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Negotiated Stopping – a Case Study from Leeds, West Yorkshire

Negotiated – ‘an agreement reached by discussion’
Stopping – ‘a cessation of movement’

February 2013

Background

The 2009 West Yorkshire Gypsy Traveller Accommodation Needs Assessment identified a need for 40 new pitches in Leeds before 2013 and for a further 8 pitches before 2015 to accommodate population growth. No new pitches have become available during this period although there are several private planning applications pending and the Local Authority has notified of its decision to apply for planning permission to increase the 41 pitch local authority site at Cottingley Springs to 53 pitches. The local authority estimates that up to 12 homeless Gypsy or Traveller families are already living on Cottingley Springs ‘doubled up’ on pitches leased by family members, and that up to 12 families living on unauthorised encampments in Leeds are in need and eligible for accommodation in the city. It is this last group of families that are the subject of this briefing.

Between 2003 and 2010 Leeds City Council spent £2 million on ‘eviction and clear up costs’ associated with unauthorised encampment. Contact between the Local Authority and the ‘roadside’ Gypsy and Traveller families was limited to enforcement action to remove the families – with no attempts to identify acceptable locations for the families to move to. Locations of unauthorised encampments were increasingly inappropriate, including leisure use and church land, as previous camps were banded.

Leeds Gypsy and Traveller Exchange, a community members association, provides advocacy and development support to members living on the roadside. The organisation raised concerns about the health and wellbeing costs to the families living on unauthorised encampments, as well as the identified financial costs to the local authority, and uncalculated costs to the police force and health and education providers (missed appointments, school absence).

Leeds City Council Scrutiny Enquiry

In January 2011 LCC published the findings of the Neighbourhoods and Environment Scrutiny Panel into Gypsy and Traveller site provision. The panel had received submissions from a range of contributors including Leeds GATE and directly from Gypsy and Traveller people living on Leeds unauthorised encampments. In the first of 12 recommendations, the Scrutiny Panel suggested that the authority should conduct a pilot ‘negotiated stopping’ scheme.



The first pilot of Negotiated Stopping in Leeds

In May 2011 the 'Leeds families' returned to camp on a location in Holbeck from which they had previously been evicted. The Chief Housing Officer was tasked to lead a review of the location with a view to initiating negotiated stopping.

The desirable criteria for the authority were:

- That the land was a 'defensible space' in that land available was restricted and any encampment therefore would be restricted in size.
- That there was some 'buy-in' to the project among local business owners, the police and elected members.
- The location was safe for the families and that they were prepared to stay there.

Although the site was an industrial area close to an area regularly used by on street sex workers, it was agreed that the pilot should go ahead. Leeds Gypsy and Traveller Exchange acted as a facilitator to assist with the drawing up and signing (by heads of families, on behalf of named individuals in their families) of an agreement between the families and the authority. The agreement was to last for three months. As their part of the agreement the city council would provide rubbish disposal and 'portaloo' toilets for each family. The agreements were signed at Leeds GATE office. Leeds GATE also assisted with communication to local communities by facilitating access to the families for an article on the pilot which appeared in the Yorkshire Evening Post and via blogs on the Leeds GATE website.

The second negotiated stopping site

The Chief Housing Officer was determined that the council would stick to its word and that the camp would not remain in the Holbeck location beyond the agreed period. Support was gathered among relevant elected members, local businesses and neighbourhood policing teams for the camp to move to another location at Lincoln Green. A successful move took place. The camp has remained in its present location for four months, with elected members expressing that they were content for it to remain beyond 3 months. A further location is now being sought.

Issues arising and learning

- The City Council has estimated that it has saved in excess of £100,000 so far by not having eviction or clean up costs associated with unauthorised encampment to deal with.
- There have been difficulties in persuading some police officers to abandon previous methodology which involved shifting the whole camp (use of Sec 62 CJPO 1984). This methodology hampered any attempts to initiate individual enforcement for anti social or criminal behaviour. This difficulty has been informally reported in other areas where negotiated stopping has been used.
- The available locations for negotiated stopping have so far been in relatively undesirable mixed use, derelict and commercial land. The CHO has formed the opinion (and GATE are inclined to agree) that in these locations families on the camp get 'restless' and therefore three months is an appropriate period of time for the agreement to last.
- The role of Leeds GATE as mediator has been helpful.
- Reducing difficulties associated with un-managed encampment has a beneficial effect on community cohesion and may reduce opposition to permanent site provision.
- Access to healthcare, education and training opportunities has significantly improved for the 'roadside' families as the pace of movement (eviction) has slowed.
- Evidence that an authority is engaging in negotiated stopping can be presented to court if, at any point, recourse to an application for a possession order becomes necessary. The police can also use Sec 62 of CJPOA, if the local authority has identified an area where residents of an unauthorised encampment can be directed to.