

Subject:	Response to the recommendations of the Environment & Community Safety Overview & Scrutiny Traveller Scrutiny Panel shadowing the development of the new Traveller Commissioning Strategy 2012		
Date of Meeting:	15 March 2012		
Report of:	Strategic Director, Place		
Lead Cabinet Member:	Cabinet Member for Environment & Sustainability		
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Key Decision:	No		
Ward(s) affected:	All		

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the formal recommendations of the Scrutiny Committee were approved on 7 March 2012 too close to the deadline to produce and publish a response within the required timescale.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Environment & Community Safety Overview & Scrutiny Committee (ECSOSC) agreed on 5th September 2011 to establish a Scrutiny Panel to shadow the development of the Traveller Commissioning Strategy.
- 1.2 The Committee approved the Panel's recommendations on 7 March 2012.
- 1.3 This report sets out the Council's formal response to the recommendations and highlights the impact the Panel has had on the development of the city's new Traveller Commissioning Strategy 2012.

2. RECOMMENDATIONS:

- 2.1 That Cabinet:
 - (1) Welcomes the Committee's report and recommendations (Appendix 2).
 - (2) Approves the responses and associated actions (Appendix 1).
 - (3) Thanks the Traveller Scrutiny Panel, those providing evidence and the officers supporting the panel for carrying out such a valuable and comprehensive piece of work to such a tight timescale.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 Two formal requests for scrutiny of the development of the Traveller Commissioning Strategy were made at the 5 September 2011 meeting of the Environment & Community Safety Overview & Scrutiny Committee (ECSOSC) by Councillors Liz Wakefield and Geoffrey Theobald. In addition there was a petition heard at Council on 21 July 2011 and a Notice of Motion regarding Travellers. Following discussion ECSOSC agreed to establish a 3-Member Scrutiny Panel to be involved in the Cabinet review of the Travellers Strategy.
- 3.2 The Traveller Scrutiny Panel was chaired by Dr. Aidan McGarry, School of Applied Social Science, University of Brighton. The other panel members were Councillors Littman, Simson and Robins.
- 3.3 The panel held capacity building and evidence gathering sessions where it heard from 31 witnesses representing Council services, other public sector bodies such as the Police and NHS Sussex, the Community & Voluntary Sector, resident groups, politicians and representatives from other authorities.
- 3.4 The panel also visited the Horsdean Transit site to talk to Travellers living in Brighton & Hove.
- 4.6 The panel made initial recommendations as part of the consultation on the draft Traveller Commissioning Strategy which helped to shape the final strategy. The formal report and final recommendations (Appendix 2) has taken our response to the panel's initial submission into account.
- 3.6 The panel's final report has highlighted that:

'The panel welcomed the draft Strategy because it:

- *Represented a significant step forward in describing the needs of the Traveller community and determining which outcomes a Traveller Strategy for this city wished to achieve*
- *Contained a comprehensive set of high level goals about meeting the needs of Travellers and the settled community*
- *Had addressed both the needs of Travellers and the settled community in those goals*
- *Had been based on a two stage consultation process (although the panel would like see how information from consultation with Travellers was going to be incorporated into the final Strategy)'*

- 3.7 In addition, the panel has welcomed the authority's commitment to learn from the findings of the panel and has made 10 specific 'statements' where they either 'welcomed' or were 'pleased' that changes have been made to the strategy in response to their initial recommendations. Overall:

'The Scrutiny panel are pleased that the authors of the Traveller Strategy have recognised the impact of the panel's work and have committed themselves to amending parts of the Strategy and Action Plan.'

3.8 The panels recommendations reflect that they still had concerns about particular issues and seek to '*strengthen how the Strategy is implemented, monitored and the next one is developed*'.

3.9 The panel had 4 overall concerns about the strategy however we believe that these have been effectively addressed between draft and final draft stages:

(1) As the draft strategy was high level it not accompanied by an action plan. This made it difficult for the panel to see how the goals were to be achieved.

Comment: It was not intended to have an action plan at draft strategy stage however once this concern was raised an early draft was submitted to the panel and followed up with a more up to date version at a later stage.

(2) The permanent site will not be open until winter 2013/14. The panel wanted more information about our response to transit needs prior to the opening of the new permanent site.

Comment: The strategy was seeking to be preventative in nature and whilst all of the information about our response was in the strategy it was not contained in one area. Additional text has been added to pull together the various strands and address this.

(3) The panel wanted more clarity about our response to unauthorised encampments.

Comment: Again, the strategy was seeking to be preventative in nature and whilst all of the information about our response was in the strategy it was not contained in one area. Additional text has been added to pull together the various strands and address this.

(4) A feeling that the education goals and actions were the weaker area of the strategy particularly around measuring achievement

Comment: Amendments have been made to the strategy however on a practical level it is a challenge to measure achievement for those children in transit. On average children in transit are in the area for 20 days and it takes a few days to engage with education services. Our primary measure for these children has been attendance rather than more formal assessment. However, this recommendation is particularly relevant for those Traveller children settled in the area and those who live on the permanent site where we will be able to measure progress over time.

3.10 The remaining recommendations focussed on specific goals or actions to strengthen or clarify the strategy's response and again we believe we have taken all appropriate measures to address these in the final version of the strategy and action plan.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

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

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

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications arising from this report. Detailed financial implications for the Traveller Commissioning Strategy 2012 are contained within a separate report on this agenda.

Finance Officer Consulted: Monica Brooks Date: 05/03/12

Legal Implications:

- 5.2 Legal implications have been given both for the strategy report and for the scrutiny report and these continue to be appropriate.
- 5.3 It is important to note that not all the actions and recommendations are those under the control of the Council and as such while the Council can approve them, it does not have the locus standi to action them all.
- 5.4 Likewise while the recommendations may be that the responses are approved, these are only recommendations and therefore we need to be aware that it may not be possible to fulfil the responses and associated actions. Much will depend on whether the resources will be available and we will have to decide each issue on its merits in a reasonable and proportionate way.

Lawyer Consulted: Simon Court Date: 2 March 2012

Equalities Implications:

- 5.3 Travellers are an often marginalised group with a way of life that the authority seeks to protect whilst at the same time considering the needs of local residents. Gypsies, Roma and Travellers as a group suffer a high level of inequality, particularly around life expectancy, health and education issues, and suffer from discrimination and racial hatred.
- 5.4 The recommendations of Scrutiny and resultant strategy amendments will help us tackle Traveller inequality more effectively.

Sustainability Implications:

- 5.5 The repeated evictions of travelling groups from the city's parks, historic and otherwise important sites only to see them again camp on a similar site is causing distress to travelling groups, local people and the environment.
- 5.6 The recommendations from Scrutiny have resulted in the strategy being more explicit about our approach to unauthorised encampments

Crime & Disorder Implications:

- 5.7 Effective action to minimise and manage unauthorised encampments is essential to support local residents, the Traveller community and to protect the city's open spaces. An ineffective approach is likely to exacerbate the number of encampments with additional associated community tensions and costs.
- 5.8 The amendments to the Strategy resulting from the recommendations of Scrutiny contribute to improving community cohesion.

Risk and Opportunity Management Implications:

- 5.9 With a national shortage of stopping places for Traveller and limited resources available in the city there are a number of risks associated with the Traveller Commissioning Strategy which will be closely monitored.
- 5.10 The recommendations of Scrutiny and our response will contribute to helping us manage these risks as far as practical.

Public Health Implications:

- 5.11 Research suggests that Gypsy and Traveller health is far worse than the population as a whole, particularly around life expectancy, infant mortality and maternal mortality, respiratory problems and mental health. These health inequalities are attributed to a combination of factors including living conditions, a lack of stable accommodation to promote effective service engagement, educational disadvantage, environmental hardship, social exclusion and cultural attitudes.
- 5.12 The recommendations and our response strengthen the approach of health services and other services which could influence the health and wellbeing of Gypsies and Travellers.

Corporate / Citywide Implications:

- 5.13 Traveller inequality not only impacts on the quality of life of Travellers but has an impact on public services and the public purse. By improving site provision for Travellers we will improve service engagement which will in turn help to improve Traveller health, education and employment opportunities.
- 5.14 The recommendations and our response strengthen our approach.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The development of the Traveller Commissioning Strategy 2012, its vision, outcomes, goals and actions was an extensive process involving a number of organisations, settled residents, Travellers through two stages of consultation.
- 6.2 The Traveller Scrutiny Panel shadowed the development of the strategy by gathering its own evidence independently from a wide range of sources.
- 6.3 The resulting strategy and action plan are a bringing together of these two approaches to provide a coherent vision and direction for the city.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The Scrutiny Panel recommendations seek to strengthen the Traveller Commissioning Strategy 2012 to improve it's effectiveness in addressing the needs of Traveller and settled communities.
- 7.2 Where indicated in the responses in Appendix 1, the recommendations have led to numerous improvements to the strategy and accompanying action plan.

SUPPORTING DOCUMENTATION

Appendices:

1. Response to Traveller Scrutiny Panel Report
2. Traveller Strategy Scrutiny Panel Report, Environment & Community Safety Overview & Scrutiny Committee (ECSOSC), 7 March 2012

Documents in Members' Rooms

None

Background Documents

1. Gypsies and Travellers; requests for Scrutiny, Environment and Community Safety Overview And Scrutiny Committee, 5 September 2011
2. Traveller Commissioning Strategy 2012 and Action Plan, Cabinet, 15 March 2012