

Minutes

Community Service Scrutiny Panel

12th February, 2008

Present: Councillors Howarth (in the Chair) Crooks, Lightley, Mavin, Moderate, D. Smith, Walton and Young.

Also Present: Councillor Thomson – Portfolio Holder for Communities,
Councillors: Carr, Kelly and Thompson,
Neil Laws – Environmental Manager, City of Durham Council
Belinda Snow – Senior Neighbourhood Warden, City of Durham Council
Ruth Scott – Travellers Liaison Service, Durham County Council
Scott McInally – Travellers Liaison Service, Durham County Council

1. Apologies

Apologies were received from Councillors: Laverick, Norman, Robinson and Taylor.

2. Minutes

Minutes of the meeting held on 16th January, 2008 were confirmed as a correct record.

3. Gypsy and Traveller Unauthorised Encampments

The Chair asked for guests and Members to introduce themselves and advised that the questions at the end of the minutes.

Questions for Guests at the next meeting:-

- *Have any areas that may be suitable for overnight stop-overs been identified by Planning?*
- *Are these areas within commuting distance to schools and shops?*
- *Who would be first contact?*
- *Would Members require a hierarchy of contacts?*
- *Clarification of the interim protocol.*
- *Would it be possible to have a member of the travelling community to come along to a meeting?*

The Travellers Liaison Services advised the Panel that there had been 136 incidents relating to unauthorised encampments in the County area in the last year. However the number of incidents in City of Durham district were 8, and listed below:-

Sherburn Hill 3 May to 8 May.

SherburnVillage 26 May to 5 June.

Sherburn Village 5 June to 7 June.

Meadowfield 14June to 16 June.

West Rainton 2 July to 13 July

West Rainton 7 July to 23 July

Belmont 19 August to 30 August

Croxdale 27 August to 29 August

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Sherburn Village 10 October to 16 October

Lanchester 23 October to unknown

- *Have any areas that may be suitable for overnight stop-overs been identified by Planning?*
- *Are these areas within commuting distance to schools and shops?*

The panel were advised that following the incidents at Sherburn Village a meeting had been convened to try to find a suitable overnight stopping area. An area used by the County Highways had been identified but due to the construction of a new road the initiative had been postponed. Once the new road has been completed there maybe a site available in this area.

The Panel were advised of a site on a roundabout on the A68 which could accommodate up to 10 vans and is reasonably well screened. However, it is easier to identify suitable locations in rural areas rather than built up areas. There are particular difficulties in Durham City district because travelling families pulling in to lay bys, the welfare of the travellers is a particular concern in these circumstances. Members questioned why travellers came to the district as they thought it could be for employment but were advised that it is usually to visit family but would use the opportunity to work while they were here, but don't come for that particular reason.

A question was put to the Travellers Liaison Service asking why travellers who live in houses most of the year travel a mile down the road to encamp? Families do this to retain their travelling traditions and culture.

An executive group had been set up, to establish a common purpose across the county. A sub group of the executive group has been established and has representatives from all the districts within the county.

- *Who would be first contact?*
- *Would Members require a hierarchy of contacts?*

The Travellers Liaison Service is the first point of contact, there is no out of hours service but there is an answer machine for people to leave a message, all messages will be picked up the next working day. At the first visit to the encampment by the TLS is to gather information which will allay public fears, not necessarily to have all the answers but happy to manage the situation. Members asked if they could have the correct phone number but were advised that at present it is unavailable. Members asked that the telephone number be publicised when it is available and TLS assured that this would be the case but that the Police are better equipped to deal with anti-social behaviour issues. Members were advised that Councillors should not be tempted to deal with traveller problems themselves and should leave it to the TLS. Response by TLS is usually within 24 hours, but the service covers a wide area with 6 permanent encampments managed so there could be a short delay.

The TLS also has a page on the County Council's website which gives information and advice.

6.15 p.m. Mr McNally left the meeting

Members were informed of an incident at Croxdale where a leaving date had been given and when the date came the travellers had not left, and the frustration of the public at the situation. The TLS advised that it is very rare for a false date to be given and the incident in question the families had nowhere to go and therefore stayed where they were.

Members complained that in some circumstances travellers did not use the facilities provided. TLS informed Members that they should be informed of any problems and would advise families that should they return to this site they would be moved on.

Members asked if all district councils are looking for stopover sites?

To be effective, a countywide approach has to be taken. Most of the district councils are looking for suitable areas. Some sites are only open during the summer months but, should the need arise can be opened as an emergency measure during the winter.

Members had been given a copy of the protocol at the last meeting and were invited to re-examine.

- *Clarification of the interim protocol.*

6.25 p.m. Councillor Thompson left the Meeting

In the past prior to the protocol being established, there was a lot of dithering which led to matters becoming worse. There is a code of conduct for users of sites, which considers noise and tidiness. The protocol is discussed with travellers who are provided with their own copy of the protocol. TLS contacts the police, district council and elected members, however, elected members have sometimes been missed. Members asked if Parish Councillors could be advised of any incidents. (Parish Clerks would be required to advise TLS of Councillors contact details.)

An early welfare report is an advantage, as some travellers could have lots of different needs, but not always easy to obtain the information. Once raw data has been obtained decisions have to be made quickly, the length of stay is a key issue.

Neighbourhood Wardens have experienced problems with mess being left at sites and have received complaints from residents relating to problems with travellers. There are good and bad in all walks of society and the travelling community is no different, but if the TLS is made aware of any incidents problems can be reduced.

6.45 p.m. Councillor Young left the Meeting

Members asked who pays the clean up bill? The County Council picks up most of the tab, this was the case at Byers Garth. It was noted that problems of fly tipping might not be from the travelling community.

The Police representative advised that their hands were tied by legislation and often it was better to let TLS to speak to travellers in the first instance to build up trust.

Members asked if the numbers of burglaries had increased near to areas where sites were located and were advised that this was not the case it was anti-social behaviour which was a bigger cause for concern. Problems can arise from people who call themselves travellers but they are not, often the travelling community does not want these people.

Members were advised that great care should be taken when deciding what is actually written into the protocol and that the protocol should not be in the public domain.

The Portfolio Holder for Communities suggested that he and the Chair of the panel should go out with TLS when they visit a site.

The Chair thanked all the guests and thanked them for their very useful information and their attendance.

4. Any Other Business

The Chair advised Members that the next meeting would take place in the Town Hall and the topic for discussion would be the Review of Council Garages.

Meeting terminated 7:00 p.m.

Report of Community Services Scrutiny Panel – Review of Homelessness

Follow-up Report – February 2008

1 Overview

- 1.1 The first Scrutiny Report of Homelessness was approved by the Scrutiny Committee in January 2005.
- 1.2 The first Review of that Report was carried out in January 2007.
- 1.3 This Follow-up Report addresses aspects of Homelessness recommended for further scrutiny and updates on other recommendations in the Review Report.
- 1.4 The Homelessness Strategy and Action Plan are due to be reviewed by the Panel in July 2008, following Local Government Review in February 2008.
- 1.5 The City of Durham's Housing Strategy and Development Manager attended a Panel meeting to speak to Members on the topic of Homelessness, in particular the issue of "Rough Sleeping", within the City of Durham District.
- 1.6 The Panel was told that work towards securing better links and working relationships with Private Landlords was progressing well, with the formation of a "Private Landlord Forum". Over fifty private Landlords responded to the initial consultation and the Forum held its inaugural meeting in September. It is hoped that after an initial steer by the Housing Strategy and Development Manager Chair the initial three or four meetings that a Chairperson could be elected from the Landlords themselves. This Forum provides a useful platform in which the Council can approach Landlords and speak to them about various Housing issues and to this end there will be guests from the City of Durham at both the October and November meetings of the Forum. In October a representative from the Housing Benefits section will be in attendance, and in November a Rent Officer will speak to the Landlords. In relation to recommendation (i) - "Working with Partners" of the Review Report (January, 2007), it is intended that details of the Forum will be made available to the public via articles in Durham City News and the Durham Advertiser.
- 1.7 Also in relation to working with Partners, Councillors noted that the Durham Young People's Centre at End House was to close as the building was being sold. Help had been given by the City of Durham, via the Portfolio Holder for Housing and the Community Development Section, but they were unsuccessful in locating suitable alternative accommodation. Within End House, "Moving On", a charity which offers advice to 16-25 year olds on housing issues, has relocated to the Durham Miners' Hall at Redhills. The City of Durham, through a DCLG grant, provide Moving On with funding as they deal effectively with the 16-25 year old demographic, an area which the Council has had difficulty in dealing with in the past.
- 1.8 Moving On provides Peer Education Sessions and Life-Skill Workshops that can help young people to become more self sufficient and prepare them for the responsibilities associated with being a Tenant, whether in the public or private sector. It therefore could be possible to refer any appropriate cases of rough sleeping to these sessions, with an ultimate aim being the rough sleepers secure a tenancy for themselves. Indeed, Moving On refers "good candidates" to the City of Durham and the Council can be confident that these individuals are aware of what they can expect, and what is expected of them as Tenants.

2 Information Leaflet – Domestic Violence

- 2.1 As regards recommendation (ii) of the Review Report on Homelessness prepared by the Panel in January 2007 (relating to the issuing to all Members of information leaflets on domestic violence), it was felt that due to the limited number available to the City of Durham, it would be best to save them for those that genuinely needed the information.

3 Homelessness Prevention Officer

- 3.1 Recommendation (iii) of the Review Report on Homelessness recommended that the Council should aim to retain the position of the Homelessness Prevention Officer beyond the date for which it was currently funded being March 2008. A report regarding the restructuring of the Housing Department was subsequently submitted to Cabinet in October 2007. Within that restructure the role and title of Homelessness Prevention Officer has been changed to be included within the establishment of an additional Housing Options Officer and the post has been made permanent. A decision has also been taken to use Communities and Local Government (CLG) funding to fund a Housing Options Assistant, on a full-time temporary basis, until March 2009. The Panel considers that the continuation of this fixed-term post, beyond March 2009, would greatly strengthen the department and significantly improve its capacity to prevent homelessness.

4 Rough Sleeping

- 4.1 The topic of Homelessness, in particular the issue of "Rough Sleeping", within the City of Durham District had been previously identified as an area to be revisited in recommendation (iv) of the Review Report on Homelessness.
- 4.2 The Rough Sleeping Count is a requirement by statute and a Best Value Performance Indicator (BVPI). The last count for the City of Durham was nil and Members were curious as to this low figure. Whilst this nil result was perhaps unexpected by Members, the result was not a surprise for those organisations that deal with the issues of rough sleepers. It was noted that any result of five persons or less allows for a period of five years in between these counts.
- 4.3 Based on the previous count result, and with the lack of evidence of any particular problem with rough sleepers in the City of Durham area, there was no need to bring forward the next mandatory count. Indeed as the cost of carrying out such a count is approximately £4,000 it was felt by Officers that the next count should be carried out at end of the period permitted.
- 4.3 Members were reminded that the Rough Sleeping Count was conducted over the course of a single night across forty one City Centre sites and some additional sites at Bearpark. Some Members intimated that they thought that the count may not have been taken over a large enough sample period. Members were informed that thorough research had been undertaken prior to the actual Count taking place to record the known and likely places used by those sleeping rough, i.e. liaising with relevant interested groups such as the Salvation Army, Durham Constabulary, Bus Depot staff etc. Also, a prolonged period for the Count, or a larger amount of people conducting the count, could have proved traumatic for anyone who was sleeping rough, damaging any working relationships that had been built up.
- 4.4 The Panel were informed that the topic would be brought up at a upcoming meeting of the Durham Constabulary Consultative Group (DCCG) to ascertain whether the issue of rough sleeping was perceived to be a large problem (further to the aforementioned meeting, it was reported back to the Chair of the Panel that whilst the Police were aware of some individuals that slept rough on occasion, there was not perceived to be a problem in the City of Durham).

- 4.5 The Housing Strategy and Development Manager informed Members that the members of the Homelessness Implementation Group meet on a monthly basis with there being currently two “task groups” at the present time.
- 4.6 The Housing Strategy and Development Manager informed Members that a meeting of the Homelessness Implementation Group would include guests representing “The Big Issue”, a Distributor and a Seller. It is hoped that at this meeting, amongst other issues, that it may be possible to talk about rough sleeping.

5 Homelessness – Mental Health Issues

- 5.1 Presentations were given by representatives from Durham Primary Care Trust and Durham County Council in response to recommendation (v) of the Review Report on Homelessness.
- 5.2 An overview of problems encountered by people who experience mental health issues was given to the Panel. Mental health issues impact on housing but housing also affects those with mental health problems. A copy of Mental Health and Housing fact sheet 6 can be found at Appendix A.
- 5.3 The Panel was also advised that many of the people who suffer with mental health problems do not have the confidence to refuse or challenge accommodation locations, thus making their situations worse.
- 5.4 The PCT wishes to encourage multi-agency working, more agencies are being put in place giving vulnerable people additional support and confidence to seek help, where needed and the help being easily assessable. Services and improvements are being targeted in this area. Another key area of improvement is in the area of equalities and discrimination.
- 5.5 A report had been prepared to answer questions from the panel, a copy of this report can be found at Appendix B. The panel was advised that a closer liaison and understanding was required of partners roles, individuals were helpful but organisational policies made it difficult for people with mental health problems.
- 5.6 Members asked if agencies were moving away from the Day Centres, but were informed that the day centre still has a place and continue to do a very good job in society.

6 Recommendations

- 6.1 That the Council continues to progress and monitor the Homelessness Strategy and Action Plan and strongly recommends close working with Partners to provide support and prevent homelessness which can be brought about by a wide range of adverse influences.
- 6.2 The Panel considers the prevention of homelessness to be of paramount importance and therefore strongly recommends that, as a minimum requirement, the Council makes every possible effort to retain the position of Housing Options Assistant beyond the date for which it is currently funded being March 2009.
- 6.3 That the Panel receives an update on the Homelessness Strategy and Action Plan after they have been reviewed by the Authority in 2008, the Panel’s recommended review date being July 2008.
- 6.4 That a copy of this Review Report, together with its appendices, be sent to appropriate officers with responsibility for the monitoring and updating of the Homelessness Strategy and Action Plan.

SCRUTINY COMMITTEE

REPORT OF THE COMMUNITY SERVICES SCRUTINY PANEL

REVIEW OF SCRUTINY OF COUNCIL GARAGES

1. Background

The topic of Council Garages was considered by the Community Services Scrutiny Panel in 2005, following concerns that some garages were being used inappropriately.

The Panel's report and recommendations were approved and adopted by Cabinet in October 2005, and the Policy on Council Garages was approved in September 2006. The topic as a whole was due for review in November 2006.

2. Actions

The Council's Housing Manager was in attendance at the Meeting on 8 November 2006 to update the Panel with developments since the adoption of the recommendations in the report, and provide a summary of work undertaken since the July Meeting of the Panel, where the Policy and Tenancy Agreement were agreed.

3. Outcomes

The new Policy and Tenancy Agreement were approved by Cabinet in September 2006. All new tenants since 1 October 2006 have signed this Agreement.

Additionally, one of the recommendations in the report of October 2005 was that all existing tenants sign the new Agreement. The Rents Section is currently reviewing garage tenants' rent accounts so that any action which could lead to termination of the tenancy can be taken before the new Agreements are issued by Housing to tenants for signature. The new Agreement will be sent to existing tenants during December 2006, and it is anticipated the process of having them all signed will be a fairly long one. It is hoped all garage tenants will have signed the new Tenancy Agreement by the beginning of the next financial year. Also, as requested by Members, tenants are being asked to report any inappropriate used of garages of which they are aware.

Housing Officers are continuing to try to let empty garages, and the future of those garages where there is no demand is being considered. For example, three garages had recently been demolished in Esh Winning due to anti-social behaviour issues.

A programme of regular inspections had been recommended by the Panel. Unfortunately, this had not been possible to implement due to limitation of resources. Although understanding the nature of this problem, Members continue to express concern about this.

4. Recommendations

In view of issues noted in the report, and progress made so far, the Community Services Scrutiny Panel recommend the following:-

- (i) That the Review Report be accepted.
- (ii) That thanks be expressed to staff who have worked towards achieving the Recommendations contained in the Scrutiny of Council Garages Report, as approved and adopted by Cabinet in October 2005. The writing of a Policy and administration of the New Tenants' Agreement were particularly commendable.
- (iii) The need for resources to be made available for the development of inspection routines was re-emphasised, and twice yearly inspection was recommended, Members having expressed concern that due to resource implications it had not been possible for a system of regular garage inspection to be established.
- (iv) That the topic of Council Garages be reviewed again in January 2008.

Community Services Scrutiny Panel
December 2006

Draft Report of Community Services Scrutiny Panel

Scrutiny of Unauthorised Encampments of Gypsies and Travellers

1. Background

- 1.1 It was recommended by the Community Services Scrutiny Panel in their scrutiny report on Gypsy & Traveller Encampments ... "that a Scrutiny be carried out on the procedures for dealing with unauthorised encampments, taking into account the needs of the Gypsy and Traveller and settled communities." The original scrutiny was carried out in 2006 and went to Scrutiny Committee March 2007 and was adopted by Cabinet in June, 2007.
- 1.2 Prior to the Scrutiny being carried out problems had been experienced in the Sherburn Ward of the district with unauthorised encampments.

2. Aims and Objectives

- 2.1 The purpose of the scrutiny was to look at problems surrounding unauthorised encampments of Gypsies and Travellers.
- 2.2 The specific issues that were looked at were the procedures and responsibilities involved with unauthorised encampments.
- 2.3 To establish a protocol to reflect a balance between the rights of Travellers and the local Community.

3. Actions

- 3.1 In attendance at the meeting of the Community Services Scrutiny Panel, February, 2008, were the City Council's Environmental Manager and Senior Neighbourhood Warden together with senior Travellers Liaison Service representatives from Durham County Council to give the Panel background information on the current situation.
- 3.2 Discussions took place at the Panel meeting regarding the suggested protocol.

4. Outcomes

- 4.1 The Travellers Liaison Services advised the Panel that there had been 136 incidents relating to unauthorised encampments in the County area in the last year. However the number of incidents in City of Durham district were 8, and listed below:-

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Sherburn Village 10 October to 16 October

Lanchester 23 October to unknown

- 4.2 The panel were advised that following the incidents at Sherburn Village a meeting had been convened to try to find a suitable overnight stopping area. A facility used by the County Highways had been identified but due to the construction of a new road. Once the new road has been completed there maybe a site available in this area.
- 4.3 The Panel were advised of a site on a roundabout on the A68 which could accommodate upto 10 vans and is reasonably well screened. However, it is easier to identify suitable locations in rural areas rather than built up areas. There are particular difficulties in Durham City district because travelling families pulling in to lay bys, the welfare of the travellers is a particular concern in these circumstances. Members questioned why travellers came to the district as they thought it could be for employment but were advised that it is usually to visit family but would use the opportunity to work while they were here, but don't come for that particular reason.
- 4.4 The Travellers Liaison Service explained that some travelling families may reside in a house most of the year but in order to retain their travelling traditions and culture.
- 4.5 An executive group has been set up, to establish a common purpose across the County. A sub group of the executive group has been established and has representatives from all the District Councils within the County.
- 4.6 The Travellers Liaison Service is the first point of contact, there is no out of hours service but there is an answer machine for people to leave a message, all messages will be picked up the next working day. At the first visit to the encampment by the Travellers Liaison Service is to gather information which will allay public fears, not necessarily to have all the answers but happy to manage the situation.
- 4.7 Traveller Liaison Service contact telephone number is currently unavailable, but it will be publicised when it has been obtained. However, the police are better placed to deal with anti-social behaviour issues. Traveller Liaison Service advised that elected Members should not be tempted to deal with travellers problems themselves, this should be left to the Traveller Liaison Service as their response is usually within 48 hours, but the service covers a wide area with 6 permanent encampments managed so there could be a short delay.
The TLS also has a page on the County Council's website which gives information and advice.
- 4.8 In some circumstances travellers did not use the facilities provided. TLS informed Members that they should be informed of any problems and would advise families that should they return to this site they would be moved on.
- 4.9 To be effective, a countywide approach has to be taken. Most of the district councils are looking for suitable areas. Some sites are only open during the summer months but, should the need arise can be opened as an emergency measure during the winter.
- 4.10 In the past prior to the protocol being established, there was a lot of dithering which led to matters becoming worse. There is a code of conduct for users of sites, which considers noise and tidiness. The protocol is discussed with travellers to help understanding and awareness of what is required, who are then provided with their own copy. Travellers

Liaison Service contacts the police, district council and elected members, however, elected members have sometimes been missed.

- 4.11 An early welfare report is an advantage, some travellers could have lots of different needs, but it is not always easy to obtain the information. Once raw data has been obtained decisions have to be made quickly and the length of stay is a key issue.
- 4.12 The County Council picks up most of the clean up bill, or this was the case at the Byers Garth incident. It was noted by the Panel that problems of fly tipping might not be from the travelling community.
- 4.13 The Police had advised the Panel that their hands were tied by legislation and often it was better to let Travellers Liaison Service to speak to travellers in the first instance as this would help to build trust.
- 4.14 Questions were asked concerning whether the numbers of burglaries had increased near to areas where sites were located and were advised that this was not the case it was anti-social behaviour which was a bigger cause for concern. Problems can arise from people who call themselves travellers but they are not, often the travelling community does not want these people.

5. Recommendations

- 5.1 That a revised protocol be drafted for discussion with Travellers Liaison Service.
- 5.2 That Parish Clerks contact details are supplied to Travellers Liaison Service.
- 5.3 That all interested parties receive a copy of the report for information.
- 5.4 That the Portfolio Holder for Communities and Chair of Community Services Scrutiny Panel attend an encampment together with Traveller Liaison Service and report back to the Scrutiny Panel.
- 5.5 That the scrutiny of unauthorised encampments be reviewed if any problems arise.