

## IDeA training – Gypsies and Travellers

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Information, handouts and feedback from the IDeA training – Gypsies and Travellers session held on Tuesday, 23 March 2010 in Committee Room 6, County Hall, Trowbridge.

1. **Case Studies 2009-2010**
2. **Cllr Richard Bennett's presentation**
3. **Gypsies and Travellers - myths and facts**
4. **Gypsy and Traveller Issues Consultation- Flyer**
5. **IDeA - Gypsy Traveller Opposition RP**
6. **Ric Pallister - Biography**
7. **Richard Bennett - Biography**
8. **Spaces and places for Gypsies and Travellers**
9. **Summary of key documents and Useful Links**

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## CASE 1

A group of commercial Irish Travellers with around 20 caravans and an assortment of vans and lorries arrive in your area late in the evening and manage to access the car park that serves the Council's main offices. The Council's duty officer is advised around 2300. What immediate and subsequent actions would your Authority take to deal with this situation?

## CASE 2

A Gypsy family has had land in the family for several generations. Three adult siblings and their children have recently been evicted from a private rented site in the area that is being sold and turned into executive homes. They have moved onto the family land to have somewhere to stay where the children can continue to attend the same school. They have contacted your planning department and are preparing a retrospective planning application. Your LHA has no homes or stopping places for Gypsies at the moment, although a land search has begun. Are these people homeless? Should they have acted differently? What could LPAs / LHAs do as a matter of policy to proactively support a better situation?

## CASE 3

A single Gypsy family of two adults and three children aged 2, 4 and 7 have acquired at auction, an old apple orchard on the edge of a small rural village. The site is adjacent to the last houses in the village and comprises around 3 acres with an existing access off a small lane and a number of elderly wooden sheds. The site is well screened except for the access point but is overlooked by 3 properties on small ridge about ¼ mile away. The village has become aware of the status of the family and at a packed and very heated Parish Council meeting they, led by two of the residents from the overlooking

properties, have demanded immediate action by the Council to stop any move by the family to occupy the site. The family are currently living locally on the edge of a bridleway remote from any village on an old section of redundant Highway land. What is the Council's response?

## **CASE 4**

Twenty years ago, some families bought land pulled on the site and were refused retrospective planning consent. Families on either side purchased and gained planning consent for stables. In time, this use was changed to bungalows. There are also consents for mobile homes in the immediate area. The original families would like to reapply for planning consent for their homes. How would you advise them?

## **CASE 5**

You have been made aware of a small group of English Gypsies comprising three families and three caravans have parked on the edge of an informal recreation area that you own close to a residential development. A resident's lobby group has formed and led by their Ward member they are demanding immediate action. What is your Council's response?

## **CASE 6**

A group of New Travellers is parked up on land which is partly local authority land and partly forestry land. They are not near any buildings, but dog walkers have been complaining to you that they are afraid to walk their dogs. There is no clear evidence of reasons why, but that is the pressure you are receiving. Are these people homeless? Does your duty change if there are children onsite? What is your advice as to how to proceed?

# Gypsies & Travellers

Cllr Richard Bennett

# History

- Pre 1000 AD - India
- 1000 – 1300 – Persia & Eastern Europe
- Ca 1500 – Britain
- 1800 - navvies
- 1800 – farm labourers



# The Numbers

- 6785 (6696) – Public pitches
- 7400 (7351) – Private pitches
- 1315 (1564) – Unauthorised Encampments
- 2365 (2287) – Unauthorised Developments
- 3680 (3751) – Unofficial Pitches
- 26% (27%) - Unofficial Pitches

# Public Perception

- Crime
- Rubbish
- Taxes
- Unauthorised encampments
- Unauthorised developments



# The Reality

- ACPO Research
- Environment Agency Data
- Council Tax / Provision of Services
- Costs of Services
- Appeal Decisions

# The Problem

- One in four Gypsy and Traveller caravans are on unauthorised sites
- Tensions with the settled community - £18m spent annually on enforcement
- Gypsies and Travellers are the most socially excluded group in the country

# Health

- Average life expectancy of Gypsies & Travellers is 20 years less than for the settled population
- 42% of Gypsies & Travellers have long term illnesses – compared to 18% of the settled population
- 18% of Gypsy & Traveller mothers have experienced the death of a child – compared to 1% of the settled community



# Education

- A – C Grades at GCSE (2004)
  - 52% of the settled population
  - 30% of Irish Traveller children
  - 13% of Gypsy children

# The Solution

- 4000 pitches represents 10 per authority
- Adequate provision
- Appropriate provision
- Funding - £97m available

# Concerns

- Timescales – Interim Provision
- Public reaction
- Democracy



# Questions?

- [RMBennett@obdn.co.uk](mailto:RMBennett@obdn.co.uk)
- [www.communities.idea.gov.uk](http://www.communities.idea.gov.uk)
- [www.lga.gov.uk](http://www.lga.gov.uk)

Click publications

Click 'R'

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## **GYPSIES AND TRAVELLERS – MYTHS AND FACTS**

### **We don't need more Gypsy or Traveller sites in the area.**

There are many reasons why we need to provide additional Gypsy and Traveller sites. First of all, the Council has a legal responsibility to plan for the accommodation needs of the Gypsy and Traveller communities in the borough, as they do for the settled community. If they failed in this duty, a Planning Inspectorate would need to approve sites on appeal and the local community would lose all control over the process. A deficiency of authorised sites has been used by the Courts and the Planning Inspectorate throughout the country to justify retention of some unauthorised developments, with considerable costs to landowners and opposition by the settled community.

Secondly, allocating sites will improve access to health and education for Gypsy and Traveller families currently living on unauthorised sites, addressing some of the symptoms of deprivation currently faced by these communities (for more information see 'Gypsies and Travellers are better treated than the settled community'). Thirdly, the allocation of sites may save the taxpayer money. The former district councils that now make up Cheshire West and Chester Borough Council had incurred considerable expenditure in pursuing enforcement action against unauthorised encampments. The cost of enforcement action can far exceed that of providing authorised sites. This has been demonstrated by Bristol City Council, for example, who saw their enforcement costs drop from £200,000 a year to £5,000 a year after they built a site.

### **Allocating sites will mean more Gypsies and Travellers come to the area. It will lead to more unauthorised encampments.**

These sites are intended to accommodate Gypsies and Travellers who are already part of the local community and residing in the district. They are necessary to accommodate natural population growth in these groups, in the same way that additional housing is needed to accommodate growth in the settled community. There is no evidence that provision of a site in a certain district leads to greater demand for accommodation in this area from Gypsies and Travellers. What's more, allocating authorised sites sufficient for the local Gypsy and Traveller communities will help the Council to take more effective enforcement action against unauthorised sites. Local authorities nationwide are going through a similar process of assessing need and allocating sites.

### **Gypsies and Travellers get land for free.**

Gypsies and Travellers either buy or rent authorised sites. It is true that there are some cost implications to setting up an authorised site. These costs can be minimised by reconfiguring existing sites rather than setting up new ones. Where new sites are needed, a number of funding options are available, including funding by Gypsies and Travellers themselves and the use of Government grants. Once set up, new sites may be rented from the Council or from a Housing Association.

### **Gypsies and Travellers don't pay their way.**

Gypsies and Travellers who live on council or privately-owned sites pay council tax, rent, gas, electricity and other associated charges. These vary from site to site, but are often higher than comparable charges for conventional housing. Like everyone else Gypsies and Travellers pay road tax, VAT on goods and services, and income tax when working or self employed. Those living on unauthorised encampments do not pay council tax, but equally they do not receive standard services. The encampments need to be in place for one year before tax becomes payable. For council tax to be charged, an occupation must be established by the valuation office agency to be nontransient, and registered and banded accordingly. Most encampments are far more temporary in nature. Source: Commission for Racial Equality (March 2007), Safe Communities Initiative: Defeating Organised Racial Hatred – An information pack. Available at:

[http://83.137.212.42/sitearchive/cre/downloads/Defeating\\_organised\\_racial\\_hatred-2.pdf](http://83.137.212.42/sitearchive/cre/downloads/Defeating_organised_racial_hatred-2.pdf)

### **Gypsies and Travellers are better treated than the settled community.**

Gypsy and Travelling communities have been shown to have significant issues with access to health, education and social services, often as a result of having to move location frequently due to evictions. Research has found that life expectancy for men and women is 10 years lower than the national average, and Gypsy and Irish Traveller mothers are twenty times more likely than mothers in the rest of the population to have experienced the death of a child. Traveller children have the lowest educational attainment of any ethnic minority group. In 2003 less than one quarter of Irish Traveller and Gypsy children obtained five GCSEs at A – C grades compared to a national average of just over half. Research also indicates that Gypsy and Traveller children are often bullied and harassed at school by other pupils. Allocating sites will help to address these symptoms of deprivation by allowing Gypsy and Traveller communities adequate access to services and opportunities for integration.

Source: Commission for Racial Equality (March 2007), Safe Communities Initiative: Defeating Organised Racial Hatred – An information pack. Available at:

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## **Gypsies and Travellers are getting special treatment – they get planning permission where others wouldn't.**

Most Gypsy and Traveller site applications fail to get planning permission first time around, and many are also unsuccessful on appeal. There is no comprehensive data on this, but the information available suggests that Gypsy site applications have a lower chance of approval than others. Source: Commission for Racial Equality (March 2007), Safe Communities Initiative: Defeating Organised Racial Hatred – An information pack. Available at: [http://83.137.212.42/sitearchive/cre/downloads/Defeating\\_organised\\_racial\\_hatred-2.pdf](http://83.137.212.42/sitearchive/cre/downloads/Defeating_organised_racial_hatred-2.pdf)

## **Gypsies and Travellers don't take part in society**

Gypsies and Travellers are engaged in many paid and voluntary activities supporting local communities and national life. Today, despite barriers to health and education services, increasing numbers of children are enrolled in school. Gypsies and Travellers want to engage with the wider community and promote mutual understanding.

## **If Gypsies and Travellers want to live in the area they can live in houses like the rest of us.**

The courts have confirmed that, for many Gypsies and Irish Travellers, living in a caravan is not a 'lifestyle choice' but a result of their social and cultural heritage and an essential part of their ethnic identity. This is true whether they are nomadic or settle for long periods in one place. Most Gypsies and Irish Travellers in England are believed to live in houses. While some choose to live in conventional housing, others may feel they have no alternative, because of bad health or educational needs. Little research has been done, but there are reports that many, particularly those who have recently moved from sites, find it difficult to settle in housing, and to keep up the tenancies. Some who live on sites travel more than others. A minority travel regularly for work and cultural reasons, but might stay in one place between periods of travelling. Others rarely travel, but live in a caravan with family and friends." Source: Commission for Racial Equality (March 2007), Safe Communities Initiative: Defeating Organised Racial Hatred – An information pack. Available at: [http://83.137.212.42/sitearchive/cre/downloads/Defeating\\_organised\\_racial\\_hatred-2.pdf](http://83.137.212.42/sitearchive/cre/downloads/Defeating_organised_racial_hatred-2.pdf)

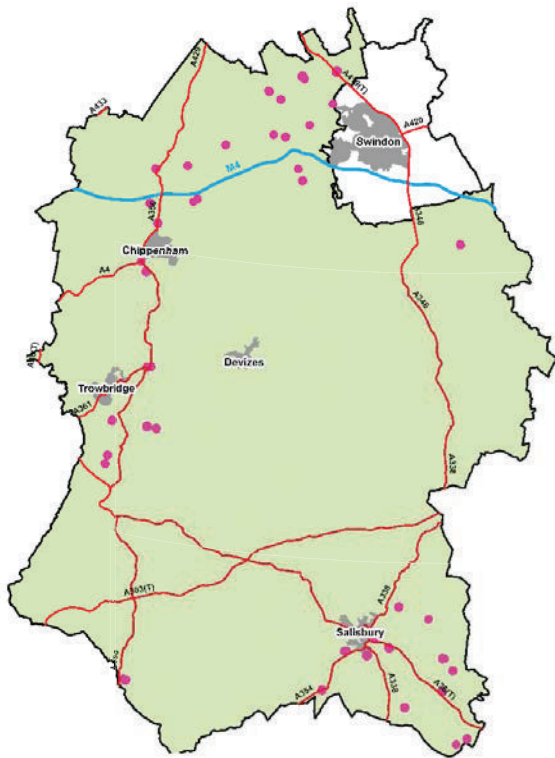
## **Gypsies and Travellers are responsible for antisocial behaviour like littering, fly-tipping and crime.**

Littering and fly-tipping are mainly a problem on unauthorised sites, where there are often no rubbish collection facilities. This process will identify potential locations for authorised sites. Authorised sites are more likely to have planned rubbish collections, and may engender a greater sense of ownership and pride amongst the communities who reside on them. Well managed and well run Gypsy and Traveller sites do not generally cause trouble to the local settled community. Whilst criminal justice agencies do not collect information about Gypsies and Irish Travellers as separate ethnic groups, there is no evidence that offending is any higher among these groups than among others. Research in Northamptonshire has indicated that an encampment does not result in a spike in crime levels. One possible explanation for the often-cited link between Gypsy and Traveller communities and crime is that in the event of criminal behaviour by someone on an unauthorised encampment, the police have powers to evict the entire encampment. Unfortunately this can lead to the mistaken belief that everyone on the encampment has committed a crime, even if only a small number of people on the site were responsible. Source: Commission for Racial Equality (March 2007), Safe Communities Initiative: Defeating Organised Racial Hatred – An information pack. Available at: [http://83.137.212.42/sitearchive/cre/downloads/Defeating\\_organised\\_racial\\_hatred-2.pdf](http://83.137.212.42/sitearchive/cre/downloads/Defeating_organised_racial_hatred-2.pdf)

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# Gypsy and Traveller Issues Consultation



Distribution of known traveller sites

Wiltshire Council is preparing a plan that will identify land for new gypsy and traveller sites across the county.

The purpose of the consultation is to:

- Discuss the **issues** around providing traveller sites.
- Develop a **method** for finding new sites.
- Invite **land** to be considered as possible new sites.

All information and how to submit comments is available on the Wiltshire Council website [www.wiltshire.gov.uk/gypsyandtravellersdpd](http://www.wiltshire.gov.uk/gypsyandtravellersdpd), main offices in Chippenham, Devizes, Salisbury and Trowbridge and local libraries.

To find out more please attend drop-in events from 4pm – 8pm on:

5 May Neeld Hall, Chippenham

11 May Wessex Room, Corn Exchange, Devizes

13 May Meeting Room, City Hall, Salisbury

Comments must be received by 5pm Friday 4 June 2010.



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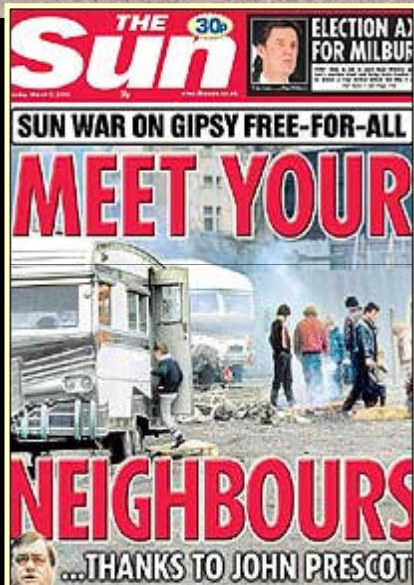
*In 2003 Irish Traveller Johnny Delaney then 15 years old*



# ***Was kicked to death in a racist attack in Ellesmere Port***



# 300,000 people in the UK are Romany Gypsies & Irish Travellers







# The Battle ground - know your friends, know your enemies

- The Public
- Gypsies & Travellers
- a very few friends
- The Horses
- The Facts
- Circular 1/2006
- Housing Act 2004
- Government Office
- DCLG
- Equality
- Right

**YOU**

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- Gypsies & Travellers
  - The minority (ASB)
- NIMBYs
- Land Owners
- The misguided & misinformed
- Your settled communities
- Your officers
- Your Cabinet Colleagues
- Fellow members
- Some of your friends
- The Planning system



# How did we get into this mess?

- Growing intolerance of nomadism after the War
- Employment changes
- 1968 Caravan Act
- 1994 Criminal Justice and Public Order Act
- 2004 Housing Act
- Planning Circular 1/2006
- Regional Spatial Strategy

# The Conundrum



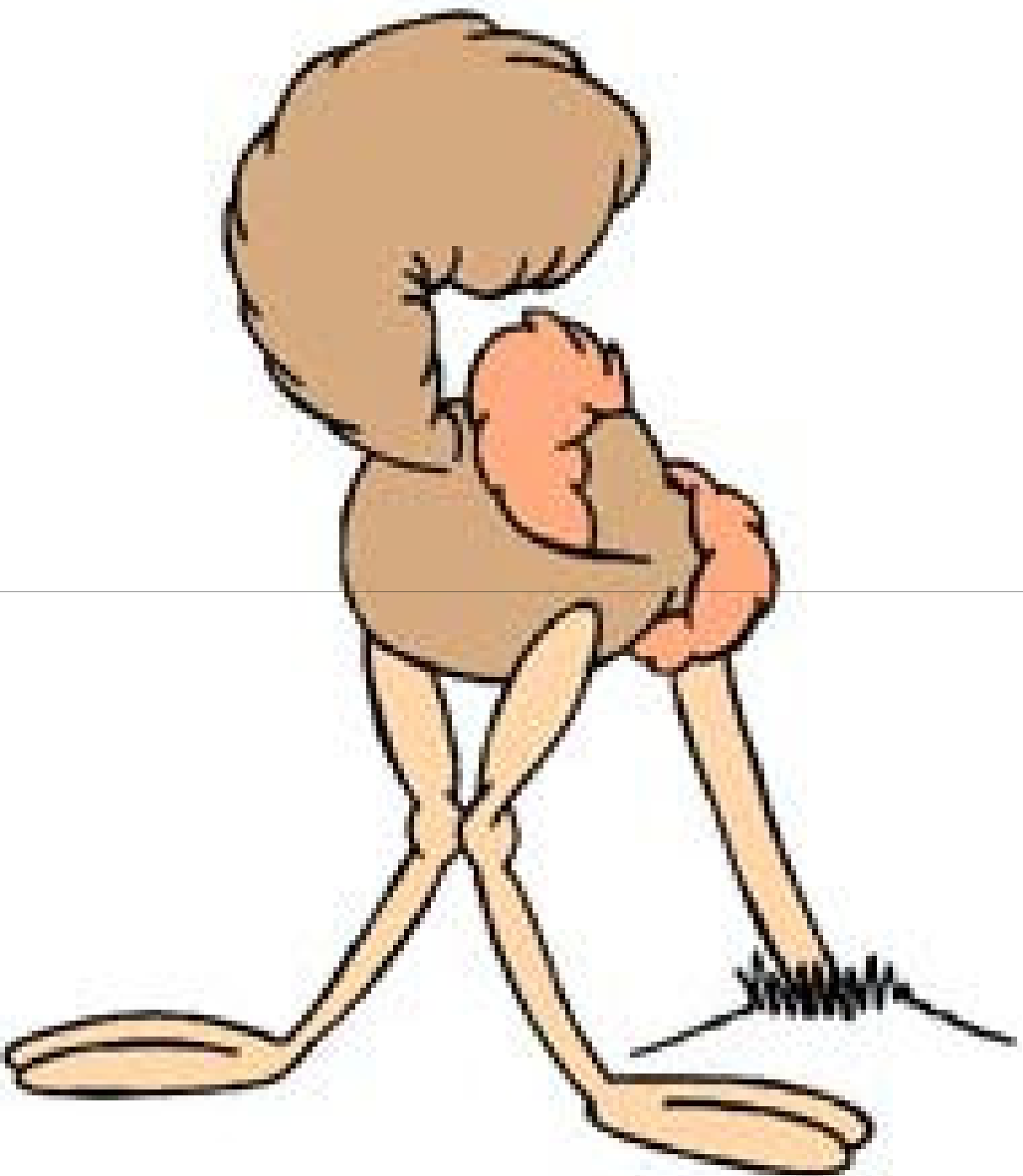
- The deep-rooted prejudices against Gypsies and Travellers from within the settled population, often linked to historic incidents, of inappropriate encampments, unauthorised developments and crime and disorder involving that group.
- The demand from the public that you “do something” about the problem.
- The demand from the self same public that any solutions do not impact on them or their communities
- The identification of potential sites that stand any chance of gaining planning approval.

# Barriers to Progress

- The perception of many elected members that, to actively seek solutions for the Gypsy and Traveller community that impact directly on those in the settled community that elect them, is career limiting.
- The high visibility and emotive slant generated through the role of the press in reporting on Gypsy and Traveller issues.
- The lack of knowledge and understanding within the settled population and Politicians of all parties of the issues and discrimination facing the Gypsy and Traveller communities.



# What are your options?



# So, you have a choice

## DO NOTHING

- Cycle of Deprivation and hatred continues
- The high cost of dealing with inappropriate encampments continues.
- Planning permission granted on appeal in unsuitable locations
- Racial tensions continue.

## MAKE PROVISION

- Requires and understanding of the problem and the issues
- Requires at least the introduction of a network of small sites
- Requires some community buy in
- Requires toleration and understanding



# So what can you do ?

- Talk to your fellow members
- Talk to your communities
  - Parish Councils / WI / Rotary etc
- Explain the History & Culture
- Put the problem into context - explain the saga over the past 30 years
- Explain the facts - Education / Health / Employment
- Explain what has to be done
- Explain the outcome from the "do nothing" approach
- Use your Gypsy community
- Develop your Council's strategy - non site specific
- Engage with surrounding Councils
- Engage with your press

## What do you need ?

- A cunning plan
- A lead officer at Assistant Director level
- Members agreeing to talk about the issue
- Council agreement on their Housing, Planning & Equalities strategies linked to 1/2006
- Police support
- Community Buy in
- Some successes!!
- Your County Council / other Unitary departments

# *Things to think about*

1. Who has the **lead**? - Officer / Member
2. Make the **transition** from enforcement to solutions
3. List the current G&T **issues** (unauthorised developments - inappropriate encampments - crime - litter - damage - anti-social behaviour)
4. Think through your **policies** and link them to solutions to the problems.
5. **Research** your subjects - talk to them - research their history - look at the difficulties facing them - talk to any families who are now in bricks and mortar.
6. Find out which traditional **stopping places** have been stopped up over the past 10 years - can you use them at least for TSP or Transit ?





7. Consider holding a **workshop** session to involve members and local G&T reps to determine their priorities (Education / Health / Accommodation)
8. Look at the **needs** of each group - Romany English / Irish Commercial Travellers / New age travellers.
9. Decide what range of **sites** are required. Accommodation / Private / Transit / TSP - use the data from your Gypsy and Traveller Accommodation needs Assessment.
10. Try and find a core of **members** on your side.
11. Present **policies & strategies** at Full Council - sales trick - how to address the demands of the Council tax payers to minimise the cost - Ask them if doing nothing is a solution for the Traveller community or the settled community Do NOT go site specific. Bring along a G&T rep to answer questions.



12. If a County Authority, engage with District Council members and officers to take forward **planning applications** on a joint approach
13. Use a **third party** (RSL) for your own applications to resolve the first resolution and appeal issue. (Unable to appeal your own decision regardless of the reasons)
14. Engage with **Parish Councils** before going site specific
15. Hold **information events** involving Strategic Planning, Enforcement Planners, Housing Officers, Members & G&T officers about the principles. Involve the press. Explain the planning process.
16. Be **open** about what you are going to do.
17. Engage with affected PCs through officer / member presentations excluding the Ward member or any member involved in the Planning decisions. Do not lobby but do **explain** the strategy and policies of the Council.





18. Offer a further meeting if required. Aim to **inform** local opinion. Engage and listen to those who attend but who do not speak in public.
19. Use your **PCSOs**
20. If PP approved set up a joint **working group** of key players including a PC rep and tenant to deal with reserve matters (ie) landscaping.
21. Give the **PCs** a stake on a whole community basis.
22. Think through **Site Management** and the involvement of the community.
23. Think cross border **sub-regional** and find some more friends



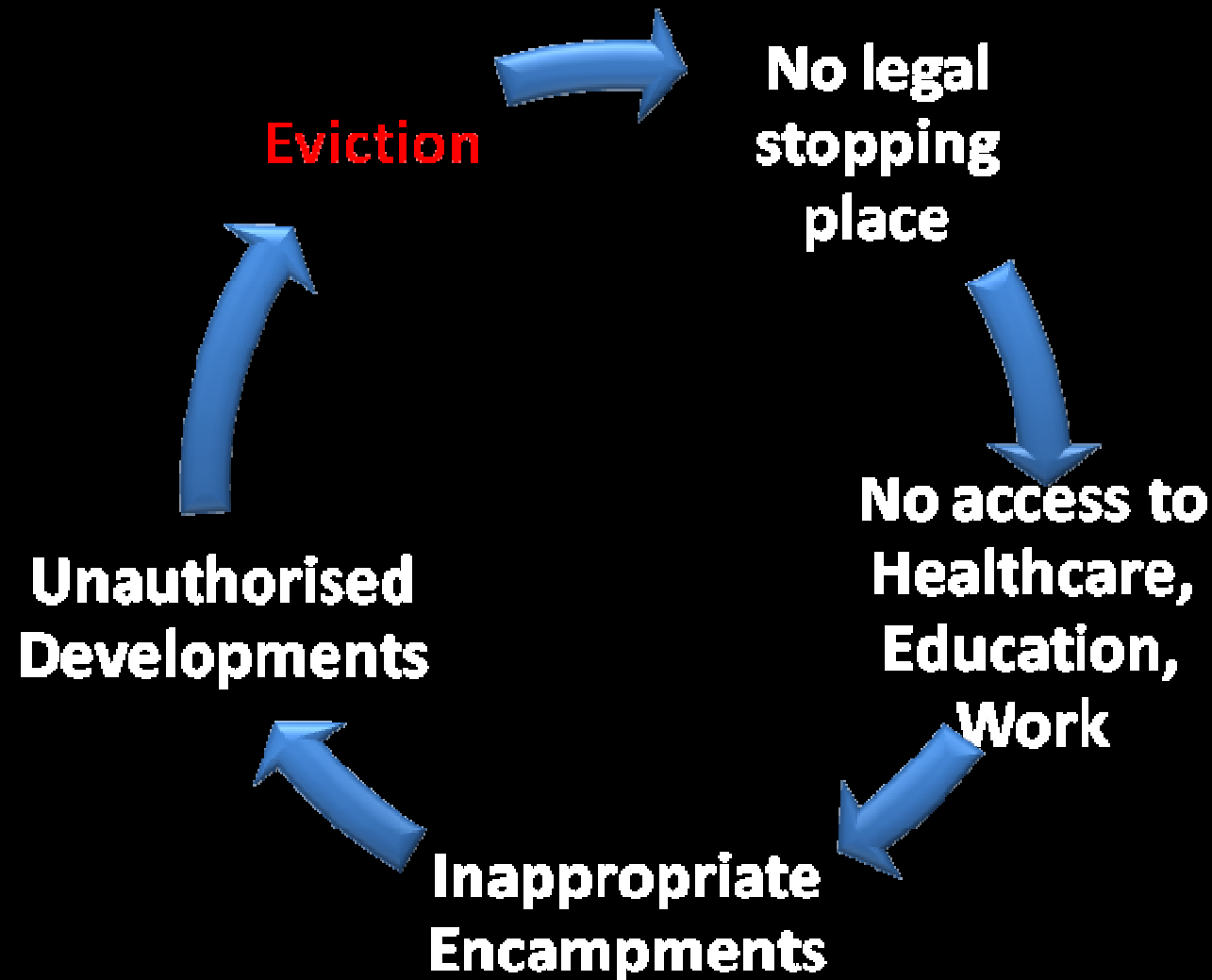
# What are your considerations?

- Upholding the rights of all local residents, including Gypsies and Travellers, to live peacefully and safely, with mutual respect for the rights of others.
- Respecting the race, culture, history and lifestyle of the Gypsy Community including their aversion to "bricks and mortar".
- Applying planning policy fairly and firmly in relation to Gypsy and Traveller sites.
- Engaging with Gypsies and Travellers and the local community in order to make available appropriate and authorised Gypsy and Traveller sites

# Considerations

- Identifying suitable additional sites, where necessary, and accommodating the service needs of travelling people, wherever possible.
- Giving full consideration to proposed private sites when Gypsies and Travellers approach the council in advance about their proposals.
- Safeguarding and defending the local environment and local facilities & services from issues flowing from unlawful and unplanned Gypsy and Traveller encampments and developments.
- Promoting greater community cohesion between the settled and Travelling communities.

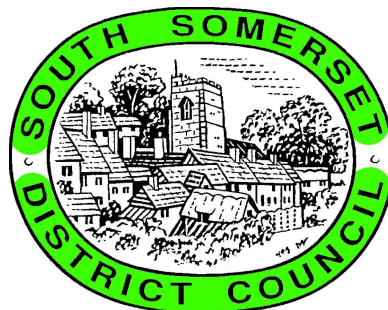
# The £18M Cycle of Gypsy Deprivation



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[sallywoodbury@hotmail.co.uk](mailto:sallywoodbury@hotmail.co.uk)






**2007-2008**  
*Neighbourhood and  
Community Champions:  
The Role of Elected Members*

**2006-2007**  
*Improving Rural Services  
Empowering Communities*

**2005-2006**  
*Getting Closer to Communities*



# Where do you go from here?

- Form a **task group** of members and officers to take forward site identification and progress site provision (use Scrutiny?) 
- Identify local G&T groups to bring in representatives in a consultancy role. (You need to do it WITH the G&T community not TO them)
- What are your RSS targets (Does it matter)?
- Where is it in your Corporate Plan?
- Have you got an up to date **Gypsy and Traveller Accommodation Strategy?** 
- Decide whether you are going to own and manage sites or provide and lease/sell?
- How are you going to assist in encouraging private provision?
- Develop a Communications strategy, engage with your local media
- Start your **land search** 
- Have an Education programme for other members and the Public / Parish Councils before going site specific. (Use the tools that already exist, use your Gypsy reps)
- Are you going to do it alone or on a sub regional collective basis?
- Think about whether you want a Countywide Traveller Unit (Northampton)
- Organise a sub regional event to broaden understanding and bring in other provider reps (Health, Education, Social Services)
- Identify G&T events in your local area (Gypsy Roma Traveller History Month in June) to spread the word
- Identify success stories and use them

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**Councillor Ric Pallister OBE**  
**Deputy Leader & Portfolio Holder for Housing, Environmental Health,**  
**Social Inclusion and Revenue and Benefits at South Somerset District**  
**Council**

Since being elected to the Council in 1999 Ric has specialised in housing and accommodation issues. His key areas of focus are Development, Supported Housing services and Multi-agency working. Nationally he has been involved in Gypsy and Traveller issues through the LGA and has worked with the IDeA on their Strategic Housing Leadership programme. Ric is also the lead member on a Countywide partnership that has seen 5 Local Authorities commit to procuring a single Housing IT system and implementing common housing services and Choice Based Lettings, based on one set of policies and procedures. South Somerset is an LSVT authority providing its own Housing Advice and Homelessness service but working closely with their RSL partners on development and housing management issues.

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## **Richard Bennett**

Richard Bennett was trained as a schoolmaster and began his working life as a teacher of Chemistry.

In 1987 he gave up teaching and began establishing himself as a successful businessman. He now owns a small chain of children's day nurseries.

Also in 1987 he was first elected as a Councillor. From 1991 – 2001 he was Leader of the majority group of Reigate & Banstead Borough Council.

Since stepping down from the Leadership, Richard has been very active at the LGA being:

- A Member of the Strategy & Finance Committee since 2001
- Vice-Chairman of the Urban Commission from 2001 – 2004
- A Board Member of Lacors from May 2005- 2008.

Richard has also led 3 major projects for the LGA:

- The first, which was published in July 2003 entitled 'Tackling Pockets of Deprivation', led to a change in the way in which Government funded areas of deprivation.
- The second, published in February 2005, looked into the future of Road Pricing and is seen as a leading paper in the debate over how we tax the motorist and road usage.
- The third, published in June 2006, investigated the current shortfall in provision for Gypsies & Travellers and is seen, along with the report from CRE, as leading the debate over treatment of unauthorized encampments and developments and the need to provide equally for all sections of society.

Richard was also a member of the CLG's Gypsy & Traveller Enforcement Task Group.

In his spare time, Richard is a church organist. He is also a Member of the Institute of Groundmanship and he maintains over 2 hectares of common land for residents and his local cricket club.

Richard has been married for over 30 years and has two adult sons.

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planning advisory service

# spaces and places for gypsies and travellers

how planning can help



# spaces and places for gypsies and travellers

2

## executive summary

This case study draws on emerging good practice in some local authorities to identify how effective use of the planning process can increase the number of authorised pitches available for Gypsies and Travellers in line with new government planning guidance.

The planning regime for providing Gypsy and Traveller sites was amended with the publication of Circular 01/2006, *Planning for Gypsy and Traveller Caravan Sites*. The Circular emphasises the need to ensure that enough sites are provided, and sets out a planning process for achieving this.

Councils now have a duty to allocate sufficient land for Gypsy and Traveller accommodation needs and this should underpin how authorities assess need and identify suitable sites. There has been over a decade of site under-provision and councils in areas of need are now implementing the Circular to address this.

This study is based on interviews from councils and experts around England (see the inside back cover for a full list). Some of the broad themes to emerge include:

**involve Gypsy and Traveller communities.**

Planning staff need to consult with Gypsy and Traveller communities early and often. This will require innovative approaches because of low rates of literacy and high levels of social exclusion within these communities.





**work collaboratively.** Some councils have recognised that moving Gypsies and Travellers on from one district to another doesn't solve the overall problem of a lack of sites, and are working in sub-regions to assess site need collectively.

**be transparent.** Gypsy and Traveller communities value trust, but it can take a long time to develop, and can be broken quickly. The planning process should be as transparent as possible so that all members of the community can understand the decisions that have been taken and why.

**integrate Gypsy and Traveller accommodation needs into the new planning system.** The new planning system presents opportunities to incorporate the advice of the Circular 01/2006 into the Local Development Framework. Those councils at the forefront of planning for the accommodation needs of Gypsies and Travellers are developing specific Development Plan Documents (DPDs) which set out location criteria and site allocations.

**educate and work with councillors.** Circular 01/2006 makes it clear that 'doing nothing' is not an option. Local authorities that are at the forefront of implementing the new Circular are ensuring that their councillors are aware of the changes in the guidance so that they can make sound planning decisions and can explain these decisions to the so-called 'settled' community.

Although implementation of the new Circular and related guidance is in its early stages, it is possible to point to wider benefits of incorporating these approaches:

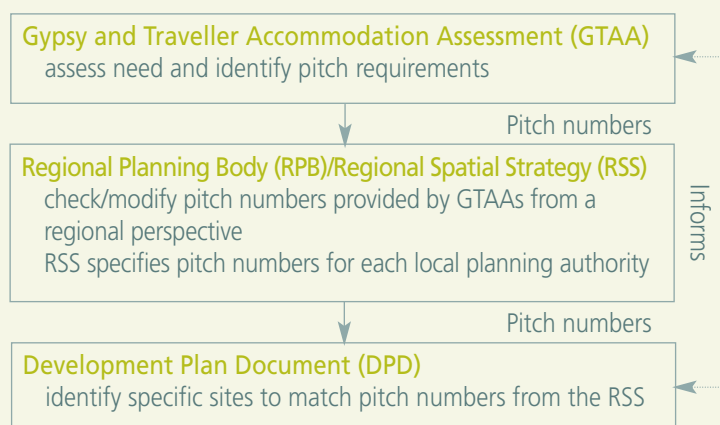
- an increase in site provision
- reduced costs
- greater community engagement and understanding of community need.

### in brief: Circular 01/2006 Planning for Gypsy and Traveller caravan sites

Councils have a crucial role in managing land use conflicts surrounding Gypsy and Traveller caravan sites, and the guidance for them to do this has recently been updated and amended, most notably via Circular 01/2006, *Planning for Gypsy and Traveller sites*. The Circular's planning aims include to:

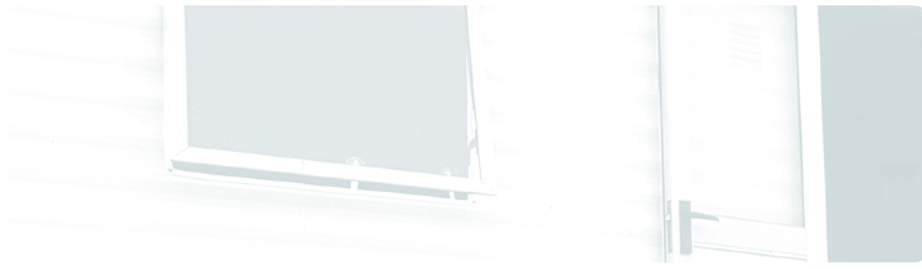
- increase significantly the number of Gypsy and Traveller sites in appropriate locations with planning permission
- reduce the number of unauthorised encampments and developments
- make enforcement more effective where appropriate
- highlight the importance of assessing site needs at regional and sub-regional level
- ensure that local authorities develop strategies to deal with these needs fairly and effectively, including making allocations in their development plan documents (DPDs)
- promote more private site provision.

The revised planning process for assessing Gypsy and Traveller accommodation needs and incorporating this in the planning process is set out below.



(Taken from Circular 01/2006 ODPM)

This revised approach reinforces the new planning system's emphasis on community involvement, and calls for early consultation with Gypsies and Travellers to help identify suitably located sites to reduce unauthorised encampments and developments.



## planning for Gypsies' and Travellers' accommodation needs

### introduction

Based on January 2006 figures, the government estimates that there are 15,500 Gypsy and Traveller caravans in England – 79 per cent of these are on authorised sites, and more than half of these sites (6,636) are owned by local authorities. The remaining 21 per cent of sites are divided between:

- unauthorised developments (Gypsies and Travellers own the land but don't have planning permission) (14 per cent)
- unauthorised encampments (Gypsies and Travellers do not own the land and there is no planning consent for them to use it as a site) (7 per cent).

A recent report by the Commission for Racial Equality found that 76 per cent of local planning authorities have policies on managing unauthorised encampments, and only 27 per cent have a policy on providing sites. The new approach embodied in the Circular seeks to fundamentally change this balance.

### involve Gypsy and Traveller communities

Circular 01/2006 advises councils to discuss Gypsies' and Travellers' accommodation needs with individuals and representative groups at 'an early stage'.

Because Gypsies and Travellers are 'seldom heard' groups, consulting with national representative organisations is likely to be insufficient – finding ways to get the views of local groups will also be important. This will involve working with the council's officer or unit responsible for Gypsies' and Travellers' liaison, or making new contacts.

The **Cambridgeshire** sub-region Gypsies and Travellers Accommodation Assessment (GTAA) was the first in the country to include Gypsies and Travellers as part of the research team. Interested individuals were trained as interviewers and paid to interview Gypsies and Travellers. This training also provided them with a transferable skill, and all have been engaged in interview work elsewhere since then. Gypsies and Travellers were offered the choice of a local or regional interviewer so that they didn't have to disclose personal information to a local if they didn't want to.



6

This kind of approach has been replicated in other areas such as **Leicestershire, Surrey and Dorset**.

Councils need to connect with Gypsies and Travellers in ways that they can identify with. **Kent** recognises that these communities traditionally rely on oral communication, and so offers face-to-face meetings as much as possible. It has also begun distributing information on professionally produced CDs so that people can listen rather than read, as well as identifying who is literate in the local Gypsy and Traveller communities and providing them with written materials.

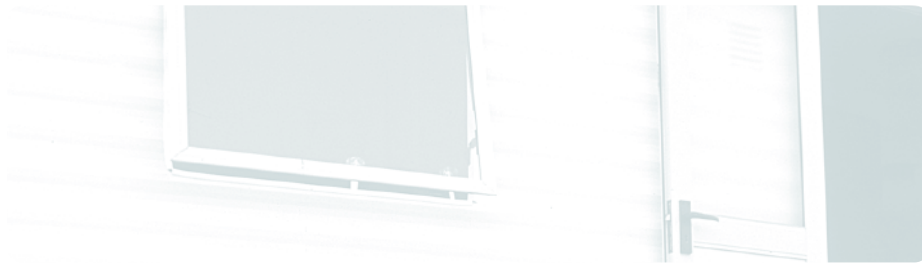
**Fenland** contacts Gypsy and Traveller families when they arrive in their area. The council takes a coordinated approach, which includes planning officers, to understanding what their needs are. Officers encourage Gypsies and Travellers to discuss any proposed planning applications prior to either submitting them or purchasing land. This proactive approach has helped to alleviate misgivings from the 'settled' community, and there have been only limited objections to proposed Gypsy and Traveller sites.

In **Doncaster**, the preparation of its Gypsy and Traveller Strategy made the planning service and the Gypsy liaison team aware of the value of better cooperation between the two council teams. This has led to close working between both sections on the draft Local Development Framework (LDF), and a more formalised process for seeking the liaison team's input on planning applications.

It might also be useful to work with resources that have been published by Gypsy and Traveller communities themselves. For example, Travellers' Times has published a planning guide for Gypsies and Travellers which tries to explain the planning application process in an accessible way.

**'Councils need to make special efforts to involve Gypsies and Travellers in the planning process because of problems like low literacy and a lack of awareness of the planning system.'**

Siobhan Spencer, Derbyshire Gypsy Liaison Group



### work collaboratively

Authorities in a number of county and sub-regional areas are working together to undertake GTAA's and jointly plan for site allocations.

The **Cambridge sub-region** – including Cambridge, East Cambridgeshire, Fenland, Forest Heath, Huntingdonshire, King's Lynn and West Norfolk, Peterborough, South Cambridgeshire and St Edmundsbury – worked together on their GTAA and released it in May 2006. The needs assessment calculated approximate pitch allocations for each council area, to be supplied over the next five years.

**Five south and west Hertfordshire councils** – Hertsmere, Dacorum, Three Rivers, St Albans, Watford – and Hertfordshire County Council have also taken a consortium approach to identifying Gypsy and Traveller accommodation needs. They have undertaken a needs assessment (prior to the publication of the new Circular) and are trying to reach a consensus about allocating accommodation sites. While actual site identification will be dealt with through individual LDFs, the aim is for there to be cross-area agreement.

The councils in **Derbyshire County** – Amber Valley, Erewash, High Peak, Derbyshire Dales, Chesterfield, Bolsover, North East Derbyshire and South Derbyshire – are also joining forces to fund an independent GTAA, partly funded by the Regional Housing Board, with in-kind assistance from Derbyshire County Council. The county-wide task group which is coordinating the work is cross-departmental and includes representatives from environmental health, housing, planning and Gypsy groups. This approach recognises that planning cannot work in isolation, and that a robust approach needs to include all relevant council services. Some of the challenges include identifying whether housing or planning should take the lead on GTAA's within an individual authority, reconciling the different planning and housing definitions for Gypsies and Travellers, and a shortage of independent expert consultants to carry out GTAA's.

**'The councils here recognise that they share the same problem – for example, if Bournemouth moves on Gypsies and Travellers they end up in Poole, which then moves them onto East Dorset, and so it goes on. So it makes sense to talk to each other.'**

Mike Evans, Principal Business Support Officer, Dorset County Council

**'There is a need to roughly move forward together so that there is a consistent approach to site allocation.'**

Michael Monk, Planning Policy Consultant, Huntingdonshire District Council

#### **be transparent**

Gypsy and Traveller communities value trust. Margaret Greenfields, a leading academic in this area, reports that ideally council work in this area should be led by an officer who is respected both within the council and also within Gypsy and Traveller communities: 'trust is vital and can be broken easily'.

The planning system encourages transparency when preparing development plan documents (DPDs) through the issues and options stage which gives people the opportunity to have input on a number of options rather than reacting to a single one. Authorities also need to revisit their development control criteria for applications for Gypsy and Traveller sites to ensure that the criteria make it clear what applications are likely to be accepted by the council. Authorities need to ensure that these are reasonable and realistic.

**Kent's** draft Gypsy and Traveller communication strategy recognises the importance of being as factual as possible and to explain council processes continually. Bill Forrester, Head of the council's Gypsy and Traveller unit, says that, 'However difficult it is to maintain contact with Gypsy and Traveller communities, councils still need to make the effort. It is easy to fall out but it is better to keep lines of communication open. If people recognise over time your goodwill then they will forgive you if something goes wrong.'

**Hertsmere** has engaged independent planning consultants to advise on possible sites. This independence can help improve the credibility of councillors' decision-making because they can point to impartial advice informing their decisions.





**Doncaster's** Gypsy and Traveller Strategy, published in 2006, highlighted that Gypsies and Travellers often have a lack of knowledge about the planning application process. It called for the planning process to be more transparent and, where applications were rejected, better explanation of the reasons for the decision. The council's Gypsy liaison team works with Gypsy and Traveller applicants to help them submit better quality applications, and involves the local Planning Aid where necessary.

**'You can only influence behaviour through building relationships and communication.'**

Bill Forrester, Head of Gypsy and Traveller Unit, Kent County Council

**integrate Gypsy and Traveller accommodation needs into the new planning system**

The Local Government Association supports the main thrust of the new planning Circular but argues that a 'clear, tight timetable with agreed milestones is needed for implementation of the new Circular in the first round of Regional Spatial Strategies and LDFs'.

Local authorities need to prepare local development documents (DPDs) which include site allocations for Gypsy and Traveller pitches. The guidance makes provision for councils to begin preparing their DPDs without waiting for the relevant regional spatial strategy (RSS) to be finalised in circumstances where there is 'a clear and immediate need'.

Circular 01/2006 makes provision for councils to grant temporary planning consent for applications which are likely to meet the future DPD criteria even though the DPD is not yet complete.

**South Cambridgeshire** is preparing a Gypsies' and Travellers' DPD. The DPD will translate the needs assessment figure for the council (130 new pitches over five years) into site allocations. The process includes two issues and options stages. The first identified draft site allocation criteria. This was informed by focus groups with Gypsies and Travellers, focus groups with parish councillors and the extensive consultation that had been undertaken as part of the GTAA. The council consulted on the first issues and options paper in autumn 2006. There will be a second issues and options paper on proposed sites in summer 2007. It is not yet clear how this timetable fits into the review of the regional spatial strategy (RSS).

The East of England region is currently reviewing and evaluating the different approaches that have been taken to GTAA in the region and is due to report by the end of the year.

Also in **South Cambridgeshire**, the council has received a planning application for a new town around Northstowe. As part of its negotiations on the S106 agreement, it is proposing to include two Gypsy and Traveller sites, each with eight pitches, as part of the affordable housing requirement. Council officers have determined these figures based on best practice elsewhere and listening to what local Travellers say they want provided in the new development.

**Huntingdonshire** has revised its criteria-based policy for windfall sites in line with the Circular's guidance. The new criteria are regarded as part of the council's informal strategy until its core strategy has been completed and examined.

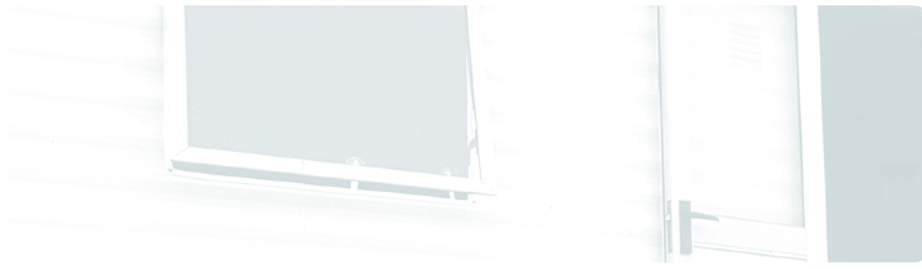
**'We hope that by planning for site allocation now we will minimise tensions later because of the needs-based process we have followed.'**

Kirsty Simmons, Corporate Projects Officer, South Cambridgeshire District Council

#### **educate and work with councillors**

The Circular makes it clear that there must be sound planning reasons for rejecting applications for Gypsy and Traveller sites. Councils are finding that it is important that councillors are aware of this change and understand what it means.

**South Cambridgeshire** recently granted temporary planning consent to four sites and has another two temporary planning consents in the pipeline. Granting these temporary consents has followed the statutory planning process. Most objections were not on planning grounds, and the council continues to work with parish councillors – including getting them to attend a Travellers' Liaison Forum – to inform them about the provisions in the Circular.



**'Meeting Gypsies' and Travellers' needs can be an emotive subject for councillors because of the sensitivities involved with the wider community. But we have persuaded them of the merits of planning positively.'**

Richard Grove, Head of Planning and Building Control, Hertsmere Borough Council

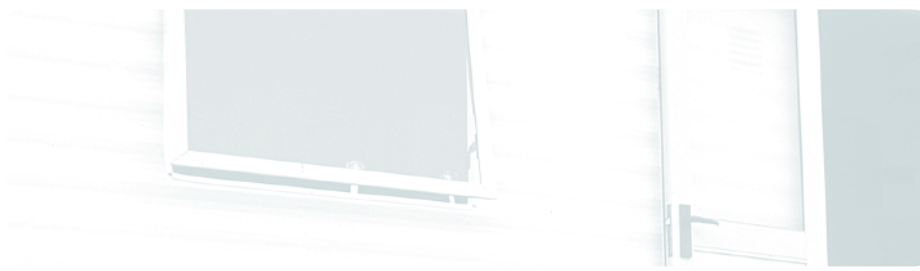
**'Inspectors will overrule poor planning decisions where there is insufficient evidence and where a council is being unreasonable.'**

Dr Margaret Greenfields, Senior Lecturer, Buckinghamshire Chilterns University College

#### **deal with unauthorised encampments**

As well as Circular 01/2006, the government has published a guide to enforcing existing legislation that relates to unauthorised encampments. This sets out the range of powers currently available to councils. The government has also set up a Gypsy and Traveller Enforcement and Site Provision Task Group which will underline the importance of adequate site provision as the key to effective enforcement and to ensure that enforcement powers are used effectively. Following the planning process will put councils in a stronger position to carry out enforcement action on unauthorised developments.

**Kent's** approach to dealing with unauthorised encampments aims to 'avoid conflict, cost and delay'. Fundamentally, this means engaging with both Gypsies and Travellers and other local residents as the council's experiences suggest that this is the most effective way of meeting its aims. As well as getting to know the Gypsy and Traveller communities in its area, the council has also set up a dedicated 'report and information' telephone number. However, where unauthorised encampments continue to pose a problem the council uses the powers available to act swiftly.



## the added benefits

Following the planning process set out in Circular 01/2006 won't instantly change community perceptions or automatically dissipate longstanding tensions between the 'settled' community and Gypsies and Travellers. However, tackling the shortfall in site provision should lead to outcomes – for example, a reduced number of unauthorised developments and encampments – that will help to build cohesive communities over time. Some councils are already reporting benefits from following the new system and these are set out below.

### an increase in site provision

This is the primary aim of the Circular, and early indications suggest that the duty it sets out to provide sufficient sites is having an effect, at least in providing an increase in temporary planning consents. Some councillors now recognise that if there aren't good planning reasons to object to a planning application then consent is likely to be awarded on appeal and they would rather take a proactive approach. As one interviewee put it, 'Once a needs assessment has been published then it is difficult to wriggle out of allocating sites to match the figures.'

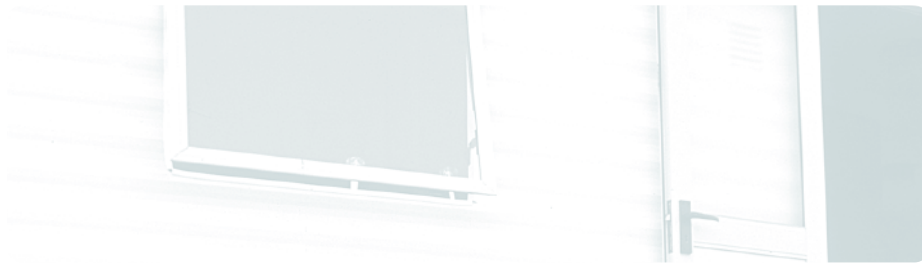
From a Gypsy and Traveller perspective, temporary planning consents still create uncertainty and fall well short of permanent site security. Councils therefore need to pursue permanent site allocation through their LDFs and DPDs as quickly as possible.

### reduced costs

Some councils are reporting that following the new Circular may lead to a reduction in costs.

**Hertsmere** recognises that evictions from illegal encampments are expensive, and officers have made the case for using resources in the short term to plan for site allocation so that the number of evictions can be reduced. The council will then be in a stronger position to take necessary legal action if unauthorised encampments are established.

Authorities in **Dorset** report that conducting the GTAA jointly has led to reduced costs as the bill has been split between eight councils. Authorities are also able to share expertise and experiences.



### greater community engagement and understanding of community need

As reported above, the GTAA process has, for the first time, allowed Gypsies and Travellers to participate in assessing the accommodation needs of their own communities. As well as creating employment and opportunities for acquiring transferable skills, the academic Margaret Greenfields reports that it has also led to Gypsy and Traveller communities engaging with each other for the first time.

In the past Gypsies and Travellers have been sceptical of researchers collecting personal information. However, there are now examples, such as the **Cambridgeshire** sub-region, where GTAA questionnaires have been devised with the input of Gypsies and Travellers. Gypsies and Travellers have also been trained to be interviewers. As well as the economic and skills benefits this has brought for individuals, both initiatives have made these communities more amenable to providing personal details on income and health, which is leading to a better understanding of community need.

### what does success look like? some hints and tips

The government has provided councils with a process to follow for providing more sites for Gypsies and Travellers. Within this process there is still flexibility to take account of local circumstances. However, the overall message is clear: councils are expected to identify accommodation needs and provide suitable pitches to meet this need. To do this councils should:

- **consult early and consult often.** It takes time to win the trust of Gypsy and Traveller communities, but their involvement in planning for site allocations is essential. The 'settled' community also needs to be part of consultative processes, which should include an explanation of the duty on local authorities to find sufficient Gypsy and Traveller sites.
- **use innovative techniques.** Gypsy and Traveller communities are typically socially excluded, may have low rates of literacy and are often wary of engaging with authorities. This means that conventional consultation is likely to bypass many Gypsies and Travellers – consult with Gypsy and Traveller liaison teams and representative groups about other ways of involving these

communities. As well as consultation on site allocation, councils should also assist Gypsies and Travellers to understand how to make better quality planning applications.

- **make the process accountable.** The location of Gypsy and Traveller sites can be controversial. Transparent and criteria-based policies help everyone to understand what planning decisions have been made and why.
- **promote the new guidance.** The new Circular places councils under a duty to provide sites. Communities and councillors need to be aware of and to understand these changes and the new requirements this places on local authorities to allocate sites.
- **expedite the planning process.** The shortage of Gypsy and Traveller sites means that there is an urgent need to use the planning process to identify suitable sites. Councils can start preparing DPDs to address this where there is a clear and immediate need without having to wait for the GTAA or regional allocation of site numbers to be completed.

### relevant guidance

*Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites*  
<http://www.communities.gov.uk/index.asp?id=1500620>

*Local Authorities and Gypsies and Travellers: Guide to Responsibilities and Powers*  
<http://www.communities.gov.uk/index.asp?id=1163367>

*Guide to Effective Use of Enforcement Powers – Part 1: Unauthorised Encampments*  
<http://www.communities.gov.uk/index.asp?id=1163371>

*Gypsy and Traveller Accommodation Assessments: Draft Practice Guidance* <http://www.communities.gov.uk/index.asp?id=1163362>

*Diversity and Equality in Planning: a Good Practice Guide*  
[http://www.cre.gov.uk/downloads/commonground\\_report.pdf](http://www.cre.gov.uk/downloads/commonground_report.pdf)

*Report of the LGA Gypsy and Traveller Task Group*  
[www.lga.gov.uk](http://www.lga.gov.uk)





## abbreviations used in this case study

DPD – Development Plan Document

GTAA – Gypsy and Traveller Accommodation Assessment

LDF – Local Development Framework

For definitions of these and any other terms see  
[www.pas.gov.uk](http://www.pas.gov.uk) – glossary

## list of councils and organisations interviewed for this case study

- Buckinghamshire Chilterns University College
- Bristol City Council
- Derbyshire County Council
- Derbyshire Gypsy Liaison Group
- Doncaster Metropolitan Borough Council
- Dorset County Council
- Hertsmere Borough Council
- Huntingdonshire District Council
- Fenland District Council
- Government Office for the East of England
- Gypsy and Traveller Unit, Department for Communities and Local Government
- Kent County Council
- Local Government Association
- Robert Doughty Consultancy
- South Cambridgeshire District Council
- South Derbyshire District Council
- Tewkesbury Borough Council.

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## SUMMARY OF KEY DOCUMENTS WITH LINKS

1. The Road Ahead: Final Report of the Independent Task Group on Site Provision and Enforcement for Gypsies and Travellers (Department of Communities and Local Government - CLG)

<http://www.communities.gov.uk/publications/housing/Taskgroupreport>

2. Gypsy and Traveller Sites Grant Guidance 2008-2011(CLG)

<http://www.communities.gov.uk/publications/housing/gypsytravellergrants>

3. Local authorities and Gypsies and Travellers: a guide to responsibilities and powers (CLG)

<http://www.communities.gov.uk/publications/housing/localauthorities>

4. Providing Gypsy and Traveller sites: contentious spaces  
(Joseph Rowntree Foundation)

<http://www.jrf.org.uk/bookshop/details.asp?pubID=928>

6. Report of the LGA Gypsy and Traveller Group (Local Government Association)

<http://www.lga.gov.uk/lga/publications/publication-display.do?id=21812>

7. Every **Traveller** Child Matters Too: A response to *Every Child Matters* by the Romany Gypsy community in Devon

[http://www.europeandialogue.org/pdfs/EveryChild\\_booklet.pdf](http://www.europeandialogue.org/pdfs/EveryChild_booklet.pdf)

8. Spaces and places for Gypsies and Travellers: how planning can help (Planning Advisory Service/Improvement and Development Agency)

<http://www.pas.gov.uk/pas/core/page.do?pagelId=37944>

9. Providing Gypsy and Traveller sites: contentious spaces,  
Joanna Richardson, Joseph Rowntree Foundation

<http://www.jrf.org.uk/bookshop/eBooks/2138-gypsy-traveller-sites.pdf>