

Appendix 2

Development Department

Your reference: Design Guide for Travellers' Sites in Northern Ireland

Our reference: Being dealt with by: David Purchase

Date: 14/6/13

Tel: 02890 320202 ext 3792

Design Guide for Travellers' Sites in Northern Ireland

Housing Division

Department for Social development

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Dear Claire,

RE: Consultation: Design Guide for Travellers' Sites in Northern Ireland

Please find attached our provisional response to this consultation document. Please note that this is still subject to final ratification by full council.

Provisional Response

General comments

The Council supports the effort to update the existing Design Guide issued originally by the DOE in 1997.

However, we would comment as follows:

- The draft lacks the detailed advice of the DOE original.
- In the covering letter it is stated "...26 councils which then had responsibility for Travellers in their areas". That is not correct. Councils had no statutory duty towards Travellers in site provision. Any provision made was of a discretionary nature and supported by 100% grant aid provided by the DOE Special Programmes Branch.
- Some specifications are very prescriptive, such as distances of sites from major roads and distance from overhead cables. The draft needs to provide for best endeavours as individual site characteristics may prevent an otherwise suitable site

from meeting exacting standards in all respects. Views of Building Control should be sought given the compliance implications for some of these minimum standard requirements they will be required to administer together with service provision and accessibility standards. Also local environmental health services are referred to (page 21) and therefore views of Environmental Health should be sought also.

- Reference is made (Page 8) to “local councils and Housing Associations” in regard to shortage of sites but it is unclear as to the role anticipated. Is it implying a future planning role for local councils? Perhaps it may be referring to actual negotiations, between councils and Housing Associations when making public land available for affordable housing and to the physical provision of an area for traveller site provision which a private developer would not contemplate? We would like this to be clarified.
- Throughout the draft there are references to the need for consultation between the Housing Associations and the local councils with regard to the provision of sites (e.g., paragraphs 1.1, 2.11, 12.4): it is pointed out that local councils in NI have no statutory housing functions and those are discharged by the NIHE
- Health & Safety (Page 9). We think this is too prescriptive and that the determination of the remediation of land, if required at all, will depend upon the type of site developed. For example, a transit or emergency halt site would be of minimal disruption and may not necessitate decontamination. It is our view that guidance regarding contamination should not be universal but based on planning condition determined by the nature of the development.
- Similarly noise considerations should be dictated by the type of site intended as transit or emergency halt sites may not have the same duration of usage and hence noise would not be such a consideration.
- Reference is made (Page 16) to “local councils” responsibilities for environmental measures that should be considered. The Waste Management sections of local Council’s should be asked to advise on these responsibilities which could be included in the good practice design for each site category.
- The original design guide included references to the importance of good management of sites provided by councils. This reference should be included in the draft update
- The definitions of sites (Page 6) could be improved, perhaps by adopting the terminology of the DC&LG used in that Department’s Design Guide (set out in the section under the heading “Scope”) **Permanent sites, Transit sites and Temporary stopping**
- The document rightly stresses the need for consultation with the Traveller community. However we have concerns that there is no longer a viable voice for the Traveller community with the limiting demise of An Múinte Tober and the disbandment of the Derry support groups. The DSD is urged to make approaches

to the OFMDFM on this issue to give effect to the establishment of an effective voice once again for consultative purposes.

- Reference is made to Building Regulations 1990 and 2006. As these are subject to change we would recommend reference instead to “current” regulations. We would also recommend that all references to regulations and standards are checked to ensure they are within the legislative framework for Northern Ireland.

Thank you for asking us to respond to the proposal.

Yours faithfully

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