

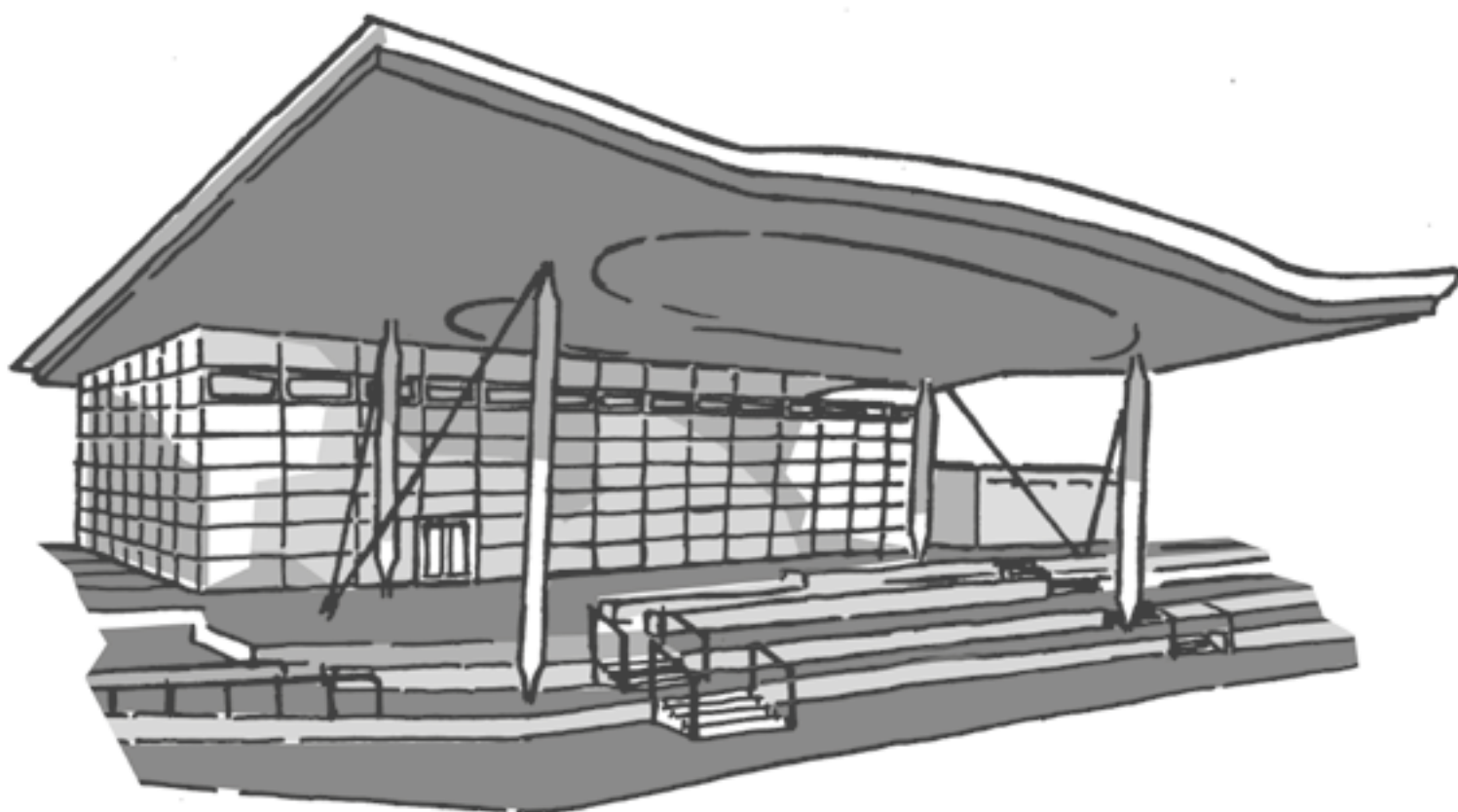


Llywodraeth Cymru
Welsh Government

www.gov.wales

Managing Gypsy and Traveller Sites in Wales

This is an **Easy Read** document from the
Welsh Government



July 2015

Contents

What is in this booklet?

Chapter 1 – Getting started	4
Chapter 2 – Who should run the site?	7
Hiring a site manager	7
Training	8
Site Budget	9
Chapter 3 – Working Together	10
Site Aims	10
Repairs	10
The Resident and Site Manager	11
Residents’ Associations	12
Chapter 4 – Getting a pitch	14
Waiting Lists	16
Chapter 5 – Site Arrivals	20
Chapter 6 – Pitch Agreement	22
Chapter 7 – Site Fees	25
Chapter 8 – Site Repairs	27
Chapter 9 – Services on site	29
Police and other emergency services	30
Postal Services	32
Site security	32

Chapter 10 – Use of the Site	34
Travelling	34
Visitors	34
Animals	35
Working on sites	36
Chapter 11 – Leaving the site	37
Chapter 12 – Residents’ views and complaints	38

Chapter 1

Getting started



The Welsh Government's 'Travelling to a Better Future' booklet explains how we plan to help Gypsies and Travellers be treated fairly.

This booklet gives advice to help Councils manage Gypsy and Traveller sites well.

We expect Councils to follow this advice as closely as possible.

Some of the information in this booklet is not law but we think Councils should be doing it anyway.

This booklet is for Gypsies and Travellers who want to know more about how these sites should be managed.

What things in this booklet mean



This booklet is only about **Council owned or leased Gypsy and Traveller sites**.

In this booklet, **'Gypsies and Travellers'** includes Romani Gypsies and Irish Travellers, as well as people from any group who follow a travelling life. It also includes Travelling Showpeople.

New Travellers may also be included. They must have a history of travelling or living in caravans.

The **Council** means the local authority that owns or manages the site.



Pitch Agreements are the deal between you and the Council. It includes the written site rules and what you and the Council should do.

Permanent pitches allow residents to live on that pitch for as long as needed as long as they follow the rules.



Transit pitches allow residents to live on that pitch for a maximum of 3 months.

There is a more detailed booklet to explain how Councils should design these sites. You can find it here:

<http://gov.wales/topics/people-and-communities/communities/communitycohesion/gypsytravellers/sites/?lang=en>



The words '**site manager**' are used in this booklet to mean the Council staff member who is in charge of the Gypsy and Traveller sites. You may know them as the manager, the warden or the liaison officer.



Some Councils decide to let another company or charity manage the site. Both the Council and the company or charity should follow the advice in this booklet.

Chapter 2

Who should run the site?

A site can be managed by:

- The Council
- A company or charity chosen by the Council

Residents should be asked about who they think would be best to manage the site.



The Council should never let a company or charity run the site just because it might save the Council money. This should only happen if it is the best way to make sure the site is well managed.

Hiring a site manager



If the Council is going to hire a new manager, they should tell residents about the job and explain how they can apply. Websites and magazines like Travellers' Times could spread the message.

Knowing how to manage housing and work with Gypsies and Travellers are the most important things for a site manager to show.



Site managers need to be able to show that they will treat everyone equally.

The new site manager will be working with all residents, including children and older people. This means that they must have a police check before they can start work.

Training

Site managers should be given Health and Safety, First Aid and Fire Safety training to make sure that they can keep residents safe.



Site managers must be told how to check that the site has as few risks as possible by doing something called a Risk Assessment.

Site managers should be trained about Gypsy and Traveller culture to make sure that they understand the needs of residents.

Site managers may also need to help residents to get advice about welfare benefits such as Universal Credit. Citizens Advice Bureau has advice available at: www.adviceguide.org.uk

Site Budget



The new manager should be given a list of:

- pitch fees;
- utility rates;
- other service charges;
- payments made and dates; and
- money owed by residents.



Councils should decide if fees should be paid to the site manager or directly to the Council.

Where fees are paid to the site manager, a 'rent book' should be used to make sure that the resident has proof that a payment was made.

Chapter 3

Working Together

The role of the site manager is to create a safe and decent place to live which is managed in a fair way.

Site Aims



The site manager, the Council and the residents should work together to decide aims for the site.



All residents should be able to give their views on the aims. They should be easy to understand and be agreed with residents.

Repairs



Sites need to be kept in good working order and repaired quickly if things are damaged.

Site managers should have a plan that shows how they will keep the site in good working order. Residents and others should be able to see this plan if they wish.



The Welsh Government may ask to see this plan if the Council asks for money to improve the site.

The Resident and Site Manager



Residents should always be told who they should contact about problems on the site.

This includes contact details during the day and during emergencies.



The site manager should:

- Do repairs
- Give Pitch Agreements and make sure Pitch Waiting Lists are kept up-to-date
- Work with people who bring services to the site
- Go to meetings to explain the Council's opinions
- Help arrange meetings on the site
- Manage the site budget
- Ask residents about any changes that the Council would like to make to the site
- Help the residents to fill out difficult forms



Councils must also do a number of other things that are written in the law called the Mobile Homes (Wales) Act 2013.



The things that residents and the Council must do are written in their Pitch Agreement. The Pitch Agreement should be written in a way that is easy to understand for residents and the Council should explain it too.

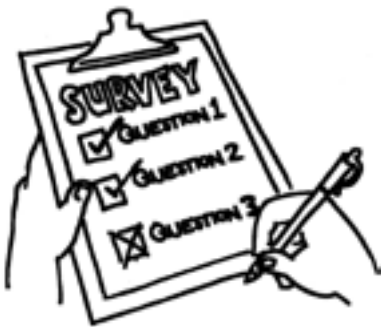
Residents' Associations

Residents are allowed to form residents' associations on site. The Council has a legal duty to ask them about how the site is run.



A residents' association should:

- Speak for the residents of the site;
- Include at least half of the residents on site;
- Not include the site owner or manager;
- Be open for all residents to join (except managers who live on site);
- Have rules that anyone can see;
- Keep a list of members;
- Have an elected chairman, secretary and treasurer;
- Make decisions through voting, where each pitch has one vote.



The Council should still ask groups of residents about how the site is run where there isn't a residents' association but they do not have a legal duty to do so.

Chapter 4

Getting a pitch



The Council should have a clear way of deciding who is most in need of a pitch in the area. This is called an allocations policy.



Councils should keep forms for people to ask for a pitch. These should be kept at local housing offices and with the site manager. Forms should be easy to understand.



The site manager should explain that the forms will be kept safe and only shared with those that the Council needs to talk with about giving pitches.



When checking the form, the Council will ask:

- *Is there space on site?*

Most sites are full. This may mean that people have to spend some time on a waiting list before they get a pitch.

- *Does this person pay their bills?*



Councils will want to check that people have paid their bills before deciding if they can have a pitch. This is because they want to make sure that the person will pay their pitch fee.

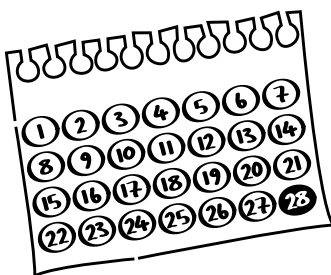
- *Who is this person?*



The Council needs people to prove who they are by showing a passport, driving licence, birth certificate or other document. Sometimes, a person may need to prove that they are related to another person living on the site.

The form should be signed by the person asking for the pitch and taken to the local authority housing office.

The person asking for a permanent pitch should not have to say how long they wish to stay.



The Council should respond as quickly as they can once they have made their checks. It is recommended that the Council replies within 28 days.

When the Council decides that a person should not have a pitch, the person should be told without delay. They should be given clear reasons for this. This person should be able to apply again in future.



Empty transit pitches could be used while people wait for a decision. A person can only stay on a transit pitch for a maximum of 3 months.

People may be allowed to stay on their family's pitch whilst the Council decides if they can have their own pitch. Site managers should check that other site residents are happy for this to happen.

Waiting Lists

The Welsh Government thinks that Councils should make a booklet which explains their allocations policy. Councils should keep a waiting list for those who want a pitch.

The Council should explain how the waiting list works. People who have asked for a pitch should be told where they are on the list.

Most Councils will decide who should be given a pitch by checking how much the person needs the pitch. The pitch waiting list should work like the Council's social housing waiting list.

If a person is told that they cannot have a pitch, the Council should explain how the decision can be challenged. The Council could include this information when they give their decision.



Assignment on these sites means giving your pitch to a family member.



Residents on permanent pitches may wish to give their pitch to a family member or to swap their pitch with another resident on a Council site.

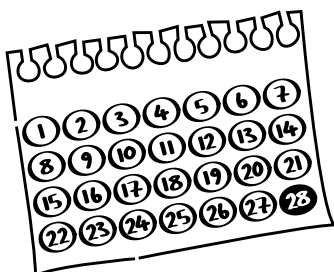


Money must not be paid to the resident, Council or anyone else, for giving or swapping a pitch.

The resident should give the Council a written note to ask for the pitch to be given. This must show that the new resident is a member of their family.



If residents want to swap pitches they need to show that both residents agree.



The Council must reply to the resident within 28 days, allowing the pitch to be given or swapped unless there are good reasons not to do so. The Council must give the resident a written note of the decision with its reasons.



When another organisation manages the site, the Council is still in charge of agreeing to pitches being given.



If the Council says no, residents can apply to a Residential Property Tribunal (RPT) for a decision to be made. The RPT acts like a court by looking at the facts and deciding who is right.

Sometimes a pitch may not be given to a person at the top of the waiting list because it has been given to a family member. The new residents will only be replacing the current residents and will not be taking empty pitches.

If a resident dies, any family member living with them at the time can continue living on the pitch. This is called succession.

If the resident who has died was living alone at the time, the person who is allowed to use the pitch will be decided by what it says in the will.



Residents of transit pitches are not allowed to give or swap their pitch.

Chapter 5

Site Arrivals



The site manager should give new residents a Pitch Agreement before any caravans are pulled onto site. The new resident must sign the agreement to say they understand the rules.



The resident should be able to ask any questions about the agreement or the other information given.



The new residents should be given a map of the site showing key areas such as site office, fire points, bin areas, gas storage cages and any community buildings.



Residents should not have to give a deposit for any permanent pitch. Payment of pitch fees weekly in advance is recommended.



Councils may ask for a deposit from residents on transit pitches to cover the cost of any cleaning or damage when residents leave.



Water and electricity and any special changes to the pitch should be available from the day the resident moves onto the pitch. Water supply should not be turned off once the resident is on the pitch.



The site manager should also explain how to pay for electricity and water.



Residents should be told of fire safety rules on site and the fire breaks needed between the pitches.



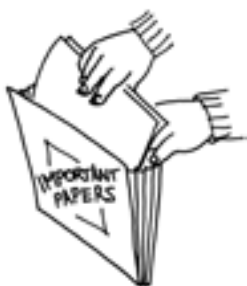
Councils should give new residents an easy to understand booklet including contact details and other useful information. This should also be given available on CD or DVD.

Chapter 6

Pitch Agreement



The pitch agreement is a deal between the Council and residents.



The pitch agreement should explain the rules and what the resident and Council must do. This should be kept safe.

The Pitch Agreement includes 'Implied' terms, which cannot be changed by Councils or residents.



It also includes 'Express' terms, which are set by the Council. If residents are not happy with the 'Express' terms they should talk about them with the Council. If the Council will not agree to change them, the resident can ask the RPT for something to be changed.

Residents can find out more at http://rpt.gov.wales/guidanceandforms/Audio_Guidance/?lang=en

If the resident believes that an 'Express' term is unfair, they can complain to the Office of Fair Trading.



Residents on transit pitches are not allowed to change their pitch agreements.

‘Express’ terms should explain site rules and what may happen if residents:

- threaten staff or other residents;
- fall behind with payments;
- use the site for crime;
- damage pitches or amenity blocks;
- are anti-social;
- do not allow others to do their job;
- do not keep pets under control or clean up after them;
- keep more animals than agreed.

Any rules about keeping of animals or running businesses on site should be included under the ‘Express’ terms.



If the resident breaks the rules the site manager may need to warn residents or take legal action. Before a resident can be evicted, the Council must give a notice to explain how the problem could be fixed.

Eviction should always be a last option.

All evictions from permanent pitches must be decided by the Court.



Evictions from transit pitches do not need to be decided by the Court but residents of these pitches must be given 4 weeks written notice of the planned eviction.

Evictions from permanent pitches will need the Council to give clear reasons to the Court.



Councils can begin evictions against residents of transit pitches without waiting if the resident has broken the rules and has not fixed the problem within a fair amount of time.

When an eviction happens, the site manager should make sure that services working with the residents are told that they will be moved.

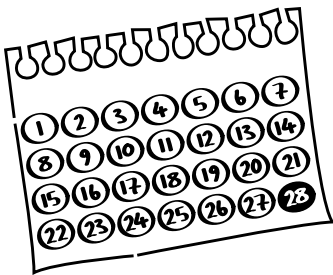
The Police should not be called just because there is an eviction happening. This should only happen when the Council think they will be needed to keep everybody safe.

Chapter 7

Site Fees



The pitch fee can only be changed if the resident agrees or by the RPT.



The Council must think about the pitch fee on the same date each year to decide if it needs to change. Residents must be told about any new fee 28 days before the change is going to begin.



The resident can ask the RPT if the pitch fee change is fair. If they say it is fair, the resident must be given 28 days before the Council can say they owe any more money.



The Council should think about any costs since the pitch fee was last changed which were for the good of residents. The residents must have been told that the changes would make the pitch fee cost more and then they or the RPT must agree with the Council.

The Council should also think about reducing the pitch fee if the site has got worse for residents.

The Council must not include any costs to make the site bigger or when taking legal action against residents.



Where another organisation runs the site, it should still be the Council who sets the pitch fee.



The pitch fee and what services are given as part of that payment should be explained in the Pitch Agreement.

If a resident has difficulty paying their pitch fees they should talk to the site manager or Council staff as early as possible to agree how they can solve the problem.

Chapter 8

Site Repairs



The Council must look after and repair:

- The base of the pitch;
- Any electricity, water, sewerage or other things supplied by the Council;
- Shared parts of the site, including fences, roads and trees.



The Council should make sure that they have a budget for keeping the site in a good condition. This should include money for normal repairs and emergency work.



The site manager should make sure that grass is kept short to stop fires and to allow children to play.



The site manager should clear any gutters and rubbish. Residents should be told that fly-tipping may lead to a fine and legal action.

The site manager should try to make sure the site is safe for residents and staff.

Residents should be asked to report faults. Reports should be noted by the site manager and always checked.

Chapter 9

Services on site



Site managers should ask residents how they would like to be billed for the electricity and water they use.

The Welsh Government believes that permanent site residents should not have to pay their bills through the Council. They should be able to pay the companies directly.



If this is not possible, site managers should explain the reasons to residents and talk with companies to make sure that residents are billed fairly.



It makes more sense for the Council to be billed by electricity and water companies on transit sites as residents will only stay for up to 3 months.



If electricity cards or tokens are used, these should be available from the site manager and at least one other place. The Council or managers must not make money from selling cards or tokens.

The Council could collect payments at the same time as the pitch fee. These costs should not be part of the pitch fee itself. If the resident asks, the Council must give free receipts.



Residents should store gas safely and use any cages given by the Council. This is to reduce the chances of fires.



Residents should be given bins or bags to allow them to have bin collections and recycle on site.

If residents have large items that they wish to get rid of they should use the Council tip (Civic Amenity Site). If residents are allowed to work on site, managers may add more bins but this may have to be paid for by residents.

Police and other emergency services



The site manager should tell residents to report crimes on the site. Hate Crimes can be reported to Victim Support Cymru (free phone, 24/7) on 0300 3031982 or online at www.reporthate.victimsupport.org.uk



A good relationship with the police can help to protect site residents and staff working on site.



The site managers should make sure that emergency vehicles can get onto the site. If a barrier is used, emergency services should be given the code or key.



Emergency services should be given a map of the site to make sure they know what to expect on site. They should also be given the number of the site manager.



Local fire services may visit the site to make sure caravans or any other parts of the site do not break fire safety rules. The Council must make sure that fire safety rules are followed on site.

If fire hoses are used on site, residents should be told that they are for emergencies only. They should not be used for normal cleaning by residents.

The Council should talk with their local Fire Service to decide if fire hoses are needed on site.

Postal Services

If residents are not getting their post, the site manager should talk with the Post Office to solve any problems.



Each pitch should have its own address. It should not say that it is a Gypsy and Traveller site.

If postal workers will not enter the pitch, a 'pigeon hole' system on the site office wall could be used. This must have post boxes for each pitch and keys held by residents.

Site security



The Council should tell the site manager if unauthorised encampments by other Gypsies and Travellers have happened in the area. The encampment may be moved to empty pitches on the site.

If an unauthorised encampment happens on site, the manager should tell the Council.



If the Council wants to put CCTV on site, they should ask what the residents think. CCTV cameras must not look into any pitches or caravans. If CCTV is put up on site, site managers should show residents how it works and what areas it will see.

Chapter 10

Use of the Site

Travelling



Residents should be allowed to spend time away from the pitch. The pitch agreement should explain how long this is. The Welsh Government thinks residents should be allowed 13 weeks away each year.



Residents should tell the site manager when they plan to spend time away from the site. Residents will still have to pay pitch fees when they are away.

If residents stay away from the pitch for longer than agreed without telling the site manager, the Council may try to give the pitch to someone else.

Visitors

Residents should be allowed to have visitors to bring caravans onto their pitch. Visitors should not be allowed to stay on empty pitches (except transit pitches) to stop them staying too long.

Residents should tell the site manager if they are expecting visitors that may stay overnight or longer. The Welsh Government recommends a maximum stay of 28 days is allowed.



The site manager may need to limit the number of caravans on site if they cannot be kept 6 metres apart to stop fires.

Animals



Pets (dogs, cats and others) should be allowed on site. The site manager should be told who owns them and animals must be controlled on the pitch. The Council may have a limit on animals in the pitch agreement.

Keeping dangerous dogs should not be allowed on site.

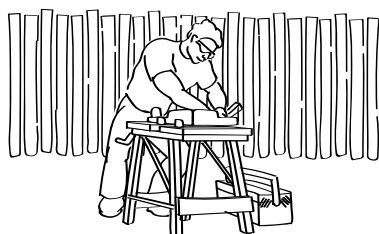


The Welsh Government thinks that horses should not be kept on pitches. This is because it can be unsafe and horses can damage parts of the site. If the Council wants to stop horses being kept on site, this must be included as an 'Express term' in their pitch agreements.



If residents need grazing land for horses, these will need to be found by residents. The Council could think about providing a separate part of the site or nearby land for grazing.

Working on sites



The Welsh Government thinks that residents should not be able to use the pitch for work if it is likely to be dangerous.

If the Council allows work on site they should make sure it happens on a separate part of the site and not on pitches.

The Council should tell residents to rent local buildings to run their business from. But some residents might have a special need to live on sites where work is allowed.



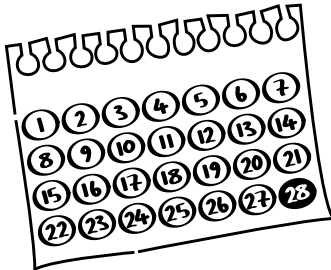
For example, Travelling Showpeople sites may need areas to store and fix fairground rides. A scrap metal dealer would be unlikely to have a special need to store scrap metal on the pitch as they could hire a place of business for this.



The Council may include an 'Express' term in pitch agreements stopping the use of the site for business.

Chapter 11

Leaving the site



If permanent pitch residents want to leave the site for good, they have to give written notice to the Council 28 days before they plan to leave.



If transit pitch residents want to leave the site before the end of their agreement (which is a maximum of 3 months), they must give written notice to the site owner. Residents can give this notice and leave without waiting.



The site manager should make sure that all bills owed to the Council are paid by the resident before they leave.



The pitch and amenity block should be checked for damage before the resident leaves.

Residents should be asked to leave a new address but some may be unable or not want to do so.

Chapter 12

Residents' views and complaints



Asking the views of residents should help to build good relationships between residents, managers and the Council.

Residents must be given 28 days warning of plans to change the site. The plans should explain what will be done, how the pitch fee may be changed and how residents can give their views. The Council should think about the views of the residents before going ahead with the plans.

The Council may choose to hold meetings with residents on site or plan meetings at the Council office. Services that work with residents may also need to be included.

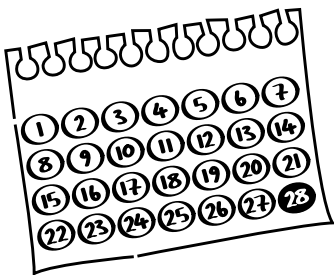


Site managers should make sure that children and young people are given an equal chance to get their opinions heard. This is one of their rights included in something called the United Nations Convention on the Rights of the Child.



The Council should make sure that their plans are not just written down but also available in other ways, such as on CD.

Residents should be allowed to leave their comments without their names.



The site manager should work with the Council to make sure that residents can complain about the site or management if they want to.

All residents should be told how to complain and forms should be available from the site manager or the Council office. Residents should also be told how long they can expect to wait for a response.



Residents should be aware of who they may contact if they wish to complain about the site manager. Residents should never be forced to make this complaint through the site manager.



Residents should be told what has happened with their complaint after a fair amount of time.