

Final NILGA response: DfC ‘focussed’ consultation on A Design Guide for Travellers’ Sites in NI

**Executive Meeting
9th August 2019**

1.0 Introduction

NILGA, the Northern Ireland Local Government Association, is the representative body for district councils in Northern Ireland, representing and promoting the interests of the 11 local authorities and supported by all of the main political parties in Northern Ireland. We trust that our comments will be taken into account by the Department for Infrastructure. Any queries in relation to this response should be forwarded to Karen Smyth at NILGA k.smyth@nilga.org.

2.0 General Comments

NILGA welcomes, in principle, the Department’s update of the existing Design Guide, and we note in particular the Department’s commitment to improve the Guide, further to publication of the NIHRC report “Out of Sight, Out of Mind”. NILGA however, has a number of concerns that we are keen to see addressed by DfC, working collaboratively with relevant colleagues in Department for Infrastructure and the NI Fire and Rescue Service, so that consistency of policy and legislation can be achieved in relation to Travellers’ Sites.

Greater clarity is needed from both DfC and DfI in relation to the timelines for roll-out and implementation of policy revisions (particularly for existing sites), and to the statutory ‘weight’ that should be given to the forthcoming DfC ‘Design Guide’ by council licensing and planning officers. Is the Design Guide intended to be a best practice document or statutory guidance? Does it have the same ‘weight’ as DfI planning policy guidance documents, and how will it be viewed by, for example, the Planning Appeals Commission?

Clarity should also be given on the relative 'weight' of the Model Licence Conditions, the Design Guide and the NIFRS Caravan Site Operators Guide. This documentation should be complementary and consistent, and it should be clear as to which takes precedence, and when.

3.0 Key Issues

3.1 Inter-departmental Policy Consistency

Given the specific needs and culturally sensitive accommodation required for travellers sites, NILGA is keen to see greater consistency between the DfI model licence conditions and the draft DfC Design Guide, and in particular to encourage DfI to adequately and appropriately cover the requirements for the three different types of sites as outlined in the draft DfC Design Guide. We would urge DfC officials to liaise with their counterparts in DfI to assist with this endeavour.

It is also evident that the Design Guide has quite different requirements than the draft Model License Conditions (currently out for consultation) e.g. in relation to location of sites on areas prone to flooding, and on road widths. Greater consistency would be extremely helpful to councils in their decision-making processes. A more consistent approach would also be helpful in relation to distance between caravans, garage/shed provision and storage space.

3.2 Fire safety

As a priority, DfC should liaise with DfI, NIFRS and NIHRC to ensure that the Design Guide is appropriate and provides a consistent and compatible terminology and approach. Particular attention should be paid to advice on fire safety requirements, as paragraph 134 on P41 contradicts the NIFRS guidance for Travellers' Sites. NILGA would be keen to clarify why the NIFRS guidance for Traveller and Roma sites differs from that provided for other residential sites, given the potential equality considerations. If literacy is a concern, pictorial signs could be used in place of written instruction.

3.3 Council development plans and development management

Although it is understood that the forthcoming DfC Design Guide is for consideration in the development of new traveller sites and for traveller sites that must be substantially redeveloped, much greater clarity is needed regarding the relationship between the DfC Design Guide, the NIFRS 'Fire Safety Guide for Caravan Site Operators' and the model conditions to enable councils to properly assess planning applications and set site licence conditions for travellers sites.

It is particularly noted that it will be important for the updated Traveller Needs Assessment (2019-2024) to inform the Local Policies Plan stage of each of the 11 Local Development Plans, to enable provision to be made for suitable sites. It would be useful to highlight to council planning officers that they may need to reflect policy e.g. on emergency halting sites in their draft Plan Strategies.

3.4 Consistency of policy within the Guide

The draft guide makes several references to a culture within the Travelling community in relation to working from the site. On p17 this is reflected in a positive light and identified as environmentally sustainable as a result of reducing travel; however on p35 the draft Guide appears to be actively discouraging working from sites. Greater consideration should be given as to how this issue is framed within the document, to ensure adequate clarity is provided.

Additionally, on P36, reference is made to water meters which would indicate potential non-domestic usage of water, rather than domestic usage. NILGA would be keen to clarify why Travellers' domestic usage of water should be metered when domestic water meters are not in use for the settled population.

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