise that an alternative negotiated approach may be necessary.

<sup>8</sup> With thanks to Fred Mear at DMU for his additional work on this financial analysis.

<sup>9</sup> NB. Due to the different costing methodologies from the police and local authorities these savings are approximate.

<sup>10</sup> See [www.nihe.gov.uk/index/advice/advice\\_for\\_travellers/co-operation\\_policy.htm](http://www.nihe.gov.uk/index/advice/advice_for_travellers/co-operation_policy.htm)

There are some conditions necessary for successful negotiation. This is not necessarily negotiation through to resolution, but just for it to be considered as an alternative approach. The research team observed a number of conditions, not just in relation to UEs, of which four were key:

- Collection of evidence that adversarial processes cost more than negotiation (such as the evidence above on the efficacy of the Leeds approach) on unauthorised encampments; *but this must be matched with:*
- Elected members being open to evidence and demonstrating political leadership and willingness to resolve problems, as was seen in Leeds.
- Strong resident voice, not only through advocacy organisations in an area, but residents on a site taking action to voice dissatisfaction; *but this must be matched with:*
- Site residents' willingness to work with councils and housing associations, talk with neighbours and offer to be part of a solution, as was seen in two London examples.

## Conclusions

This chapter has attempted to evaluate some of the study findings on the conflicts in site management and how some organisations attempt to resolve them. It has done this through the lens of 'key ingredients' that might be important in debating and answering some of the common issues found in respondent interviews in the case studies and on sites across the UK.

Some real challenges have been discussed in order to show where improvements have been made or are on the cusp of being delivered. What the findings certainly show is that there is no 'model' of site management. What works on one site may fail on another, and this is even evident between different sites within the same local authority. This is why resident involvement is key to any proposed changes to management of a site. Without residents on board, sites will fail.

The ten ingredients suggested are not prescriptive: they should be the basis of a good recipe in which local ingredients, context and knowledge are all included according to the mix required.

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# Chapter Five:

## Site delivery

### Introduction

Gypsy and Traveller site delivery has been a particular challenge for councils. If a planning application is made, either privately by a family to build their own accommodation, or by a local authority or housing association to build a public site, then there is very often a vocal public response. Part of this can be due to lack of national political leadership on the issue and a negative framing of the subject more generally; however, partly objections can result from unsuitable site location or preconceptions resulting from poorly managed sites.

This requires a two-pronged approach:

- pressure on political leaders and the media to promote inclusive policies embracing different ethnic groups and a variety of accommodation types; and
- improvement in management of existing sites to change perceptions and to demonstrate a 'business case'.

This research project examined the ingredients of success where new sites have been delivered recently, and the issues and challenges that can occur. It collected data during interviews in the three case areas and from site visits across the UK.

### New site delivery in the case study areas

Very few new social sites have been built by local authorities or housing associations in the recent past. Where they have, this is often via additional pitches on existing sites. As with the wider housing sector, there is an over-reliance on accommodation needs being met through the private market. However, some councils and housing associations have delivered new sites: it is therefore possible to do it.

In case study one some new pitches had been provided on two of its four housing association-run sites. In case study two there had been an innovative approach to one local unauthorised encampment that led to delivery of a new informal temporary site; this later became more permanent, with the temporary permission extended and the site being prepared for proper infrastructure and resources. Case study three had also added pitches (along with a community hub and amenity space) to one of its three sites.

In two of the three areas<sup>11</sup> there was recognition that more sites were needed but none had new sites planned in the immediate future. In all three some local politicians interviewed by the research team expressed a preference for no more local authority sites, but instead felt that the private market could deliver through Gypsies and Travellers identifying land, gaining planning permission and building their own sites.

Research shows that, as in the wider housing market, there needs to be a mix of provision – some private owner-occupied, some private rented, and some social rent through council or housing association management.<sup>12</sup> Not all Gypsies and Travellers, as in broader society, have

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<sup>11</sup> Whilst case study one had identified need resulting from GTAA's at the start of the study period, by the end of the research updates to the assessment needs data showed the council thought there was in fact a surplus of supply.

<sup>12</sup> Comments from respondents referred to the need for social as well as private sites. Many of the GTAA's that ask questions about affordability issues demonstrate the need for mixed provision – including affordable social sites.

the means or personal agency to identify and purchase land on the open market, defy the odds in gaining planning permission and then build a site. For those without the means there should be social provision where it is needed.

There are a number of key challenges to delivering sites:

- Identifying and acquiring appropriate land within the planning authority area, either by using council land in preference to other uses, particularly private sector housing development, or acquiring other public sector or private land.
- Obtaining planning permission and overcoming local objections. There are examples of councils turning down their own applications for sites, or including conditions that add expense and delay to site delivery. In some cases councillors do not lead positively to allay residents' concerns.
- Cost of decontaminating and/or preparing sites. Many identified sites or their surroundings require land decontamination from previous uses, or need significant work to protect against flooding.
- Expense of contracts and funding mechanisms. Contractors may submit tenders that are higher than for mainstream housing, sometimes under the apprehension that for safety reasons they need more labour. Lenders are not universally attracted to sites as a housing product so there can be difficulty in securing loans to top up HCA funding.
- Agencies misunderstanding Gypsy and Traveller sites. In some examples HMRC have charged VAT at 20 per cent on amenity blocks ('sheds') that do not have bedroom facilities, or that have a planning condition that they cannot be used as such; and so they are judged non-residential buildings and subject to VAT (this is not always the case where plans are clearly communicated and use of amenity blocks is more flexible and sustainable).

The study team found that there are a number of key ingredients to successful site delivery:

1. Robust and defensible evidence of accommodation need.
2. Strategic, not reactive, local decision-making on plans.
3. Political will and leadership.
4. Good communication, accompanied by Gypsy and Traveller will and leadership.
5. Good site design with appropriate facilities.
6. Effective financial and project management.
7. Adaptable and agile approaches with consideration of the alternatives.

An eighth ingredient – that there must be strategies in place for sustainable lettings and long-term management of new sites – links back to the ingredients for successful site management.

### **Ingredient One: evidence of accommodation need**

There are a number of Gypsy and Traveller Accommodation Assessments (GTAAAs) that are comprehensive and can be seen to follow good practice, such as including members of the Gypsy and Traveller community in the survey design process and utilising their expertise in conducting the research and identifying community members to take part. Some GTAAAs also include much wider information on health, education and other social and public service issues. More recently GTAAAs have taken a narrower approach.

There are a number of assumptions used in GTAA methodologies and local authorities commissioning or undertaking such work need to consider these carefully. Two key assumptions include:

- rate of Gypsy/Traveller population growth
- who is defined (under planning rules) as a Gypsy/Traveller.

### Population growth rate

Many previous GTAAs have used a population growth rate of three per cent. Niner (2003) and CLG (2007) talk about growth rate assumptions of 2-3 per cent. The caravan count has increased by a similar rate to the three per cent compound (for example the government's caravan count in January 2016 reported a 28 per cent increase in caravans counted between 2007 and 2016). This figure of three per cent has been debated recently by some consultants in a methods paper (ORS, 2015), instead suggesting a compound growth figure of 1.5 per cent as more realistic. In Ireland however, many studies use a four per cent population growth figure which is considered to be more reflective of population average, fertility rate and average number of siblings per respondent, which all help to denote family growth rate.

Application of a 1.5 per cent population growth is concerning if it constitutes another piece of 'evidence' that underestimates population size and accommodation need. It is important to consider using locally derived data, including GTAA survey responses on household size and average age (a more youthful local Gypsy/Traveller population will tend to have a higher growth rate). Local authorities should look at their own Gypsy and Traveller population to see whether the average age suggests a growth rate at the higher or lower end of the spectrum. There is room for further analysis on population growth to inform this debate and to allow for consistent and fair approaches to assessing future accommodation needs.

The Housing and Planning Act 2016 ended the requirement to undertake specific GTAAs, suggesting instead that this data collection and analysis could be part of wider housing needs assessments, albeit with draft guidance (CLG, 2016a) on assessing needs of people dwelling in caravans and houseboats (not limited to Gypsies and Travellers). Those working with Gypsy and Traveller communities advise that there are special considerations that mean the true picture of need may not be picked up if GTAAs are absorbed into wider generic needs assessments. If local authorities want meaningful data that reflects reality, rather than a tick-box exercise that brings numbers down on paper, then an assessment of need that is specific to Gypsies and Travellers and actively engages with them is important.

### New definition of Gypsy/Traveller for planning purposes

The recent *Planning policy for traveller sites* (CLG, 2015a) that updated guidance on the definition of Gypsies and Travellers basically removed the identity of 'Traveller' from anyone who had ceased to travel permanently, either through ill health, old age or other reason. Nomadism became central to the planning definition of Gypsies and Travellers (even though other legal definitions such as in housing or equalities legislation recognise ethnicity and do not apply a blunt assumption of a nomadic lifestyle). The definition change has had an immediate effect on accommodation needs assessments with many - including, for example, case study one in this research - seeing a dramatic fall in the numbers of pitches required. There is widespread concern among Gypsy and Traveller groups that they are being further marginalised and their cultural and nuanced way of life further eroded by the definition change. During the latter stages of the data collection, the research team spoke to a number of Gypsies and Travellers who were very concerned about the impact on them and their families.

### CASE STUDY ONE: Updates on paper but not on the ground



This is an example of a local authority planning department undertaking a number of GTAA refreshes even during the course of this study period. A revision to the methodology used led to a revised GTAA in 2014 that updated the 2007 sub-regional study. In March 2015 this was revised again. The March 2015 GTAA remained subject to criticism in planning appeals on several counts, namely the five-year supply of sites, hidden need, survey data and in-migration. While the council consistently resisted this criticism, nevertheless it took the opportunity to go even further, working hard to prepare its March 2016 GTAA. This showed that with a reduced need (following a review of the waiting list and other data) and with supply through private sites and turnover of pitches on social sites, in the five-year period to 2021 there would be a *surplus supply* of 93 pitches. This contrasted with the 2014 GTAA which showed a *need* for 59 pitches.

### Ingredient Two: strategic (not reactive) planning for sites

There is little national level scrutiny of strategic planning for Gypsy and Traveller sites. Government made clear from the point when Regional Spatial Strategies were revoked and Regional Planning Bodies abolished in 2010 that planning for sites was to be a local issue for councils to lead on; consequently there is little strategic multi-agency overview of site delivery.

### CASE STUDY THREE: Stop-start reactive political intervention on strategic planning for sites



Councillors in case study three voted in 2014 to halt the consultation on the Local Plan due to uncertainty about the evidence base. In 2016 the Local Plan preferred sites were published for consultation but the document made clear that the GTAA was being updated by consultants to take account of the new government definition of Gypsies and Travellers in 2015. The report said that in any case two sites identified in the previous (2014) aborted plan were considered but both rejected because they were in the green belt. The consultation took place between July and September 2016. Whilst there were no identified sites in the consultation draft which would meet the identified future need, council planning officers have stated that their position may change in relation to sites included in the preferred sites consultation document based on reviewing the responses from the public, statutory consultees, landowners and developers.

Some local authorities include sites in plans but are then not always able to deliver them. For others, as in case study three, it is difficult even to get sites included in a plan. There is an over-reliance in many areas on assuming that private provision on small previously unauthorised sites will meet needs and that the local authority will not then have to provide social sites. In those areas which have known about a need for many years but still cannot include a site in the plan, let alone provide one on the ground, some are revising their accommodation needs assessment in the light of the new definition of Gypsies and Travellers. The hope is that it will reduce needs on paper and therefore reduce the requirement to identify sites. This would be 'ostrich' behaviour and local authorities who do engage in such negative and reactive policy-making will find that the consequences on the ground (unauthorised encampments) will undermine any reductions on paper. It is also likely that cases will be taken to court to challenge planning decisions where local authorities have engaged in such behaviour.



Some local authorities do manage to identify sites in their plan and then deliver them.

### EXAMPLE: Grasping the nettle on site delivery



#### Leicester

In Leicester there was a discussion on the inclusion of the sites and the Mayor showed political leadership in the debate, the sites were included, grant money successfully applied for and sites subsequently delivered.

#### London

The London Borough of Hackney has a site in its area identified in the London Legacy Development Corporation Local Plan. There has been support from portfolio holders and key politicians in planning so far and engagement with the London Gypsy and Traveller Unit. There is a complicated picture where there are overlaps between the London Legacy Committee, Transport for London and the local authority, which are not typical of other areas; but they show that co-operation between agencies can work. There is hope that this site can be delivered but it requires commitment from politicians and senior executive staff to drive it through and to resist any alternative proposals for the land. Recently, Croydon and Lewisham have also identified sites in their plans; but these are yet to be consulted on and go through examinations in public before they can be adopted.

## Ingredient Three: political will and leadership

Richardson (2007) highlighted four key foundation stones for site delivery, one of which was 'strong political will to set context for action' (p.66). There was marked reluctance from local politicians in all three case study areas to deliver any further new social rented sites. Whilst there were party political nuances in the different responses, no councillors were proactively seeking to include sites in plans; although there had been some campaigning voices prior to the most recent elections, they were no longer in office.

The study team found that joint working between agencies and lead individuals took the heat off a single council working in isolation. One example from an advocacy organisation was where the framework for ownership and planning accountability rested with three organisations rather than one, and seemed to allow each organisation to refer to another as being the reason a site had to be delivered. This is reminiscent of a regional approach where site delivery was seen as being of importance beyond the immediate local area and needed to be decided on a more regional basis.

In another example from Scotland, the study team were told that any discussion of new sites is seen as of 'regional significance' precisely to help with this problem of over politicisation if it is only discussed locally:

*If it goes to an area committee you get councillors voting against something in their own area, so if it goes to full council there is less of that.*

In an example later in this chapter, this view is echoed by a senior politician – it helps develop collective leadership if decision-making can be taken away from the local – either through the decision-making mechanism itself, or through a tacit acknowledgement that whilst a local councillor might vote against, the rest of the committee or forum will take the 'right' decision.

Case studies one and three included interviews with councillors with seniority through length of service or through the portfolios held. In case study one the data provided as evidence of need by the council supported the openly stated political view that they did not need or want any more sites in their area. In case study three, where there has been evidenced need for more provision but where the GTAA will be updated to take account of the revised government definition of Gypsies and Travellers, two years ago there was a mischievous planning application from a senior councillor who is on the current Local Plan group, for a Traveller site to be located in the city council's car park – in order to make a point. Planning officers in case study three stated that they make clear recommendations to members based upon national policy and the evidence that sits behind the emerging Local Plan sites and policies. In case study one the elected political leader felt that new social sites would not be the way forward.

In other areas that the research team visited there were political leaders helping to drive new site delivery.

### EXAMPLE: Political leadership



#### Devon

In interviews with the research team, the Conservative and Liberal Democrat councillors who helped to deliver a new site said of their council colleagues in the planning decision-making process: 'Members did what was right rather than what was easy'. The evidence of need was there, the imperative to provide for the residents on the long-standing unauthorised site was there; and the local politicians realised this was the right thing to do.

#### Essex

There are strong political views in Essex regarding Traveller provision. However, political leadership of a different type has sought to make a difference. In 2014-15, the then Police and Crime Commissioner (PCC) seeing the problems caused by significant numbers of unauthorised encampments (UEs) across the county, and also hearing of successes such as in West Sussex in reducing costs around UEs, sought to bring together the boroughs and the districts in Essex to talk about the issues including the need for transit sites (of which there are currently none). The PCC spoke with families on UEs and with councillors and officers in order to negotiate a way forward and to ask councils to think about where transit provision might be made. It was suggested that a proactive approach was the best way to deal with UEs. There were meetings between the councils and the PCC and work is still underway. In May 2016 a new PCC was elected.

#### Anonymous example, East Midlands

A senior politician, locally and nationally, spoke to the research team about the role of political leaders in making challenging decisions and driving delivery. He made it clear to his council that in order to avoid unauthorised sites ('another Dale Farm scenario') causing disruption and conflict in the community, sites needed to be delivered.

It is difficult for councillors to deflect the objections from settled residents in their wards. As a group of councillors, it helps to have a cohesive approach that allows for a councillor to speak against a proposal in order to reflect the objections, but still take a strategic overview and as a body vote in consideration of all constituents, including Gypsies and Travellers.

Planning and housing officers interviewed by the research team stated that the leader of the council's support to enter into negotiations and come to a resolution on the unauthorised developments was absolutely vital to success. The leadership was not just at a distance, it was practical and hands-on.

### Ingredient Four: Communication, Gypsy and Traveller will and leadership

Some of the residents who talked to the study team were 'exhausted' from the process of working with councils and other agencies to fight to get sites delivered. One man and his family said that the process of liaising on a new site had adversely affected his health.

#### EXAMPLE: Constituting a residents' group to get things done



##### London

Residents on a site next to a railway were being moved because a ventilation shaft had to be built. They had to fight every step of the way but their voices were heard when they proposed rotating the plan for the site, showing that it could fit on a plot of land right next door. There was a demonstration of sheer will on behalf of residents to get things done. As part of the process the residents had to lodge a formal Parliamentary Petition and give evidence to a Select Committee. In order to do this, they formed a constituted group. The key resident leader reported that there was a real 'coming together' of Gypsies and Travellers affected, 'they queued up to give their £1 [to be part of the constituted group and to sign the petition].'

Negotiation is key to facilitating Gypsies and Traveller engagement and leadership in delivering a particular site. This can take quite some time, and it may be necessary to start communication in an informal and neutral setting.

#### EXAMPLE: New Travellers' site



##### Devon

An encampment of New Travellers in Devon arrived in 2001. Nearly ten years later, with a large number of vehicles, some rubbish and reported anti-social behaviour, and lack of cohesion with the wider community, the district council made a concerted effort to turn things around. First a trust-building exercise with the New Travellers was initiated, not formally but via conversations in a Forestry Centre and on site. The negotiation started in 2010 and after planning consultations and meetings, design and build, the new site opened in 2015. It took this time to bring everyone 'on board' in a partnership consisting of the county (owners of the unauthorised site), the district (owners of the new site), the housing association (who delivered and manage the site), the Travellers, local people, highways, Forestry Commission and other agencies. The development was costly in respect of infrastructure, utilities and access. For example a reed-bed water treatment scheme had to be configured to meet the sustainability element of the planning criteria.



Photo: Jo Richardson





Photo: Jo Richardson.

The site design is attractive and ecologically friendly. Utility rooms are semi-detached units with a small kitchen and washroom in each and, following negotiation with residents and the council, the mobile homes and vehicles also have their own log-burning stove for heating. The delivery team, particularly the site manager, worked very hard to secure the details that residents wanted.

The site manager, employed for her skills by the housing association, is from the New Traveller community, but is not resident on the site. This seems to work well. Residents continue to be consulted on key issues and there is a friendly atmosphere. There is a community hub and office. There is an active Gypsy and Traveller Forum in Devon and a residents association on the new site.

### Ingredient Five: Good site design with appropriate facilities

There are many facets to this key ingredient, and so more space is given to examples and analysis of site design and facilities in this part of the report. There is not a 'one-size-fits-all' site plan per se; it is very important to consult with residents, but there are some important features that can be considered further.

Site design was seen as an important part of delivery in a previous JRF study (Richardson, 2007) and a plan of a refurbished site was included. It showed a circular site design with good-size pitches, a communal play area in the middle and a neighbouring parcel of land for possible horse grazing. The same site plan was used a year later on the front cover of government guidance on designing sites (CLG, 2008). That guidance was withdrawn in September 2015 with no consultation, following the introduction of the new *Planning policy for traveller sites* (PPTS) (2015a). The Welsh Government has published three guides, *Managing Gypsy and Traveller Sites in Wales* (Welsh Government, 2015), *Designing Gypsy and Traveller Sites* (Welsh Government, 2015a) and *Undertaking Gypsy and Traveller Accommodation Assessments* (Welsh Government, 2015b).

The facilities needed for new sites vary according to resources available, the preferences of residents and the type of site. Some sites will be permanent and others transit, there are also other options, for example 'group housing' which is quite common in Northern Ireland, and of interest in England too. A good site design and provision of facilities appropriate for the type of site are vital. For sustainability of the facilities on a new site, or additional facilities on a refurbished site, consultation is very important so that residents feel 'ownership,' particularly of shared facilities.

There was real variety in the quality of site design, pitches, utility buildings and communal areas on the sites visited by the study team. Even among the new sites there were signs that if residents had been listened to, facilities could have been better within a similar budget frame.

### EXAMPLE: Design of new site



#### Tower Hamlets, London

Residents on a new, replacement site in Tower Hamlets told the study team how they had been involved in the detail of site and 'shed' design and the specification for the interior design. This resulted in a quality space, the utility blocks had high ceilings, bay windows and patio doors.



Photos: Jo Richardson

### Accessibility standards and sustainability features

In a number of areas visited the utility blocks ('sheds') were built to DDA (Disability Discrimination Act) standards with wider doorways, level access, appropriately designed bathrooms and lower windows. Some new sites had solar panels, LED lights, and other environmentally sustainable features which also resulted in lower energy bills for residents.

There are relatively few sites built especially for older people, but on different visits the research team heard people express a desire for such a site. New pitches on one site in case study three were built to wheelchair accessibility standards and are adaptable to enable households to live independently for longer.

It is important also when existing sites are refurbished that adaptations are offered to any disabled residents.

### EXAMPLE: Designing in equality and sustainability



#### Bedfordshire

In Bedfordshire a new site delivered in 2014 provided six pitches for older and disabled people. All the pitches are DDA compliant with level access, large plots, lower level windows and wide doorways. The utility blocks were built with features including solar panels; the site has LED street lights and a communal play area.

There is a site manager's office on site. The manager and the new residents have worked hard to overturn preconceptions after a previous site caused local conflicts. This different group of site residents and the manager were hopeful of organising a BBQ for local residents to come to the site to socialise together.



Photo: Jo Richardson

### Consultation with residents

This is a vital ingredient in all aspects of site management and design. There are examples of community consultation throughout the research report. However, it is included separately here as it is so important. Residents' expertise can save time and money by avoiding having to put things right later.

#### EXAMPLE: Need for consultation



Photo: Jo Richardson.

##### Leicester and Leicestershire

In Leicester, two new sites and a refurbished one were delivered recently. There was some feedback from residents on some features of the sites, such as the boundary fencing which at the start did not leave a gap wide enough to turn a car and trailer and had to be taken down and the entrance to each pitch widened. There was also an initial problem in the construction of the sewage system which resulted in drains backing up and having to be dug out and reconnected.

Whilst there are some issues on the sites, the team observed that residents are relieved to have 'somewhere to call home' after many years of being unsettled. Nevertheless, there is a

feeling that if the council had consulted more closely on details of design, or with local professional expertise, then some of the problems could have been prevented. One site under county management had been refurbished recently and the team had consulted closely with residents at all stages, resulting in higher satisfaction with the finished scheme.

#### EXAMPLE: New site design, delivery and management



##### Anonymous example, North East England

In 2015, a new site was delivered next door to an existing permanent site. It has 16 pitches and further four without amenity blocks for chalet caravans. The pitches are of a generous size, but residents would have preferred the sheds to be larger – it is difficult to fit in a table that families can sit at and there is no room for white goods which are housed in another wooden garden shed. It was suggested that feedback during the consultation on the design of sheds was not listened to, and there was a missed opportunity to get the sheds 'right first time'.

Delivery of the new site involved leadership and determination from the Gypsy and Traveller community and from the Area Manager at the Homes and Communities Agency. A prominent member of the Gypsy and Traveller community is resident manager, employed by a company owned by another member of the Traveller community who is an entrepreneur. These two, with proactive support from the HCA, worked determinedly with the council to get the site designed and delivered.

On permanent sites and where feasible and requested by residents there may be many more facilities provided including a community room, play equipment and grazing.

### EXAMPLE: Park home chalet option



#### South Somerset District Council

The council managed two sites which were refurbished and maintained to a good standard. Some of the pitches included a park home for which the rent was just over £130 per week. There were also some pitches that are for those who provide their own trailer and the fee for these was about £75. It was reported by the council that because of good management and maintenance over the years, the sites were more than 'breaking even'.

The provision of park homes on sites is relatively rare. Usually the site will have hard-standing pitches on which there is a utility block so that in addition to the weekly fee to the council or housing association a resident is also paying for their trailer(s) that stand on the pitch. This can be very expensive when pitch fees are high and modern trailer payments can also be high; and there can be difficulties with dual housing benefit payments too. In consultation with residents, and as an element of choice, the option of offering a park home as in South Somerset is a model that could be popular elsewhere.

### Space for horses

Horses are an important part of Gypsy and Traveller culture and, in consultation with residents, and depending on resources available, it may be appropriate to include some land for horse grazing; but only in very close consultation and a clear plan of who can use it and when.

### CASE STUDY THREE: Facilities for horses



As part of the building of new pitches on the site, and in addition to building the community hub, there was a newly developed area for horse grazing and a purpose built stable on one of the sites. Here the council designed space into an extension of an existing site, smart stables were built and residents told they needed to wait until the field was sprayed for ragwort before any horses used it. Perhaps there was a lack of clarity over the application process for grazing or stabling, or some rivalry over who would get to use the space, but unfortunately the stables were vandalised and part demolished and had to be taken down.



Photo: Jo Richardson

The study team observed that there was perceived unfairness among some residents about who would be able to use the facility, with no one taking responsibility for the damage. When asked to reflect on this, the council said:

*Initially residents expressed an interest in having grazing land on site, and this was supported by officers so we could address the issue of horses fly-grazing. We engaged with residents over what would be a reasonable grazing charge per week, but later the interested parties then said they would not pay what they had originally offered. We stated people who were banned from keeping horses could not graze their horses on the land but others were invited to apply. No one did.*

The experience in case study three shows that even well-intended plans to provide space for horses can go wrong. There is now no grazing on the site as the issue is unresolved.

### Group housing

In Ireland 'group housing' means bricks-and-mortar accommodation usually provided in a horseshoe layout or a series of similar cul-de-sacs. While predominantly seen in Ireland, it is starting to be developed in England too.

#### EXAMPLE: Group housing



Photo: Jo Richardson.

**Belfast, Apex Housing Association**  
This scheme in Belfast consists of three cul-de-sacs with bungalows of three or four bedrooms. Each cul-de-sac is for a separate extended family which helps to maintain harmony. At the top of one of the cul-de-sacs is a small stable area for keeping horses.

Residents on this site seemed very happy and reported no problems. They liked living there and admitted there had been a lot of interest from

neighbours in the estate next door who liked the scheme. There was some acceptance from the residents that this might have caused some 'envy' from settled neighbours; but largely the site runs without much internal conflict and with reasonable neighbour relations.

There is also the option of mixed schemes for Gypsies and Travellers so that they can be given a choice.

#### EXAMPLE: Mixed group housing and traditional pitch scheme



##### LB Hackney

This mixed scheme has eight units, six of which are bungalows and two are more traditional pitches with amenity blocks ('sheds'). Residents had family in Ireland and suggested the proposal to the council. Finance was available through Olympic funds as this was a site that had to be relocated; it may therefore not be easily replicable as it is a unique context. The London Gypsy and Traveller Unit supported residents who were 'amazingly effective at negotiating with London Development Agency and the council'.



Photo: London Gypsy and Traveller Unit.

### Site size

The study team found that on the larger sites visited there was a greater chance of conflict. In case study two there is a large site of 41 pitches (comprised of two sites next to each other). There are issues on the site and conflict is on an 'everyday grind' level with complaints about



## Site delivery

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loose dogs, parking and repairs. This is not uncommon, but responses from professionals in the case study area suggested that a large site brings problems of its own and perhaps even leads to its own site culture that can affect the chances of building bridging capital with the wider community.

During discussions with Gypsies and Travellers and professionals, the team heard that ideal sites would be around 8-10 pitches with a maximum of 12. However, some respondents on larger sites claimed size did not really matter and that existing sites should be extended so that family members could come and live there.

## Privacy

Privacy is a key issue for Gypsies and Travellers, some say they feel like they are 'living in a zoo' where people can come and look at them.

### EXAMPLE: Walls create barriers



#### Anonymous example, Ireland

On one site in particular in Ireland, the site was built ten years ago at the same time as next-door flats. The residents pointed out the high walls around the site make it feel like a place of rehabilitation rather than residence, and the effect is that those in the higher-level flats can look into the site, but site residents cannot readily see out.



Photo: Jo Richardson.

## Safety and security

Designing in safety and security can involve very simple things like sufficient room for vehicles and parking, street lights so residents can see at night, through to more high-tech provision such as barriers with identifiable key fob codes (so managers know which residents are opening the barrier) and CCTV cameras; as with all design issues, consultation is vital. On one new site visited by the research team, for example, the cameras had vehicle licence plate recognition technology, which the residents objected to, the council listened to the complaints and removed the technology (this could have been avoided by talking to residents beforehand).

### EXAMPLE: Handling conflict



#### Anonymous example, North East England

There are challenges and conflicts in one area visited by the study team and on the day of the visit, the site was protected with a barrier and a police mobile CCTV, in response to a particular concern. However, a senior police officer said the new site was well-managed. There were issues related to crime and conflict in the wider area but the police authority worked to understand the nature of any new unauthorised encampments arriving that might affect the current tenuous peace, and took swift action to prevent disruption of the cohesion on existing authorised sites.

Safety and security were mentioned in the previous chapter as one of the key concerns raised by residents on some sites. There are some where a history of bullying and intimidation involving previous residents, or people with a distant family link to existing residents, can threaten residents' safety and the site's longer-term sustainability.

The researchers found that residents welcomed CCTV on communal areas and actually relied on it at times where conflict had spilled over into violence. On one site where the CCTV has a privacy setting which means only communal areas, not pitches, can be seen, some residents were disappointed that an incident on a pitch was not captured. There is a balance to be struck, as with all design of spaces, between privacy and security.

### EXAMPLE: Gates and CCTV



#### Elim Housing Association

On a visit to a new site in Weston-super-Mare, the team saw gates being fitted at the request of existing site residents to protect against unauthorised encampments known to be in the area. In the site office the CCTV monitor was also evident, and it was possible to see how the privacy settings worked to mask over individual pitches.



Photos: Jo Richardson.

## Transit sites

There is a mixed approach to transit site provision. Some areas have temporary sites which can be opened when there are families that wish to use them.

### EXAMPLE: Temporary sites



#### Powys, Wales

In Powys there is an agreement with a landowner to use a parcel of land close to the Royal Welsh Showground for Travellers to stop before, during and after the show. Planning permission has been secured for the two-week period. There is an agreement that Travellers have to adhere to and rent allows for two-week use of the ground and access to portable toilets.



Photo: Powys local council officer.



The council and Royal Welsh Agricultural Society have recently tendered the management of the temporary site and a contract has been awarded. The contractor appointed had considerable experience with managing Gypsy and Traveller events. There is community cohesion work ongoing and the Fire Brigade attend the site to talk to residents and raise safety awareness. The provision is managed by a multi-agency group facilitated by the council and Royal Welsh Agricultural Society. The site is prepared before the show but then is returned to being a field after its temporary use.

### Aberdeenshire, Scotland

One transit site proposed for seasonal use in Scotland is planning for minimal facilities, including hard-standing pitch, refuse collection, electric hook-up, water standpipes and a low rent which is being consulted on but proposed to be approximately £20 per week.

Other areas have a more permanent approach to transit site provision. In a number, such as a rural district in England which is leased and run privately on behalf of the council and in a Scottish city which is managed by the council, there are additional pitches on a permanent site that can be used for transit. In both examples the sites seem to run well and site managers and residents are happy with the arrangements. However, it is not always clear, particularly on sites leased by the council and effectively run privately, how transit pitches are allocated and whether this is fair. There are also examples where transit pitches can sometimes be used as supplementary permanent pitches on mixed sites.

### EXAMPLE: 'Grasping the nettle' on unauthorised encampments – delivering a transit site



#### West Sussex

In an interview with the research team, the Gypsy and Traveller Team Manager explained the rationale behind the recent successful development of a transit site. Unauthorised encampment numbers had risen in Chichester and Worthing; legal action in dealing with evictions and moving encampments from place to place were time-consuming and expensive. UEs were also a source of conflict in the broader community. West Sussex had seen in neighbouring authorities in East Sussex and Brighton and Hove that provision of transit accommodation had reduced UEs. The districts and boroughs came together to commission a transit site study and land was identified next to a works depot.

Chichester was successful in developing the transit site. There was a multi-agency approach to developing the site with a successful HCA grant application and the other districts in the county also contributed to the cost.

Since the nine-pitch site opened in May 2015 it has been well-used. UEs are down slightly, but the 'big story' for the council is that where there are UEs it is taking 2-3 days before they move on with very few going to court. In the year leading up to the new transit site opening there were 69 UEs and every one had to go to court. There have been significant savings on court costs. This approach was seen as so successful that the (former) Police and Crime Commissioners' office in Essex was using it as a model to encourage their districts to do the same.

### Site location

It is really important to locate sites in places that Gypsies and Travellers want to live. It sounds so obvious as to be absurd, but often sites are located in areas where there will be least objection: near sewage works, railway lines, disused rubbish tips, etc. They are located in undesirable, marginal spaces because they are the only places left in the site identification process after all others have been rejected.

Site identification is challenging and multiple competing criteria can mean a site meets sustainability tests but goes against other criteria set in the selection process. Previous research (Richardson, 2011) looked at the impact of Circular 1/06 and in so doing examined over 400 planning appeal decisions, noting just how challenging it can be to reach a balance between competing criteria. However, if a site is in a location where Gypsies and Travellers do not want to live, then there will be issues of high turnover and under-occupation that can put its longer-term sustainability in jeopardy.

### EXAMPLE: Successful delivery of new site, but lessons learnt along the way



#### Rooftop Housing Association, West Midlands

The site has 11 spacious pitches in a circular design around a grassed area. The land was bought from the council for £1 and grant funding was obtained from the HCA. The sheds are timber-frame units built on-site with environmentally friendly features. There is ample parking and a good quality road. The location of the site is pleasant with views of green countryside. The pitch fees are £93.15 per week. One of the pitches is DDA compliant and this has a pitch fee of £95.29.



Infrastructure, such as the road required under planning obligations, was costly. The development budget was also increased because the council planners refused to vary the condition related to the sleeping arrangements in the sheds. One condition in the planning approval says “The buildings shown on the approved drawings and referred to as ‘studio accommodation units’ shall only be used for purposes associated with the occupation of each pitch as a residential gypsy or traveller caravan pitch, and shall not be occupied separately and solely as independent dwelling houses”. This meant that in the eyes of HMRC the buildings were not ‘dwellings’ and they attracted VAT – a 20 per cent addition to the proposed build costs. As a result, fewer pitches were built, which gives the site spacious pitches and a pleasant design, but there are questions about value for money when conflict between council planners and the housing association over the wording of a planning condition results in a 20 per cent overspend.

The site is located in a quiet lane and adjoins land which accommodates an existing council run site and next to that is a small private site. It is a very green site and although close to a motorway is screened by trees to protect residents from noise.

When the study team visited, the timber-frame utility buildings looked in excellent condition. Later the site manager confirmed this and said that there are very few snagging issues.



Source: Rooftop Housing Association.

The units are well-designed and energy-efficient. The roadway is wide enough for large vehicles; there are plenty of parking bays and a separate area at the end of the site for work vehicles to park. The site is well-lit with LED street lights. In the centre of the site is a large green space with high quality play equipment.



Photo: Jo Richardson.

Rents were set with reference to bedsit accommodation in the area. In the financial appraisal prior to board approval it was shown that the scheme would repay its debts in year 23 (the threshold for decision-making in the organisation is a maximum of 25 years).

The costs for the scheme were:

Total scheme costs: £1,210,739, of which £960,700 were works costs.

Grant from HCA: £575,000

Rooftop loan: £635,739.

### EXAMPLE: New site delivered in National Park



#### Powys, Wales

In Powys the council had to work within an Area of Outstanding Natural Beauty and so needed to design a scheme sympathetic to its surroundings. Planning conditions were challenging, but doable. For example the required material for the utility blocks was flint and they meet Code for Sustainable Homes level 4. The council and the residents took a pragmatic approach and there was some political support too. Many areas withdraw plans for sites because they are in the green belt, but this example shows that it is possible to gain consent even in a National Park and to deliver a very high quality site.



Photo: Jo Richardson.

The site has 14 plots with ten built out currently and four more to accommodate future growth, which will be built out by March 2017 as the latest GTAA identified a need. It was a condition of Welsh Government grant that the council had to own the land and have full planning permission beforehand. The council had to compulsorily purchase some land as the ownership was not clear. Officers at the council worked hard in partnership with the head of the family residing on the site. There was real determination from the project team and significant investment in terms of time and trust-building with the family.

## Ingredient Six: Financing sites and managing build costs

In England there is no longer ring-fenced capital grant to fund new sites. After the last five years of funding administered by the HCA (2011-2015), approximately 70 per cent of the target number of new pitches have actually been delivered. Some organisations have had to hand funding back for a variety of reasons, for example planning permission not being obtained or land not purchased. So while there is a need for capital funding to support site building, in isolation it is not enough: it must go hand in hand with political leadership, work with other public agencies on identifying appropriate land and communication with wider communities to reduce objections.

There are specific issues that add to the cost of delivering sites over and above standard bricks-and-mortar housing. For example, some sites are on previously contaminated land, or they are not near to existing development and require infrastructure and services bringing in from a long distance. However, there is a need to scrutinise the costs in tenders for building work very carefully to ensure value for money. Innovative design, off-site manufacture and a willingness to utilise skills in Gypsy and Traveller communities where possible, could secure savings.

Niner and Walker (2008) developed a financial toolkit for housing associations. It outlined issues, challenges and implications for associations in the delivery and management of sites. It also referred to Wagstaff (2006) and its rough proportion of expenditure on site management (of which the items taking up 76 per cent of expenditure were (1) repairs, (2) day-to-day dealings with licensees and (3) dealing with applications and transfers). The financial, political, legal and planning context has changed significantly since these publications and it would be beneficial if an organisation such as the HCA or the National Housing Federation were to refresh the guidance to housing associations on delivering and managing sites.

It is also important for organisations to share examples and lessons with one another, particularly on issues that can add delays or avoidable costs to new developments. One example is an association seeking advice from others on the financial costs of delivery and risks to consider.

### EXAMPLE: Site considered as 'residential dwellings' for VAT purposes

#### Leicestershire

Framework Housing Association delivered a small site in Leicestershire to house a specific family that had been living on the roadside for decades. The site is developed to high quality design in consultation with the residents. There was a reasonable amount of local support because they were seen as 'our Gypsies'.

The cost was substantial, partly due to providing utility services. Estimated final cost of each pitch was £120,000 (with the ceiling on HCA grant at £90,000). The planning conditions and design meant that for HMRC purposes the utility blocks were considered residential dwellings (something that staff at Framework had learnt directly from Rooftop HA who had faced 20 per cent higher costs due to VAT being added).

Framework was able to act as development agent for the local authority, which then took on management of the completed sites, in order to remove the perceived risks from the right to assign under the Mobile Homes Act 1983 (as amended by the Housing Act 2004). This partnership worked very effectively given that Framework, its consultants, architects and other professionals had already designed the schemes and obtained planning permission.

## Ingredient Seven: Consider the alternatives – different models of provision

Government policy on housing generally is moving towards private provision, and this is echoed in provision for Gypsy and Traveller sites. There has been some delivery of new social sites, with some examples in this report, but overwhelmingly planning authorities are meeting need identified in GTAs through ad-hoc private planning permissions.

Small private sites can be very well managed and be the perfect solution for a family who have the means to buy the land and the skills to get through the planning process. However, there needs to be a mix of provision, with social sites for those who cannot meet their accommodation needs through the private market, and transit sites for those with a nomadic lifestyle.

### Community Land Trusts (CLTs)

CLTs are seen as an answer to delivering new, small-scale housing, and they are a growing trend. The question is whether the CLT model might secure Traveller site delivery. When explained to Gypsy and Traveller respondents during research visits there was some, but not overwhelming, interest. However, in some areas the idea has been met with enthusiasm.

### EXAMPLE: Aiming to deliver through a CLT



#### Mendip District Council

In Mendip there have been attempts to develop a site for New Travellers through a CLT. The group of Travellers and some dedicated council officers have been working with landowners and other public agencies to try to identify appropriate land. Funding is available from the council as a loan to a constituted co-operative group to develop a site. The Travellers group has undergone training on how to write a business plan (to apply for loans) and deal with the various processes. There has been high enthusiasm, but potential sites that have come available have either gone for a higher price, or subsequently been withdrawn. This has been an incredibly frustrating experience for those involved. The key officer hopes the scheme will come to fruition, but patience and dogged determination are required.

### Negotiating sites and land to deliver in appropriate locations

Sometimes lateral thinking is necessary to resolve a conflict. Where an unauthorised development exists and the council know there is need for a site, but that the unauthorised location is not appropriate, then negotiation over alternative land may be the best solution.

### EXAMPLE: Innovative land swap to resolve residential tensions



#### Anonymous example, East Midlands

There were two unauthorised developments in a district council area resulting in tensions with settled neighbours which have since been resolved. On the first site, a ten-pitch five-acre plot was developed without permission over a bank holiday weekend around 2004. Officers realised there was no updated GTAA and a new one was carried out in 2006, at the same time as the council was going through the Local Plan process. Councillors and officers visited the families and asked if they would enter a negotiation.

The families on the site were given temporary permission by the planning inspector for two years, whilst the council looked into permanent alternatives. The council attempted to identify suitable locations, close to transport routes and facilities, but without causing objection from settled neighbours. From a shortlist, a site replicating the unauthorised site was identified and the council obtained planning permission. The process was not straightforward as the district council had to separately acquire the site from a third party, a process that added to the time and cost of resolution. HCA grant funding was secured to develop the new site.

The agreement with the residents was that there would be a land swap. The piece of land owned by the families would be swapped for the land secured by the district council and the new site would reflect the current quality of each pitch on a like-for-like basis. Achieving this was not easy as there were ten separate family units each owning their own pitch.

Officers and councillors involved admitted it was challenging at times. There were 'fractious' public meetings and trust was lost and re-won on various occasions. Ultimately though, the land swap was a success, with all the residents moving from the old site to the new authorised one. The new site is not managed by the council, but is private and managed by the families who now own it. This was a contentious but innovative resolution to a seemingly intractable problem, which appears to be broadly acceptable to the Gypsy/Traveller residents, the settled community and the council.



### Shared ownership possibilities

Shared ownership may be a possibility, but in discussion with local authorities and housing associations there is caution about the possibilities, with a housing association and a city council in the South West looking into this for one small site. There are challenges with alternative models in the face of insufficient supply of rented accommodation. However, with the end of ring-fenced grant and the current Affordable Housing and Shared Ownership Programme this is a model that should be considered. It may work for small sites with a long lease to a specific family who have aspirations to staircase to ownership. However, there are few mortgage products for Traveller site pitches and consideration will be needed of how a shared ownership model might be financed.

### Specialist Traveller organisations delivering sites

There are a number of excellent Traveller organisations across the UK; one possibility might be for specialist delivery of new sites.

#### EXAMPLE: Traveller organisations doing it for themselves



##### Dublin, Ireland

In Dublin a Traveller organisation is developing sites directly. In 2010 a government-funded study by the Irish Traveller Movement found that a Traveller-led accommodation association might be an effective model for delivering culturally appropriate accommodation. Historically, delivery and management of Traveller accommodation in Ireland was undermined by a host of problems such as planning barriers, the lack of effective delivery mechanisms, poor involvement of Travellers in the design and development of accommodation, and racism. The following year in 2011 governance structures were put in place for such an organisation, now called Cena.<sup>13</sup>

*The mission of Cena is to lead the way in innovation and best practice in the design, delivery and management of culturally appropriate accommodation to Travellers and build strategic relationships with other social housing providers to achieve its vision.*

The Cena model for individual site development includes a focus on purposeful engagement with Travellers, facilitates a learning and inclusion process, and builds a sense of ownership around Traveller accommodation. Two pilot schemes were announced by housing minister Paudie Coffey at Cena's launch in September 2015. Cena sent a call out to all local authorities to see who would be interested in schemes. They received 11 applications from various councils who were all interviewed and judged against pre-set criteria.

The two successful applicants were Offaly and Galway. In Offaly, a group housing scheme will be developed consisting of four units for one extended family. Galway is at a very early stage and it is anticipated that a halting site will be built there. At the time of writing, Cena were working closely with Galway City Council and Galway Traveller Movement to identify the families. Funding for both projects has been secured from the Department of Housing, Planning, Community and Local Government under its Capital Assistance Scheme for voluntary housing associations.

## Conclusion

There are many challenges to delivering good quality Gypsy and Traveller sites. However, it is achievable and examples from local authorities and housing associations in this chapter show the possibilities and benefits of 'grasping the nettle'. As with site management, the 'ingredients' are not precise tools to be applied uniformly, but are broad themes to be adapted to the context of each area.

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<sup>13</sup> The word 'cena' means 'home' in the Traveller language (Cant). See <http://cena.ie/>

# Chapter Six:

## Conclusions and recommendations

### Introduction

Across the country there is an accommodation shortage, especially of affordable housing. This includes a severe shortage of Gypsy and Traveller sites. Although the issue is complex and there are a number of challenges and conflicts involved, this study has found that site delivery and good site management are possible and lessons have been shared throughout the report. A number of key ingredients for site management and site delivery have been found, summarised in Figure 5.

**Figure 5: Summary of key ingredients for effective site management and site delivery**

Site Management	Site Delivery
<ol style="list-style-type: none"> <li>1. Clear plans, policies and lines of accountability; particularly a fair and well-communicated lettings policy.</li> <li>2. Reasonable pitch fees (and utility rates).</li> <li>3. Clear processes for repairs and maintenance, an asset management strategy and site investment with a strong focus on physical environmental issues.</li> <li>4. Resident communication, participation and engagement.</li> <li>5. Managing and designing-in safety and security on sites.</li> <li>6. Consistent policies for dealing with animals on sites.</li> <li>7. Communal facilities on sites (can be a source of conflict or cohesion).</li> <li>8. Supporting and facilitating opportunities for Gypsies and Travellers in their daily lives.</li> <li>9. Supporting and training staff for site management.</li> <li>10. Negotiated approaches to unauthorised encampments to bring business and social benefits to the locality.</li> </ol>	<ol style="list-style-type: none"> <li>1. Robust and defensible evidence of accommodation need.</li> <li>2. Strategic, not reactive, local decision-making on plans.</li> <li>3. Political will and leadership.</li> <li>4. Good communication, accompanied by Gypsy and Traveller will and leadership.</li> <li>5. Good site design with appropriate facilities.</li> <li>6. Effective financial and project management.</li> <li>7. Adaptable and agile approaches – consideration of the alternatives.</li> <li>8. The eighth ingredient – that there must be strategies in place for sustainable lettings and long-term management of new sites – links back to the ingredients for successful site management.</li> </ol>

### Recommendations for ways forward

Here are the key approaches and lessons from the research that housing organisations should consider, along with some wider recommendations.

#### **1. Recognise that site provision is the key to resolving continuous unauthorised encampments in an area**

This was found to be a key source of conflict between nearby residents, officers, councillors and Gypsies and Travellers. Examples in this report show there are strong business and social benefits to providing sites.

**2. Where sites are not already in existence, consider ‘negotiated stopping’, rather than eviction, as a more resource-efficient and humane approach to unauthorised encampments**

A number of progressive approaches are being adopted across the country to negotiate with Gypsies and Travellers and to identify appropriate areas where they might stop temporarily by agreement. The savings per year for authorities who do this are shown to be in the hundreds of thousands of pounds. It is recommended that costs of eviction are researched again across the country to provide a current picture and to update the research by Morris and Clements (2002).

**3. Understand unauthorised encampments and lack of permanent sites as housing issues reflecting unmet accommodation needs**

The research found that in some areas, unauthorised encampments are seen automatically as a policing rather than a housing issue that indicates an unmet accommodation need. Sites should always be considered as ‘housing’. Local authorities currently manage Gypsy and Traveller site income and expenditure through the General Fund, rather than the HRA, which means less transparency on where the rent goes. This should be reconsidered.

Seeing Gypsy and Traveller sites as part of ‘housing’ would help to counteract the cases where utility buildings/ ‘sheds’ on plans for new sites are not defined as ‘dwellings’ because of planning conditions and as such attract an additional 20 per cent cost in VAT.

**4. Have robust Gypsy and Traveller Accommodation Assessment data based on open channels of communication with residents**

In order to assist authorities as part of their assessment methodologies, further research should be undertaken to understand better the population growth assumptions which underpin Gypsy and Traveller Accommodation Assessments. There is a growth range from 1–3 per cent annually (and in Ireland four per cent). A rigorous piece of work is required that can provide a balanced assessment of growth rates for this particular segment of the population and which can be easily adjusted according to average population ages of Gypsies and Travellers in local areas.

**5. Identify sites in Local Plans and consult with Gypsies, Travellers and other residents on location of sites**

Research to take stock of the current position for all local authorities in England and Wales would be valuable. Experience in the case studies and other areas reflects the complexity and conflict in processes of site identification and ‘selling’ the idea of strategic plans for sites to wider local communities. All too often the least contentious land is unwanted space near railway lines, sewage works and rubbish dumps. If Gypsies and Travellers are not consulted on location, then failure to provide sustainable and inclusive sites is almost guaranteed.

**6. Encourage elected members to play a key role in leading local debates on managing and delivering sites, supported through training and by national political leadership**

It is difficult in the face of objection to stand up and be counted in favour of a new development – councillors find this in relation to all new housing. The negative context for Gypsy and Traveller sites makes this even more difficult. The research found examples where councillors said they did ‘the right thing rather than the easy thing’ in supporting new sites. A wider, more regional-style approach to identifying and supporting new sites can ‘take the heat off’ councillors locally and help share responsibility for sensitive decisions.

### **7. Recognise a duty to promote equality in this area; as part of this, challenge discriminatory discourse about Gypsies and Travellers**

The duty to promote equality can be undertaken partly through proactive work with the media and with local politicians to raise awareness of issues and challenges. The study heard from areas where work was undertaken by councils and Traveller forums with media and local residents' groups to build bridges and to take a proactive approach to enhancing community cohesion and reduce potential objections to sites. This good practice could be replicated so that other local authorities demonstrate similar leadership in this area.

Councils and other agencies can also investigate perceived unfairness. For example, work undertaken by the CAB in York found evidence of higher than normal utility bills; this could be extended across the country. Councils have identified that contractors may price for higher labour input in tenders for site development, for questionable security reasons: this can be challenged and contractors offered training, or accompaniment on introductory visits to sites, to allay misconceptions.

### **8. Plan for a mixture of tenure, size and location for new Gypsy and Traveller sites, as with general housing stock**

The research has found a variety of needs; while some families can provide their own accommodation through the market, just as with the wider population, others will need social, affordable accommodation. There are alternative solutions to providing sites. Options such as a shared ownership model and developing via a Community Land Trust might be possible with further experiment.

### **9. Bring in Gypsy and Traveller accommodation alongside other social housing, in terms of policies, administration and standards of management**

Mainstreaming site provision, albeit with reasonable adjustments for lettings and in terms of equality, is possible and the research found that a number of housing providers are attempting to manage sites alongside their wider stock. There should be parity in quality of services, such as repairs and asset management, between Gypsy and Traveller sites and other stock, but of course within a context of cultural understanding and sensitively adapted policies, such as lettings, as required.

### **10. Recognise that a well-run site will not cost money in the long term (income can cover costs) but capital funding is needed initially to support delivery**

Efficient delivery, resident consultation, considered asset management plans and well-trained, supported officers are vital to sustainable sites; as is initial capital funding and support from government. Some form of capital funding for site delivery is required. The Traveller Pitch Funding programme has come to an end and the HCA Shared Ownership and Affordable Housing Programme 2016-2021 contains no provision for site funding; the guidance does not include Gypsies and Travellers as one of the vulnerable groups listed. This report offers evidence that it is more cost-effective for councils to provide sites than to evict unauthorised encampments. However, capital funding is required so as to secure political 'buy-in' in those areas where it is not possible for local authorities to fund 100 per cent delivery of new sites from their own resources.

### **11. See information sharing as key to good management: inefficiencies occur when lines of accountability between departments and agencies are blurred**

In some areas the policies and procedures for getting things done on site were not clear and understood, sometimes across different departments in the same organisation. Information sharing across departments and agencies is vital. Established organisations like

the National Association of Gypsy and Traveller Officers (NAGTO) are useful for sharing information between specialist Gypsy/Traveller officer members, but for wider information sharing across an increasingly mainstreamed service the Chartered Institute of Housing or National Housing Federation could consider supporting a welcoming and dynamic online space for information sharing on good practice.

### **12. Pay careful consideration to future management and ownership issues when undertaking reviews of local authority sites**

Divesting of site stock can weaken lines of accountability and governance and can, in some cases, put longer-term site sustainability in jeopardy. One organisation had taken site management back in-house from a leased arrangement. The study team also heard from Travellers who were concerned about the power balance on sites, and the quality of future service provision, where there were rumours that a council was considering selling its sites into private ownership.

## **Conclusion**

There are challenges and issues in managing and delivering Gypsy and Traveller sites and it would not do the research justice to pretend otherwise. It is hoped that this report brings balance and counter arguments to the pervasive notion that all sites are problematic and that Gypsy and Traveller issues belong in the 'too difficult' pile of things to do for local government. The overriding message from this research is that sites can be well-managed, sustainable and vital elements of a diverse community. Challenges can be overcome. Inequalities in treatment of Gypsies and Travellers must be addressed, and one element of that – an essential first step – is through the provision of sufficient, appropriate, well-managed accommodation.

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# Glossary

- Gypsy/Traveller** In this report 'Gypsy/Traveller' and 'Gypsies and Travellers' are used as generic terms to describe people who define as Gypsy or Traveller and who live on a site or in a house. There are a number of definitions in law (1) a race equality definition which recognises ethnicity regardless of nomadism and accommodation, (2) a definition in housing law, and (3) a more stringent definition in planning law which has recently been amended in the CLG *Planning policy for traveller sites* and which no longer recognises Gypsies and Travellers who may have ceased travelling permanently as a result of age, ill health or education reasons. Good practice in organisations would always see capital letters used when writing 'Gypsy' or 'Traveller' to recognise their ethnic status.
- Mobile/ Chalet** A static unit of accommodation on the site which although can be moved, is not used for travelling.
- Pitch** The individual area on a site rented to a family unit. On each pitch there will normally be a hard-standing area to put a chalet or a trailer on and there are utility services to each pitch (increasingly now there are individual meters for those services); there will also be a utility block containing a small bathroom and kitchen. In addition to the chalet or static trailer will be an additional smaller caravan(s) depending on how large the pitch is and how many children need separate sleeping accommodation.
- Shed** An everyday term used to describe the utility block. Sheds can vary in size and quality, often brick-built, but also on some sites timber-built. More recent, better quality sheds will have room for a table for the family to eat together and perhaps a sofa and TV, there will be a bathroom and a kitchen area. For some people who have mobility issues, there may be a need to accommodate a bed. As the report shows, in some areas sheds are seen as 'dwellings' and sleeping in the shed is seen as a flexible and acceptable use of space, in other areas there are planning conditions imposed which mean the shed is only a day-time space and that residents are expected to sleep in their trailers at night.
- Site** There is a variety of site accommodation. Some are private family sites, some are private and pitches are rented out to those who need a place. Other sites are local authority or housing association-owned and managed. They vary in size, quality and facilities available.
- Tourer** This is a smaller touring caravan, usually used for children who are growing up to sleep in.
- Trailer** Another word for a large caravan. These are bigger than touring caravans.