

Irish Traveller Movement Submission to Communities and Local Government on:

Draft Guidance on the Management and Design of Gypsy and Traveller Sites

The Irish Traveller Movement (ITM) is a national voice group for the Irish Traveller community in Britain. The ITM was formed in 1999 and is a registered charity. The ITM is committed to increasing the social inclusion of Irish Travellers. The ITM has an Irish Traveller Advisory Group, containing Irish Travellers that live on local authority sites and in housing, which directs the broad campaign strategy and policy of the ITM.

The draft guidance on the management and design of Traveller sites contains a great deal of useful advice which if implemented could improve the quality of life for Travellers living on sites. In the following response the ITM sets out proposals for how the guidance can be improved and developed.

Site Management

The guidance is correct to highlight (1.8) that Gypsies and Travellers are highly socially excluded and that well managed and designed sites can play an important role in improving access to services and life chances.

Management Regimes

The ITM welcomes the proposal (4.5) that it is advisable to split the enforcement and site management roles of Gypsy and Traveller Liaison Officers as this has in the past caused resentment amongst residents and impaired the management and welfare roles of Gypsy and Traveller Liaison Officers.

Section 6 on site management and inspection advises site managers to talk with residents about the site, be available and encourage participation in on-site residents association. There needs to be a stronger emphasis on a community involvement strategy. This should not be interpreted as optional but is a clear duty in line with housed tenants. Point (6.10) which lists the attributes that a site manager should have should include 'an active understanding/commitment to community development issues and practices'.

Regarding site management regimes (5.6) the ITM feels that the report should make reference to the Commission for Racial Equality report (Common Ground 2006) recommendation that Traveller sites are managed by departments within a local authority that is/ or has part of its responsibility to provide for accommodation. The choice of department should not be one that sends out a negative message to the public about how it sees this work and that links are facilitated with other relevant departments (CRE, 2006, 240. 14)

More generally reference should also be made in point (6.10) to the CRE report

'Common Ground' recommendation that a local authority has a lead councillor and officer (at no less than assistant Director level) who lead and take responsibility on Traveller accommodation and ensures it is linked to work within the authority on equality. This will improve the management regimes on Traveller accommodation issues as in the past the lack of such lead roles and contact points has caused confusion and fragmented service delivery (CRE, 2006, 240. 15). Furthermore, the management regime for Traveller sites will be improved by local authorities ensuring that Gypsies and Travellers are included in their race equality scheme (CRE, 2006, 241. 20). Where the management of sites has been contracted out to external agencies, the local authority should ensure that promotion of the race equality duty is included in contracts.

In the past there have been difficulties in retaining site managers in some areas this is a reflection of the lack of guidance and support mechanisms that existed in the past. The new CLG guidance and the Business and Technical Education Council Advanced Award on Site Management (6.11) is a useful way to address some of the challenges site managers have, a fuller description of this course and website link for registration in the guidance would no doubt be of assistance.

Effective ethnic monitoring will also facilitate effective management enabling accommodation providers to identify what Travellers' particular needs may be and even where they are located in housing.

Pitch Allocation

Concerning the allocation of pitches the guidance (7.4) states that the accommodation needs of Travellers should be addressed in the same way as allocating other forms of social accommodation. This reflects the advice of the CRE report 'Common Ground', which recommends that pitch allocation policies for all new sites, similar to those for conventional housing, are framed (CRE, 2006, 243. 34). Point (7.5) states "That said the landlord in consultation with the site manager will want to take account of factors which may affect the suitability of a site as a social unit". This should not provide a cover for discrimination or favoritism to take place in the allocation process.

Security of Tenure

The guidance notes that in 2004 the European Court of Human Rights decided that in the case of Connors V United Kingdom that the eviction of the Connors from a local authority site in Leeds represented a breach of the occupant's rights under article 8 of the ECHR convention (9.12). The guidance needs to inform its users that the forthcoming Housing Bill will contain clauses on security of tenure on Traveller sites and some indication of how and when the CLG will convey to agencies involved in the management of sites and site residents what these legislative changes will mean.

The guidance could also refer to the fact that some local authorities like Oxfordshire and Durham have gone ahead and already introduced improved security of tenure ahead of pending legislative change.

Section 9 gives examples of how tenants might break an agreement or license. Reference needs to be made that not all residents should be penalised if there has been

an infringement by some residents on the site. The CRE report 'Common Ground, 2006' states "when action is taken against everyone on a site, or is disproportionate to the offence committed, the residents of the site cease to trust that the authorities will treat them fairly (CRE, 2006, 222).

Rental Fees

Point 10.15 states that license fee levels should take note of what is offered particularly in light of the average rent applied by the landlord for other social housing. Exorbitant site rents are causing a great deal of friction and the report 'The Provision and Condition of Local Authority Sites in England, Niner, 2002' suggests they could be acting as a disincentive to some families coming of benefits and gaining employment. Site residents should be made aware by site managers of how they can appeal against what they consider to be unfair rents. This could be contained in information for new arrivals (8.7) and brought to resident's attention at site forums.

Repairs and Refurbishment

On the question of site repairs and maintenance (12.5) there has been great concern about the quality of site repairs and refurbishment, with numerous complaints emerging over the quality of work and delays and unnecessary inconvenience caused. The use of approved contractors will be of assistance as will the maximising of residents' involvement in decisions affecting repair and refurbishment. In the past some residents, who are skilled artisans themselves, have bemoaned the fact that they have not been able to carry out construction work themselves. One proposal was for cooperatives to be established on sites that would allow for the employment of Travellers to carry out work. This idea needs to be investigated and piloted.

Fire and Police and other Services

(Points 13) reference could be made to some good practice examples. For example, the Essex Fire Service has established an excellent working relationship with a number of Traveller sites training them in fire safety issues and installing smoke alarms into trailers. The Essex Fire Service in fact recently gave an award to one Irish Traveller in recognition of the valuable support they gave to the initiative.

Relationships with these and other important service providers such as the Traveller Education Service and health workers can also be enhanced between site management regimes and tenant's representatives through the establishment of interagency forums. Working with interagency forums should be added to the list of additional management roles on page 16 and page 33 (point 11.3) under roles and responsibilities of site managers. Reference should be made to successful forums such as the longstanding ones in Hillingdon and Ealing and an outline should be given of the advantages of such forums. The Irish Traveller Movement was funded by Comic Relief to establish and service a number of interagency forums and can provide draft terms of reference and general advice and consultancy on this matter.

Site Security

It is right to advise that thorough consultation take place where closed circuit

television facilities are installed (13.26). The ITM is deeply concerned at some reports that these cameras are being used for internal as well as external observation.

Working on Site

The ITM acknowledges that it is right for health and safety considerations to govern the practice of work activities on sites (13.32). However, it should be emphasised that it is equally of paramount importance for landlords to do their utmost to ensure that sites do contain such work space and that relevant advice and support is provided as some Traveller businesses have suffered from site restrictions and a failure to help them adapt to these where restrictions have been introduced. Such measures would also assist some families to come off welfare support, it should be noted that many Travellers favour self employment which is home based as opposed to waged employment.

Consultation and Tenant Involvement

The guidance is right to acknowledge that the views of Traveller residents be taken into account (14.1). The failure to do this has created a sense of powerlessness amongst Travellers and been a contributory factor to the failure of some sites. ‘a strong and independent residents group in place’ and ‘tenant participation compact’ should be added to the list of points in (2.1) under ‘What makes a site successful?’.

The ITM is extremely pleased to see that the guidance recommends site managers to encourage all residents to participate in a residents’ association and site liaison committee (14.6). These should ideally be chaired and even administered by Travellers. The Irish Traveller Movement has produced for Communities and Local Government guidance on involving Travellers (housed and on site) more closely in tenancy issues. The guidance needs to make reference to the website link to this advice and support toolkit.

The guidance would also benefit by making reference to successful on site residence associations and outlining in detail what support they were given. If such forums are to be Traveller administered support may need to be given to develop the relevant skills, as some Travellers will have little experience of participating in and servicing forums. Consideration should be given by the CLG to the establishment of a national training course to facilitate this. Draft terms of reference for site residents’ groups could also be included in the appendix of the report.

The ITM also believes that the guidance should encourage the establishment of tenant participation compacts. Such compacts have been adopted for tenants in housing. The Office of the Deputy Prime Minister issued a ‘National Framework for Tenant Participation Compacts’ in 2005 which declared “Compacts have raised the profile of tenant participation in many areas and helped to strengthen and improve relationships between tenants, officers and members” (page 6). This success could be extended to Traveller sites.

Section 3 of the guidance point 3.3 should include advice to develop tenant participation compacts and a tenant involvement strategy with the desired outcome of supporting an independent residents group on a site, ensuring participation as opposed

to just consultation. Tenant participation compacts should be included in the checklist on page 10 and the one on page 34. In section 5 (5.4) the guidance should advise that clarity in roles and responsibilities regarding management and general site related issues tenant participation compacts should be negotiated between residents and other stakeholders. This is particularly important when the site management is contracted out by the local authority as there can be a lack of clarity among residents about role boundaries between local authorities and management service. The checklist on page 13 should contain a 'clear communication strategy'.

The onus should be on management to develop pathways into resident involvement. This is something that management services should be audited on.

Point (6.19) states that site management should ensure that there is an effective complaints procedure, it should be emphasised in the guidance that this is accessible to users with low levels of literacy.

Wider Reform

Serious consideration needs to be given by the Government to introduce a statutory framework for managing sites for Travellers with additional 'best value' indicators as exists for conventional housing.

Site Design

The ITM welcomes the fact that guidance has been issued on the design of Traveller accommodation as this is an issue that should be at the forefront of local authorities' minds in light of the new obligation that the Housing Act 2004 and planning circular 1/2006 places on local authority to identify land for Traveller sites. Poor site design and location have been significant factors in the failure of some sites.

Finance and Delivery

Point (2.1.5) states that 100% funding is available for new sites and 75% for refurbishment and 56 million pounds has been made available between 2006 and 2008. It would be useful to indicate when details of future funding details will be made available. It would appear that registered social landlords have been reluctant to take up grants to develop new sites, this clearly will present problems where local authorities have dismantled their housing arm as Travellers in these areas will have limited prospects to secure rental provision. The guidance should provide advice and contact points for local authorities in such areas to reactivate their accommodation provision delivery for Travellers. In a recent statement the Prime Minister Gordon Brown indicated that local authorities would be encouraged to initiate social rental accommodation.

Size

Point (4.2.1) is right to state that smaller sites are the most popular with Travellers. The guidance is also right to not attempt to place a cap on site size. Some sections of the Traveller community like to live on large sites, for example, the Sheridan clan.

Family connections mean that some large sites are able to work well. It should be noted that no cap on size would be placed on the accommodation of other ethnic minority groups.

Site Services

Point (5.3.1) recommends that electricity meters must be for domestic use. Encouragement should be given in the guidance for landlords to ensure that residents are not paying exorbitant electricity costs. The guidance needs to contain advice on how landlords can reduce electricity charges where tenants are paying high costs. We gather that many sites have a landlord's meter and they pay the whole site bill. From that supply the power goes to each pitch and there are two ways of charging for this. Either a separate pitch meter is read on a weekly (or regular) basis and the manager will calculate the cost for the licensee, or pre-payment cards will be sold for a licensee to insert into a meter on the pitch. Either way the landlords can charge whatever they like per unit.

If residents were able to pay for electricity calculated by meters installed in each amenity building by the local electricity supplier the licensee could pay them directly. This would not only cut out the middle man and stop landlords overcharging but also reduce the management problem of having to collect money, banking it, accounting for all payments etc. People could get key meters and get them charged up in local shops or garages the same way as many other people do.

The ITM welcomes the recommendation to provide a communal building (5.12.1), where these exist they have facilitated the work of health visitors and other service providers and provided a venue for residents' forums. This section of the report could be more detailed and give fuller examples of how and where these communal buildings are used and how funding was derived. One good example to cite would be the communal building on the Westway Traveller Site in London which is organised by the Catholic Children's Society.

Section 6 refers to health and safety issues. Reference could be made to how sites could be inspected to assess whether they meet health and safety standards. Is there scope for involving external and expert advise in this area?

Amenity Buildings and Site Layout

Section 7 deals with site design, the ITM feels that there is a growing preference for amenities buildings that have more space than those built in the past on permanent residential sites. This development is reflected in the cited case study in Colchester (page 28) where fairly large amenity blocks have been designed.

The ITM feels that a series of site design plans and photographs should be included in the appendix to allow the guidance users to visualise the recommendations and more easily replicate them.

Consultation

Chapter 10 recommends that discussions should be held with future or existing site

residents regarding the construction of new sites or refurbishment of existing ones. In the past special forums have been established for this purpose only to be dismantled once the construction process has been completed. The guidance needs to make clear that construction plans and consultation are an ideal springboard to establish a permanent residents' on site forum.

Points (10.5) recommends involving the settled community in consultation. This may well be an opportunity to dispel any damaging misconceptions the wider community holds but it could be counter productive, if the wider community is given an undue amount of influence in design and construction issues. With regards to the Southampton Council case study which describes plans for a management committee to be involved in the management of the site, the ITM has some concern about members of the wider community being involved in the management committee, especially if they are hostile or inexperienced in this area.

Travellers in Housing

Both sets of guidance for management and design issues ignore the needs of housed Travellers. A majority of the Traveller community now live in housing and are highly excluded. The ITM feels that where there are large numbers of Travellers in housing on a particular estate or even if dispersed across a borough that there could be scope in establishing a Traveller forum. Case study information and background design information could also be provided on group social housing for Travellers. The guidance could refer to examples in the Republic of Ireland and planned proposals for such accommodation in the borough of Hackney.

Consultation Methods

The ITM believes that it would be useful for future CLG draft guidance documents to recommend that Traveller organizations and agencies that support them organize discussion groups involving Travellers to discuss draft documents. To help this process the CLG should devise a number of key questions that will ensure such discussion groups focus on some of the central points contained in such guidance and policy papers.

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If you have any comments that you would like to add to this paper please contact the Irish Traveller Movement by the 15th September.