

Cabinet

8th October 2020

Strategic Framework 2020- 2025 – Gypsy, Roma and Traveller provision in Warwickshire

Recommendations

That Cabinet:

- 1) Approve the strategic priorities for Gypsy and Traveller Provision, set out in this report as the Strategic Framework for Gypsies and Travellers 2020-2025.
- 2) Approve the intention to establish a Warwickshire Multi Agency Gypsy and Traveller Hub which:-
 - Provides a consistent countywide approach to addressing unauthorised encampments.
 - Provides a co-ordinated approach to all other forms of management of local authority sites, including welfare, education, employment support, addressing discrimination and the use of enforcement powers to tackle anti-social and criminal behaviour;
 - Works with planning services and private landowners to provide adequate site provision.
- 3) Agrees that a policy for long and short term site provision for Gypsies and Travellers together with an allocations policy will be developed with key partners and representatives of the Gypsy, Roma and Traveller community with a view to a further report being presented to Cabinet for approval in the Spring 2021.

1. Summary

This report sets out the strategic direction of Warwickshire County Council working in partnership with health, education and police, to the provision of suitable, well managed sites and services which protect and support both the Gypsy, Roma and Traveller Communities as well as local residents and businesses.

2. Financial Implications

- 2.1. There are financial implications in the establishment of the partnership Gypsy and Traveller Hub. These costs primarily relate to maintaining the educational support provided by EMTAS for 2020/21 and beyond and do not represent an increase in expenditure. It is estimated that the equivalent costs of a post to provide this education support would be in the region of £30,000
- 2.2. The current council-maintained sites of The Griff, Pathlow and Alvecote require capital investment. This includes fencing improvements, increased CCTV and improved drainage and sewerage provision to Pathlow and Alvecote. The costs have been estimated at £135,000. The breakdown is as follows:-
- Fencing and associated costs £45,000
 - Boundary realignment at Pathlow £70,000
 - CCTV for Alvecote £20,000
- 2.3. The most significant capital investment relates to The Griff. At present the site provides static chalets to 25 pitches. These chalets are over 10 years old and the service is experiencing increased pressure on replacing the static homes as they come to the end of their lifespan. Reviewing the total annual maintenance costs for 2018/19 and 2019/20 the total cost was £163,000 including the refurbishment of two static chalets. Replacing like for like is financially prohibitive as a new static chalet would cost in the region of £27,000, including £3,000 for removal and disposal of the current chalets. In summary, the cost of replacing 24 chalets over the next 2 year period would be £648,000
- 2.4. A cost-effective solution and one which aligns the provision across all of the other council maintained sites, is to replace the current static chalets with day room provision for each pitch. The overall capital costs for these improvements is estimated at £410,000.
- 2.5. Based on the average repairs and maintenance cost of dayroom provision at Pathlow and Alvecote over the past two years, this would significantly reduce the annual maintenance costs at The Griff by approximately 50% per annum.
- 2.6. In summary, once the Days Rooms are completed, the annual maintenance costs would reduce from £81,500 to approximately £40,000 per annum.
- 2.7. The financial implications for the management and sustainability of Warwickshire County Council managed sites will be subject to further work, including a detailed assessment and project plan with clear recommendations.
- 2.8. Further financial implications will form part of the policy review, based on the priorities set out in the Strategic Framework and will be reported to Corporate Board in the Spring 2021 prior to seeking Cabinet approval. This will include

costs associated with the establishment of the Partnership Traveller Hub and partnership contributions.

- 2.9. Funding for the capital improvements would take place as part of an overall 2 year improvement programme and form part of the County Council's overall Capital Investment Fund Programme. A submission and project plan has been made to the Capital Investment Fund for approval. It should be noted that the capital investments highlighted in this report, still requires approval through the Capital Investment Fund programme.
- 2.10. This report is not seeking either approval or the granting of authority for any capital funding. This will be undertaken through the formal Capital Investment Fund process with Cabinet and Council approval as required.
- 2.11. All other financial implications connected to this strategy will be absorbed within the County Council's Medium-Term Financial Strategy or in collaboration with partners.

3. Environmental Implications

- 3.1. There are potential environmental implications in the establishment of additional site provision. However, such provision will be limited as the additional provision will be sought within the proximity of current sites.
- 3.2. Reductions in unauthorised encampments will reduce environmental damage, specifically related to large scale or criminal fly-tipping, which give rise to significant detriment to the environment and removal costs.

4. Supporting Information

- 4.1. The Gypsy Roma and Irish Traveller culture and traditions have developed through a nomadic way of life over centuries. They are recognised as ethnic groups under the Race Relations Act 1976, and they are protected by the Equality Act 2010.
- 4.2. Historically there has been a lack of data in relation to the Gypsy, Roma and Traveller communities. The Census data in 2011 enabled data to be collected on Gypsy, Traveller and Irish Travellers for the first time and 63,000 people in the UK identified as members of these groups, although this is widely accepted to be an underestimate and a figure of around 300,000 is often used.
- 4.3. **In 1994 the Criminal Justice and Public Order Act 1994** abolished statutory obligations on local authorities to provide accommodation and discontinued Government grants for sites. As a result, nationally, the provision of sites and places to stop for the Gypsy, Roma and Traveller communities has not kept pace with demand, leading to increasing homelessness and forcing families into permanent "bricks and mortar" accommodation.

- 4.4. Numerous national reports carried out over the last two decades have highlighted the inequalities faced by The Gypsy, Roma and Traveller Communities. These include education attainment, attendance and exclusion, employment, health, criminal justice including over representation in both the youth justice system and prison estate, hate crime/ incidents, domestic abuse, bullying and lack of suitable, stable and safe accommodation.
- 4.5. In 2015 the Equalities and Human Rights Commission concluded that the life chances of Gypsies and Travellers have declined since 2010 and the complex contributory factors may include deprivation, social exclusion and discrimination.

4.6 Provision in Warwickshire

- 4.6.1. There are estimated to be approximately 400 pitches provided across Warwickshire. This is made up of a mixture of privately owned sites and local authority sites. Over 75% of sites are privately owned and maintained.
- 4.6.2. The statutory responsibility under Section 8 of the Housing Act 1985 for meeting the housing needs of those within the District/Borough boundaries rest with District and Borough councils as the Housing Authority and not the County Council. However, to ensure there is a consistent approach, the County Council has taken responsibility for the site management, repairs, maintenance and improvement of current local authority provision across the County.

4.7 Our vision

Our vision is to create strong partnerships across all sectors to provide provision that addresses inequality and creates community cohesion within the Gypsy, Roma and Traveller communities, local residents and businesses.

4.8 Our Strategic Priorities

- 4.8.1. Warwickshire County Council, working in partnership with local Districts, Borough and partner organisations, including police, health services and education has a number of strategic priorities in achieving our shared vision.
- 4.8.2. We recognise that providing a multi-agency approach which includes all agencies which have a vested interest in providing well managed and well-maintained Gypsy and Traveller provision, which creates community cohesion, is vital. Our strategic priorities reflect this approach and are shared by our partners at a District and Borough Level and with police, health services and education partners.
- 4.8.3 In April 2019 there was a joint partnership summit, hosted by Warwickshire County Council and the Office of Police and Crime Commissioner. The

summit focused on the effective management of unauthorised encampments in Warwickshire and collaborative working in Warwickshire, the region and national best practice.

4.8.4 The core themes and priorities agreed at the Summit, form the basis of this 5 year Strategic Framework.

4.9 Our strategic priorities 2020 -2025

4.9.1 Priority 1

To recognise and positively promote the culture and traditions of the Gypsy, Roma and Traveller Communities and address discrimination

The Gypsy, Roma Traveller culture, traditions and way of life have been in existence for centuries. They bring a unique perspective of social, family, economic and cultural traditions which are important to recognise, value and understand.

Working with representatives of the community we will look to explore how to bring this cultural richness to life so there is a deeper understanding, shared across communities.

What will we do?

- ✓ We will work with partner agencies, local communities to establish a series of community engagement programmes that helps to create stronger links and a better understanding of the culture and identity of Gypsies and Travellers. This will result in a long term Community Engagement Communications Strategy aimed at increasing awareness and reducing discrimination of the Gypsy, Roma Traveller Community.
- ✓ Working with local and regional colleagues who represent the Gypsy, Roma and Traveller Community, we will increase our national profile to ensure best practice and a consistency approach to site provision.
- ✓ We will work with the Gypsy, Roma and Traveller community to report incidents of hate crime and discrimination and work with partner agencies to address it.

What will be the outcome?

- Through the establishment of a restorative justice approach, to improve community cohesion between local residents business and settled sites
- Increased reporting of hate crimes by the Gypsy, Roma and Traveller community.
- Increase in number of reports leading to investigation and positive outcomes.

4.9.2 Priority 2

To address the health, social and economic inequalities that exist in the Gypsy Roma and Traveller communities.

Health inequalities experienced by the Gypsy, Roma and Traveller community when compared with the general population include higher rates of mortality, morbidity and long term health conditions, low child immunisation levels and a higher prevalence of anxiety and depression.

Social and economic inequalities faced by the Gypsy, Roma and Traveller community are wide ranging and have long term impacts. Recent reports evidence:

- 4 out of 5 Gypsies and Travellers have experienced hate speech or a hate crime and only 1 in 5 sought help,
- Half of Gypsies, Roma and Travellers have experienced discrimination in the workplace,
- To try and avoid racism Gypsies, Roma and Travellers try to hide their ethnicity,
- 70% said they had experienced prejudice in education, teachers being mentioned most frequently.

In Warwickshire the annual schools census data (Jan 2019) shows that 248 pupils in Warwickshire's state funded schools identified as Irish Traveller or Gypsy/Roma origin, from a total school population of 83,621. Young people from the Gypsy, Roma and Traveller community make up approximately 0.3% of the school population. However in terms of academic achievement and higher education, young people from the Gypsy, Roma and Traveller community are significantly under-represented. This impacts on their ability and aspirations to obtain qualifications and employment in later life.

What will we do?

- ✓ Through the establishment of a cross partnership, Warwickshire Gypsy and Traveller Hub, we will increase the educational and health support provided to settled communities.
- ✓ We will work with education providers to increase our offer of educational support, through schools and home tuition.
- ✓ We will work with colleges and work readiness providers to increase the support into employment.

What will be the outcome?

- Reduction in the health inequalities within the Gypsy, Roma and Traveller communities occupying settled sites.
- Increase in young people within the Gypsy, Roma and Traveller Community obtaining GCSE qualifications grade 4 or above, benchmarked in 2019/20.
- Number of young adults aged 16-24 who live on settled sites in full or part time employment.

- The number of young people in Warwickshire in education who identify as Irish Traveller or Gypsy/Roma origin.

4.9.3 Priority 3

To provide adequate number of pitches across the districts of Warwickshire in well managed site provision. This includes private and public permanent and stopping sites.

The census data 2011 evidenced that over half of the Gypsy, Roma and Traveller community who live in mobile accommodation live on privately managed sites, just under a third (29%) live on sites operated by a Local Authority or a registered provider of social housing and 14% were on unauthorised sites.

In Warwickshire there are currently 4 local authority managed permanent sites across the county providing a total of 110 pitches. This accounts for just 25% of the current site provision across the county, with 75% being available through privately managed and owned sites.

What will we do?

- ✓ Support District and Borough councils in their duty to co-operate to ensure there is sufficient pitch allocation for their areas, in the context of the county.
- ✓ To support Districts and Boroughs to maintain an accurate record of sites and pitches available across the county.
- ✓ Increase our working relationship with owners who are providing and will provide well managed private sites across the county.
- ✓ Where appropriate to develop close partnership co-operation with private site owners to improve the management and maintenance of sites in the county. This includes closer co-operation for the welfare of Gypsy, Roma and Traveller communities who reside in private sites.

What will the outcome be?

- Through applying the principles of the duty to co-operate, to have adequate site provision across Warwickshire. This includes a mixture of well managed public and private sites.
- An increase in the number of well managed permanent sites under private ownership.
- Creating the opportunities which enable established members of the Gypsy, Roma and Traveller community to have an increased responsibility for the day to day management of sites.

4.9.4 Priority 4

Protect law abiding Traveller communities, local residents and business through close working with landowners to ensure there is robust legal framework that addresses anti social and criminal behaviour.

There is a significant amount of legislation that impacts on Gypsy, Roma and Traveller communities. This includes legislation which protects the rights of individuals, pitch provision and enforcement action.

In addition the County Council has an established Gypsy and Traveller Allocations Policy for its own sites, which sets out the allocation procedure and the decision-making process when allocating pitches.

What will we do?

- ✓ Review the current Gypsy and Traveller Housing Allocation Policy to ensure that the Policy reflects the roles and responsibilities in the maintenance and management of pitches, the overall site, and to those living and working in the vicinity of the site.
- ✓ Ensure the Policy had a robust enforcement action against those that are affecting the wellbeing of other residents on the site and within the vicinity.
- ✓ The Policy will address anti-social or criminal behaviour including the decision-making in the application, letting of pitches or termination of occupancy.
- ✓ Proactive engagement and site management of all Local Authority sites ensuring residents are supported to be safe, healthy and independent.

What will the outcome be?

- Improvement in the conditions of public owned sites and pitch facilities.
- Timely and effective enforcement action in respect of any anti-social behaviour or criminal offences impacting settled Gypsy, Roma and Traveller communities and local residents.
- Swifter enforcement action against individuals and families involved in or convicted of criminal and/ or anti-social behaviour, including eviction action where appropriate and proportionate to those involved in the offence.
- Increased occupation rates of Local Authority Gypsy and Traveller sites.

4.9.5 Priority 5

A consistent approach to addressing unauthorised encampments

Unauthorised encampments are normally the responsibility of the landowner to address. We provide advice to landowners to provide timely and proportionate enforcement action. In certain circumstances, the Police also have powers to intervene.

Warwickshire has an established "Warwickshire Unauthorised Encampments Protocol 2017". The aim of the Protocol is to enable landowners and

enforcement agencies to apply a consistent approach to addressing unlawful and unauthorised encampments. The Protocol is currently being reviewed and will form part of a countywide operating procedure to address all unauthorised encampments in a timely and proportionate manner. Warwickshire provides an Emergency Stopping Place, supporting the Police to direct unauthorised encampments to suitable short-term provision. The review of the Protocol includes a review of the Emergency Stopping Place.

The review will incorporate any changes in legislation as a direct result of the current Government consultation on “Strengthening police powers to tackle unauthorised encampments”. The review will also seek best practice on short term negotiated stopping as part of our consistent approach.

What will we do?

- ✓ Keep records of all Unauthorised Encampments in the County and support land owners who are repeatedly affected by unauthorised encampment.
- ✓ Review arrangements for short term stopping and the Warwickshire Unauthorised encampments Protocol 2017 to inform the County Council’s approach to ensure we address unauthorised encampments swiftly and proportionately.

What will the outcome be?

- Reduction in the number of unauthorised encampments.
- Reduction in the impact on the local community in relation to behaviour that has a detrimental impact on local residents.
- Reduction in the time taken to remove unauthorised encampments, causing local significant community tensions, having an adverse impact on businesses or in unsafe locations, with formal notice being served at the earliest opportunity on all publicly owned locations.

4.10 How will we deliver our priorities

4.10.1 There is a countywide strategic Gypsy, Roma and Traveller Working Group, involving district/ borough and County Council representatives, key partner agencies and representatives of the Gypsy, Roma and Traveller community. The aim is to work together to agree a shared approach to provision and to establish a county wide hub which brings together expertise across partner organisations.

4.10.2 The Strategic Group will be formalised and report to the Safe in Warwickshire Partnership Board.

5. Timescales associated with the decision and next steps

5.1 The next steps will be to work with partner agencies to develop the cross partnership Gypsy, Roma and Traveller Hub. This will commence in October 2020.

- 5.2 In addition, the detailed Gypsy and Traveller Housing Allocation Policy, which will include the review of current and future provision will be developed. This will commence in November 2020 with a view to presenting the findings and recommendations to Cabinet in the Spring 2021.
- 5.3 We will complete the review of the Warwickshire Unauthorised Encampments Protocol 2017 by December 2020.
- 5.4 Following the GRT Summit that took place in Spring 2019, a cross partnership delivery group was established. This includes representation from District and Boroughs, Warwickshire Police, OPCC, and the GRT Liaison Federation.
- 5.5 The cross-partnership delivery group will lead on the development and delivery of an action plan based on the 5 strategic priorities set out above. Annual reports will be presented to the Safer Warwickshire Partnership Board.

6. Equality Impact

- 6.1 The Strategic Framework directly recognises the protected characteristics of the Gypsy, Roma and Irish Traveller communities as set out in the Equality Act 2010. The strategic priorities make direct reference to protecting these characteristics, promoting the cultural differences and addressing the social, economic and health inequalities that exist.
- 6.2 An Equality Impact Assessment has been carried out for the Strategic Framework and is attached. (Appendix 1).
- 6.3 The need for an EIA will be reviewed regularly as part of this process, including future decisions on provision, or where major changes in legislation or policy requires it.

7.0 Appendix

- 7.1. EIA Form

8. Background Papers

- 8.1 None

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The report was circulated to the following members prior to publication:

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Group Leaders

Members of the Communities Overview and Scrutiny Committee