

The Road Ahead:
**Final Report of the Independent Task Group on Site Provision
and Enforcement for Gypsies and Travellers**





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and Enforcement for Gypsies and Travellers**

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Foreword by Sir Brian Briscoe



It has been a privilege to chair the Task Group on Site Provision and Enforcement for Gypsies and Travellers. The controversies about Gypsies and Travellers, the challenge of finding suitable sites, and arguments about unauthorised development and encampments, were a feature of my long local government career as a planner and chief executive. As a passionate advocate of local democracy, I spent the last decade at the Local Government Association arguing, in Westminster and Whitehall, for more freedom and devolution to councils and their communities, to make their own decisions. These themes are central to the Task Group's work.

The Members of the Task Group come from a wide range of organisations. I am grateful to them all for their time and commitment. I am particularly pleased that two members of the Gypsy and Traveller community sat as full members of the Task Group and helped us see their perspective of the issues and undoubtedly fleshed out our understanding of the problems.

We have greatly appreciated the contributions of the many people and organisations who have given us evidence over the past 18 months. We have been impressed by the commitment of those in government departments, local authorities, public agencies and the professions who are striving to improve the life chances of this disadvantaged community. We have been impressed by the efforts of those in the Gypsy and Traveller community who recognise the need to connect and work with the settled community and with the public agencies. And we have met local politicians and officials whose courage in the face of prejudice and abuse is salutary.

The Task Group discovered that the scale of the problem was small. About 75 per cent of Gypsies and Travellers who live in caravans are on authorised sites, whilst the remainder only requires about 4,000 pitches, or less than one square mile of land across the country. We examined the Government's policy, which changed in 2004 in relation to site provision, and consider that if it is implemented with vigour by central and local government, there is a prospect that most of the £18m spent on enforcement could be saved, and the life chances of this most deprived ethnic minority group greatly enhanced.

Gypsies and Travellers, like every other group in society, are entitled to have somewhere safe and secure to live. They also have responsibilities to abide by the law and respect the interests of the settled community. Until there are sufficient places for them to live there will be conflict between those principles. It is the responsibility of local authorities, supported by government, to ensure provision for their needs as for the rest of the community. Enforcement should then be applied vigorously to those, from wherever in society, that behave unlawfully.

Whilst there are differences of emphasis on some issues referred to in the report, the Task Group was united in its belief that the good community relations that exist in many parts of the country where there are authorised sites, demonstrate that the prejudice about new sites which features in local debates and sometimes the media is ill founded. The Task Group appreciates that there are substantial political challenges in addressing these issues. Education, understanding and more sensitive media reporting have a part to play in promoting better debate.

But local authorities that aspire to lead their communities in the more devolved world they want cannot ignore the difficult decisions. Local authorities are responsible for ensuring that there is accommodation for their population, including Gypsies and Travellers, and for using public resources efficiently. The present inadequacy of sites and the expense of enforcement are twin evidence of failure. Local Authorities who, rightly, believe that government should get off their backs, have an opportunity to demonstrate that they can collectively rise to the challenge and ensure that all Gypsies and Travellers have authorised sites on which to live.

We hope that this report, and what we believe from our work to be a much wider recognition of the need for action, will ensure the provision of new sites, sufficient to address the serious threat to the children of this community. We believe government should make clear its expectation that local authorities will deliver, but retain and where necessary use powers to direct authorities to act.

Finally, whilst the Task Group's work is complete, we believe that it is crucial to maintain pressure for progress. We recommend that the organisations represented on the Task Group should meet to receive a monitoring report from the GTU on progress on at least an annual basis, and that Ministers should report to Parliament similarly.

A handwritten signature in black ink that reads "Brian Briscoe". The signature is written in a cursive, flowing style.

Sir Brian Briscoe
Chair

Chapter 1

Introduction

Our introductory chapter sets the context for the establishment of the Task Group, and sets out some of the key themes for this report.

The Task Group on Site Provision and Enforcement was set up in 2006, in the face of intense public concern about problems relating to unauthorised encampments and developments by Gypsies and Travellers. Camps on playing fields leading to the cancellation of fetes and sporting events, problems with fly-tipping and clean-up costs when Gypsies and Travellers moved or were moved on, and tensions with the settled community were high in the national consciousness, and demanded radical action. At the same time, Gypsies and Travellers themselves were experiencing severe disadvantage, with education and health outcomes far poorer than for the settled community. The crucial questions then seemed to be: why is it so difficult to take action against sites that cause such serious problems; and what can be done to make the process faster and more effective? The Task Group was established by Ministers to bring together key players with a range of different perspectives to answer those questions.

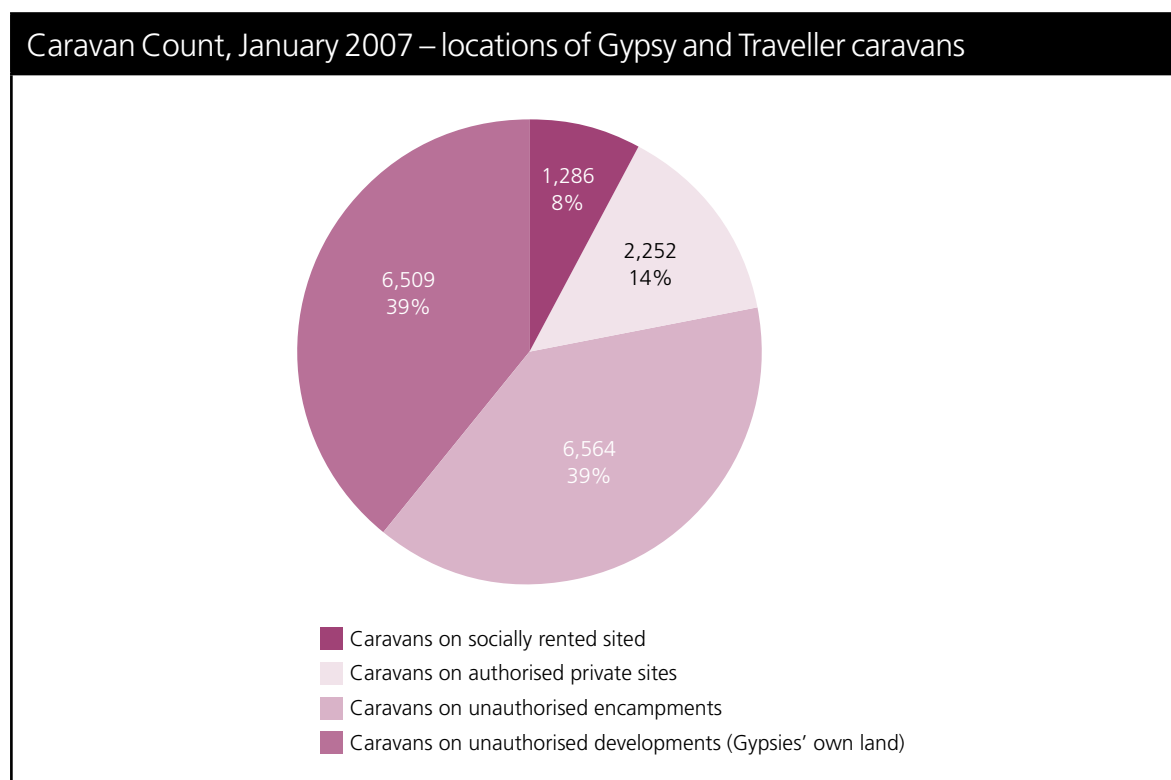
The first challenge was to gain a sense of the scale of the issue. The precise number of Gypsies and Travellers in England is unclear. Despite Gypsies and Irish Travellers being recognised as distinct ethnic groups under race relations legislation, the Census – and hence the information collected by most public bodies – does not currently include them as separate categories. Estimates of the Gypsy and Traveller population in Britain vary widely – from 82,000¹ living in caravans to 300,000² including those living in bricks and mortar housing. The former Commission for Racial Equality has noted estimates of between 180,000 and 350,000 Gypsies and Travellers in England today³, of whom the majority live in conventional ‘bricks and mortar’ housing.

¹ Kenrick, D. and Clark, C. 1999. *Moving On: the Gypsies and Travellers of Britain*. University of Hertfordshire Press

² Liegeois, J-P. 1987. *Gypsies and Travellers*: Council of Europe Press

³ Ivatts, A. 2005. *The Education of Gypsy/Roma Traveller and Travelling Children*. Department for Education and Skills in *Common Ground: Equality, good race relations and sites for Gypsies and Irish Travellers*. 2006: Commission for Racial Equality

The twice yearly Caravan Count conducted by local authorities provides more information on the number and location of Gypsy and Traveller caravans. At the time of writing, data from the most recently published Count, carried out on 19 January 2007, showed a total of around 16,000 Gypsy and Traveller caravans in England, of which three quarters are on either privately or publicly owned authorised sites. Of the caravans on unauthorised sites, some 2,252 were on unauthorised developments (ie land owned by Gypsies and Travellers themselves but developed without planning permission) and only 1,286 on unauthorised encampments (where land is not owned by the people camping on it).



Information from the Count also shows that average site sizes are small, with an average unauthorised site having four or five caravans, a private authorised site 6 caravans and a public authorised site 22 caravans.

The picture across the country is thus one of a small population of Gypsies and Travellers living in caravans, most of whom live on authorised sites, and where unauthorised encampments and developments are both relatively small in number and in size. So why is unauthorised camping apparently such a difficult problem to solve?

To explore this question, the Task Group took several important steps:

- it took evidence from national and local agencies with direct experience of issues related to site provision and enforcement

- it invited Gypsies and Travellers to nominate two representatives to sit as members of the Group and to give their perspective on the issues. This was the first time a body established by the Government had included Gypsies and Travellers in this way
- it brought together representatives from a wide range of agencies with a role to play – from the police to local elected members and planners (a full list of Task Group members is at annex A); and
- it visited Gypsy and Traveller sites to see the reality of the situation on the ground, and to identify what worked well.

Most crucially, it identified early on that it was impossible to consider the issues around effective enforcement without also considering the barriers to the provision of authorised sites. It quickly became clear that, if people had no alternative but to camp in unauthorised locations, enforcement could do no more than move the problem from one place to another. And with repeated evictions a matter of everyday life for so many Gypsies and Travellers, health, educational and social outcomes were unlikely to improve. Ministers therefore agreed the Task Group's request to expand its terms of reference to look at both the enforcement and provision of authorised pitches.

This report builds on the messages in our interim report, published in March, and sets out the conclusions of the Task Group's work. It covers the following key areas:

- the national policy framework
- enforcement action
- site provision; and
- tackling social exclusion – the role of leadership and engagement.

The Task Group has throughout focused on the key actions we consider are needed if real change is to be delivered for the benefit of both the settled community and Gypsies and Travellers themselves. It has taken evidence from a wide range of groups and individuals, and members have travelled around the country to take part in discussion and to see for themselves the issues on the ground. Our recommendations are highlighted throughout the report and summarised in the final chapter.

Our primary message is that it is essential both to increase the number of authorised sites for Gypsies and Travellers and to do so quickly. Without levels of accommodation that are commensurate with need, unauthorised encampments and developments and the attendant problems they can cause are not only likely, they are inevitable. We must see a step change in the pace of delivery – from local authorities, Registered Social Landlords and Gypsies and Travellers themselves. Central government has a responsibility to support and facilitate that delivery; regional government to set out clear requirements for their areas; and local government to rise to the challenge and deliver for *everyone* in the communities they serve.

The Task Group shares the Government's vision of places where Gypsies and Travellers and the settled community live together in harmony. That is a vision to which everyone should be able to aspire; but it is one that we will only achieve if everyone who has a part to play in implementing these recommendations has the courage and the commitment to take action now.

Chapter 2

The National Policy Framework

In 1994, the Government removed the duty on local authorities to provide sites for Gypsies and Travellers. Gypsies and Travellers were expected to provide for themselves, but many lacked the means to do so, and restrictive, criteria based planning policies often meant it was extremely difficult even for those with the necessary resources to obtain planning permission for a site.

In 2004, in the face of considerable public anxiety over the difficulties caused by unauthorised encampments, the Government took action to change the planning framework. This chapter looks at the new framework and examines how effectively it is being implemented.

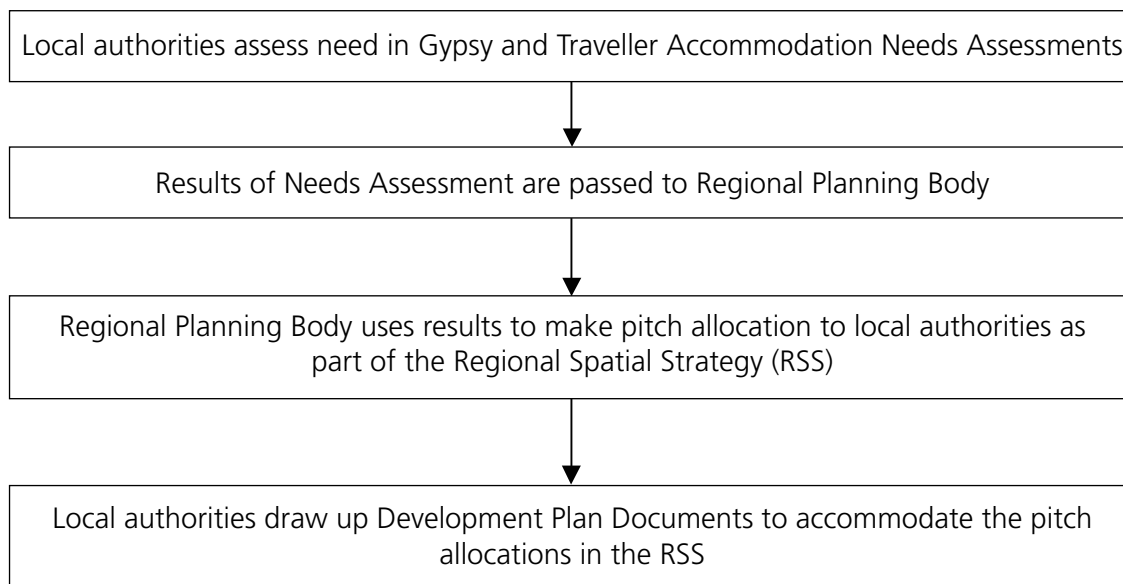
We have had to conclude that it is not delivering at a pace that will meet the needs of either Gypsies and Travellers or the settled community. Unless the pace of delivery increases, it will fail the children who today have nowhere to call home, no base from which to access education or healthcare, and whose families have no stake in the economic success of their communities. If we are to improve the life chances available to those children's children, and to address the community tensions fuelled by unauthorised sites, there must not be further delays to the implementation of the policy framework now in place.

Site provision

The Housing Act 2004 provides the foundation for the new framework for site provision, requiring local housing authorities to carry out Gypsy and Traveller Accommodation Assessments (GTAAs) alongside reviews of the housing needs of the rest of the community.

Policy on planning for Gypsies and Travellers is set out in ODPM Circular 01/2006. The Circular provides a new planning definition of Gypsies and Travellers, sets out how local authorities should go about meeting the accommodation needs of Gypsies and Travellers in their area, and gives advice to Gypsies and Travellers who wish to provide their own sites on how they can work with local authorities to find suitable locations.

The process requires input at both the local and regional level. Results of GTAAs undertaken by local authorities are passed to the Regional Planning Body (currently the Regional Assembly), and fed into the Regional Spatial Strategy. Taking a strategic view of how needs should be met across the region, the Regional Planning Body then allocates a number of pitches to each local planning authority. Local authorities in their turn should then identify sufficient land through a site allocation Development Plan Document (DPD) to allow those pitches to be provided – whether that provision is made by the authority itself, by Registered Social Landlords, or by private developers (including Gypsies and Travellers themselves). The planning process is set out in the diagram below:



It should be noted that the Government has been clear that local authorities should not await the Regional Spatial Strategy before drawing up Gypsy and Traveller Development Plan Documents if there is a clear and pressing need in their areas.

Key challenges

Solving the problem of the shortfall in accommodation for Gypsies and Travellers should not be difficult. The total area required to accommodate all Gypsy and Traveller caravans currently on unauthorised sites in England is about one square mile of land. While cases such as Dale Farm and Smithy Fen may make the headlines, large sites are very much the exception to the rule, and feedback from Gypsies and Travellers suggests that most would choose to live on small, authorised, privately run sites.



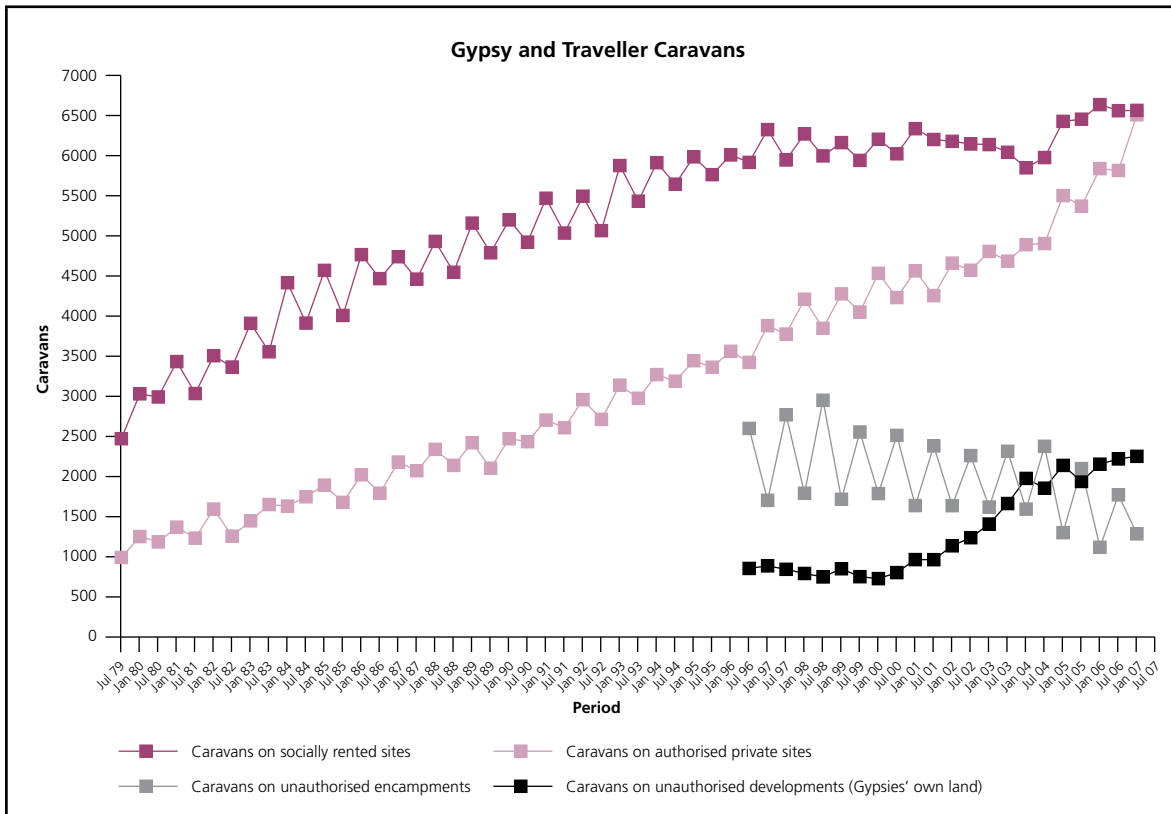
4,000 pitches such as this are needed across England to accommodate caravans on unauthorised pitches

The Task Group view – and that of most who gave evidence – is that the planning framework now in place should deliver sufficient accommodation for Gypsies and Travellers over time. The challenge is to increase the pace at which that framework is implemented.

At the current rate of progress, based upon Regional Spatial Strategy timetables, we are concerned that sufficient new sites will not be identified, still less provided, through the RSS process before 2011 at the earliest. That is simply not an acceptable response to the serious concerns of both the settled community and Gypsies and Travellers themselves. It is therefore essential that local authorities do not wait for RSSs to be produced before providing sites where there is a need. Without such action, levels of unauthorised development and encampment will not fall, local authorities will continue to face real challenges to cohesion between the travelling and settled communities, and Gypsies' and Travellers' health and school performance will continue to be poor.

There are, however, some positive signs. Data collected by Communities and Local Government on local authorities' progress with GTAAs is encouraging. Ministers set a deadline of the end of this calendar year for this work to be complete, and it appears that most – though not all – authorities will have met this challenge. But exploring levels of need is one thing: taking steps to meet that need on the ground is quite another – and here the picture is less positive.

Data from the Caravan Count conducted in January 2007 shows that the overall number of caravans has continued to increase, and that levels of unauthorised development are still rising, albeit more slowly over recent years. It appears, however, that numbers of unauthorised encampments are declining. The graph below shows the trends in numbers of caravans on different types of site.



A large number of the planning permissions currently being granted for new Gypsy and Traveller sites continue to be granted only on appeal. Indeed, early evidence suggests that Circular 01/2006 has had a real impact on the appeal success rate. Research carried out by De Montfort University⁴ showed that, in the six months following the Circular coming into force, there was a significant rise in the number of planning appeals allowed for Gypsy and Traveller sites – from around 35 per cent allowed in the six months prior to implementation, to around 54 per cent allowed thereafter. While the number of appeals heard in this period was too small for these results to be statistically significant, they nevertheless provide an interesting indication that the Planning Inspectorate are affording greater weight to the shortfall of authorised sites in an area. The message to local authorities must be this: take action to plan for sites in appropriate locations in your areas, or the decision may be taken out of your hands.

⁴ Lishman, R. and Richardson J. 2007. *Assessing the Impact of Circular 01/06 on the Supply of New Gypsy/Traveller Sites*: Leicester Business School

The data also indicates that a large number of temporary permissions are being granted to Gypsies and Travellers. In setting out the reasons for their decisions, Planning Inspectors have noted their conclusion that this is an appropriate response to the need to provide some security for Gypsies and Travellers in the absence of alternative sites while local authorities prepare their DPDs. There is, however, a risk that these temporary permissions will expire before DPDs are finalised. In this case, Gypsies and Travellers are very likely to find themselves in exactly the same position that they were in at the start of the process, with no authorised site on which to live. Alternatively, local authorities may find that temporary permissions are simply converted into permanent permissions, meaning that they will have lost the chance to control where new sites are to be located. The best solution must be for local authorities to make quick progress with DPDs to avoid this situation.

All local planning authorities where there is demonstrable need for site provision – including those in regions where an RSS has not yet allocated pitch numbers to each local planning authority – should give serious consideration to proceeding with a DPD now.

Communities and Local Government should monitor the pace of delivery by local planning authorities. The Secretary of State should be prepared to direct local authorities which are not making adequate progress to prepare Gypsy and Traveller DPDs.

The Task Group are also concerned that an unintended consequence of recent policy proposals on which we have taken evidence from Communities and Local Government, may be to make it more difficult to ensure that progress is made on site provision. The recently published Planning White Paper aims to streamline the planning system, reducing the burdens placed upon local planning authorities by reducing the number of site allocations DPDs that they are required to produce. While it is no doubt desirable to reduce the number of DPDs overall, Gypsy and Traveller DPDs merit special consideration. The contentious nature of this subject means that without a specific site allocations DPD, in many areas additional sites simply will not be provided. At the same time, data on homelessness and health and education outcomes clearly demonstrates that this is a highly vulnerable group of people. The presumption must be that local authorities will produce specific sites allocations DPDs for Gypsies and Travellers, unless an authority can demonstrate that it is in the exceptional position of not having a pressing need for such provision.

The Government should underline its continuing expectation that all local authorities will produce site allocations DPDs that include specific allocations for Gypsy and Traveller accommodation, unless there is clear evidence that need is not pressing.

The decision of the Sub-National Economic Development and Regeneration Review⁵ to abolish Regional Assemblies from 2010, with their planning responsibilities taken over by Regional Development Agencies, also has potentially serious implications for the implementation of the planning framework for Gypsies and Travellers. It is critical that the economic focus of RDAs is balanced by the social responsibilities previously held by Regional Assemblies. This will be particularly important in ensuring that the housing needs of vulnerable groups such as Gypsies and Travellers are met.

It is important that the Government gives serious consideration to the implications for site provision of the transition of planning responsibilities from RAs to RDAs. This should include setting out explicitly how it expects regional planning to meet the accommodation needs of Gypsies and Travellers to be undertaken through the transitional period and beyond.

The Task Group has heard evidence that the different definitions used for Gypsies and Travellers for planning (Circular 01/2006) and housing purposes (the Housing Act 2004) are resulting in problems on the ground. This is an issue that is causing considerable concern amongst Gypsies and Travellers. It is important that the Government takes steps to examine this issue in more detail.

Ministers should meet Gypsies and Travellers to discuss their concerns about the different definitions of Gypsies and Travellers used for planning and housing purposes. Government time should also be set aside in the House of Commons to debate this issue openly.

Making it happen

We have set out above a number of recommendations to reinforce the strong policy framework that has already been put in place and to increase the pace of delivery on site provision. But there are already examples at both regional and local level that show that real change can be delivered now, where there is the focus and will to do so.

⁵ The Sub-National Economic Development and Regeneration Review was undertaken to inform the 2007 Comprehensive Spending Review. It was led jointly by HM Treasury, Communities and Local Government and the Department for Business, Enterprise and Regulatory Reform. The report of the review was published in July 2007, and set out the Government's plans to refocus powers and responsibilities to encourage economic growth and tackle deprivation

TAKING THE LEAD IN PROVISION

The East of England Regional Assembly (EERA) knew that there were significant problems within the region with unauthorised developments and encampments by Gypsies and Travellers and recognised that local planning authorities needed to increase the number of authorised sites urgently in order to reduce the community tensions that were becoming evident. Because their RSS had progressed too far to include policies on Gypsies and Travellers, they decided to undertake a Single Issue Review of the RSS to ensure the accommodation needs of Gypsies and Travellers within the region were properly catered for.

They consulted on two possible options for distributing the number of pitches needed – even though a small number of GTAAs had yet to be finalised. EERA took the data from the completed GTAAs and, being mindful of the probable outcomes of those not yet completed, consulted on:

- a distribution of pitches which recognised where unauthorised developments and encampments were most commonly found, and so allocated pitch numbers based on the local authority areas where need was most evident; and
- a distribution of pitches which suggested a base allocation of 15 pitches – as many as could be provided by one, reasonably sized site – to all local authorities in the East of England. Some local authorities would therefore see an increase in the number of pitches required, whereas those with the highest level of need would see a drop as other authorities did more to meet needs.

Different views have been expressed on the options set out in the consultation, and EERA are now well placed to take a view on how the need for accommodation for Gypsies and Travellers should be delivered on the ground. EERA recognised the urgency of meeting those needs and, as a result, local authorities are now in a much better position to start assessing which sites would be suitable for meeting the pitch numbers the Single Issue Review of the RSS would require them to provide.

As EERA's experience shows, it is possible to make significant progress in implementing government policy when there are good levels of commitment and drive. It is now time that other regions began to tackle this issue in the same proactive way.



Delivering pitches for those who live in caravans is about delivering homes

At the heart of many of these issues is a crucial message: accommodation for those Gypsies and Travellers who live in caravans may not be delivered through bricks and mortar, but it is about delivering homes. The Task Group expects to see all delivery partners recognising the importance of meeting the accommodation needs of this vulnerable group, a group where 20-25 per cent of those living in caravans are effectively homeless. The Government has set out clearly its ambitious programme for meeting housing needs – Gypsies and Travellers must benefit from this in the same way as the rest of the community.

The framework is in place, and the example of EERA shows that real progress can be made where there is the determination to do so. National, regional and local government must all demonstrate that they have the will to play their part.

Enforcement

Whilst the need for more authorised site provision is, in principle, an issue on which most people would agree, there are widely differing perspectives on the role and efficacy of enforcement action – both in respect of unauthorised sites and of antisocial behaviour. Generalisations are always dangerous, but some amongst the settled community may take the view that Gypsies and Travellers “play the system” to get away with actions that would not be tolerated for other parts of the community; whilst many Gypsies and Travellers feel that they are persecuted for being homeless and victimised as perpetrators of antisocial behaviour that is no more characteristic of their community than any other.

It is clear that, with such a divergence of view, the issue of enforcement action has the potential to breed serious tensions within local communities. The Task Group has examined the existing policy framework and we set out below what we consider to be the challenges and opportunities to deliver a fair and effective enforcement regime.

Key challenges

The challenges to fair and effective enforcement against both breaches of the planning framework and wider issues of crime and antisocial behaviour fall into four main categories:

- **complexity**, with the involvement of a number of different agencies with differing roles and powers
- **speed** of action
- effective **communication**, whether between agencies, with the settled community, or with Gypsies and Travellers; and
- **consistency** of practice.

Where enforcement action is being taken to remove people from either unauthorised developments or encampments, there is a further challenge: the tension between the enforcement of the law and the fact that such enforcement may deprive people of their home and access to education and other basic services. That tension is a key reason for the Task Group's focus on the provision of authorised sites as a necessary corollary to an effective enforcement regime.

The powers available to enforcement agencies to tackle unauthorised sites vary according to the circumstances. For unauthorised development, where Gypsies and Travellers own the land on which they are camped but have not received planning permission for development, the powers are the same as those for any other breach of planning control. These are contained in the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 and Planning and Compulsory Purchase Act 2004. Policy responsibility rests with Communities and Local Government, and enforcement action is the responsibility of local planning authorities.

For unauthorised encampments, the picture is different and more complex. In such cases, Gypsies and Travellers are trespassing on land owned by someone else, and there are a range of steps that can be taken by the different interested parties – the landowner, local authority or the police. Those steps will vary according to the circumstances of the case: the police can, for example, remove identified individuals and vehicles from any land immediately and without the involvement of the courts – but only where an alternative site is available. Since the issue is fundamentally one of trespass rather than breach of planning control, national policy responsibility lies primarily with the Home Office.

The Task Group has considered the complexity of the existing policy framework carefully. We take the view that it reflects the range of different circumstances to which it must be able to respond. Nevertheless, that complexity presents significant challenges for enforcement agencies in understanding their roles and responsibilities in an area where timely and effective action is critical to maintaining public confidence. Furthermore, given the relatively small number of unauthorised Gypsy and Traveller developments, many planning officers and planning enforcement officers have limited opportunity to develop specialised expertise in this area.

We therefore welcome the publication by the Home Office and Communities and Local Government of guidance on enforcement against unauthorised encampments, and Communities and Local Government's guidance on enforcement against unauthorised developments and on local authorities' responsibilities and powers. We would encourage officers to familiarise themselves with the available guidance, and to draw on good practice from other areas. The Improvement and Development Agency's Community of Practice on issues relating to Gypsies and Travellers will be a useful resource to facilitate this information exchange.

Improving delivery partners' understanding of their roles and responsibilities should help reduce the time taken to tackle unauthorised sites – a frequent source of frustration to the settled community. It is important to recognise, however, that immediate enforcement action may not be appropriate in all cases. An unauthorised encampment on a school playing field is likely to require a quite different approach to one in a location with little or no impact on public amenity and in an area where there are no authorised pitches available. What is important is to ensure that rapid action can be taken where it is needed, and that public confidence is maintained through effective communication and an even handed approach.

As set out above, under sections 61 and 62 of the Criminal Justice and Public Order Act 1994 the police do have powers to take immediate action to remove people and vehicles from any land without need for approval through the courts. Section 61 allows such action to be taken where the landowner has asked the unauthorised campers to leave the land by a particular date and time and they have failed to do so. In addition, one of the following conditions must also be met:

- the unauthorised campers must have either caused damage to the land or property on the land
- they have used threatening, abusive or insulting words or behaviour to the occupier, a member of his family or his employee or agent; or
- there are six or more vehicles on the land.

The powers of section 62A-E are stronger, in that only two people and one vehicle need be on the land, and the police may arrest and detain the campers if they fail to leave when directed to do so, or return to the district within three months of the direction. There is, however, one crucial limit to the exercise of section 62 powers – there must be an alternative location to which the campers and their vehicles can move.

The Task Group has heard evidence that this restriction has a significant impact on the extent to which these powers can be used on the ground. We take the view that the answer cannot be to remove this barrier: without it, such action is not only inhumane but expensive and inefficient, with the problem of enforcement simply moved from one location to another. Rather we must return to the issue of site provision: local authorities must take the necessary steps to ensure that adequate accommodation is available for Gypsies and Travellers in their areas if they are to be able to take rapid and robust action against unauthorised encampments in inappropriate locations. This will mean the provision not only of permanent sites, but transit sites and emergency stopping places with appropriate facilities for those travelling from place to place.

We recognise, however, that few if any areas are likely to be able to offer such long term alternatives immediately. It is therefore important that authorities take a pragmatic approach in finding solutions that are acceptable to both the settled community and Gypsies and Travellers. We consider too, that many of the practical issues around enforcement could be ameliorated by better communication – with the settled community, with Gypsies and Travellers and between those with a role in implementing enforcement action. These are practical, rather than a policy issues, and we consider them in more detail in the next chapter.



Site provision will make it easier for local authorities to take enforcement action against unauthorised encampments

The lack of consistency in the approach taken by different local authorities to enforcement is a cause of considerable concern to the Task Group. For some authorities, effective communication has meant that enforcement action is carried out with minimal resource and with the least possible distress to those concerned. For others, the approach appears to focus on the erection of physical barriers to land entry, reinforced where necessary by direct action carried out without prior warning or information on alternative locations.

While it is of course important that authorities are able to assess what action may be appropriate on a case-by-case basis, it appears that the reasons for decisions on enforcement action are often unclear. The guidance and information exchange referred to above will have a role to play in ensuring that any differences in the approach to enforcement action are justified by individual circumstances. However, there is also a role for local authorities in ensuring that their approach is both fair and is seen to be fair by all parts of the communities they serve.

Planning Policy Guidance 18 and the associated Good Practice Guide already require local authorities to publish enforcement policies, and these should be subject to impact assessments on race equality and race relations, in line with local authorities' responsibilities under the Race Relations Act. It is important that such policies set out explicitly the approach that will be taken to enforcement action against unauthorised encampments and developments.

Local authorities should ensure that their published planning enforcement policies include their approach to enforcement against unauthorised encampments and developments, and set out clearly what all members of the community should be able to expect.

The same issue of consistency applies to the approach taken by the police towards unauthorised encampments.

Police services should publish their policies on dealing with unauthorised encampments, setting out clearly what all members of the community should be able to expect.

Options to improve the approach

In addition to the issues set out in the previous section, the Task Group considered whether there should be changes to the existing policy framework that would make enforcement action more effective. Options suggested in evidence to the Task Group were:

- linking the timetables for planning and enforcement appeals
- changes to the regulation of enforcement agents
- criminalisation of unauthorised development
- removal of retrospective planning permission
- extra protection for designated sites; and
- extension of temporary stop notice (TSN) powers.

This section sets out the Task Group's conclusions and recommendations on these issues.

LINKED PLANNING AND ENFORCEMENT APPEALS

Different views were taken within the Task Group on the extent to which the current approach to handling cases where developments were subject to both planning and enforcement appeals was reasonable. The majority of Task Group members, however, felt strongly that this was an area where changes could be made to improve the effectiveness of the system and public confidence in its resilience to abuse.

Under the current process, unscrupulous developers are able to manipulate the appeals system to ensure that they have the maximum amount of time on an unauthorised development. They can do this by submitting appeals against a refusal of planning permission and an enforcement notice at separate times. Since a decision on an enforcement appeal will not usually be taken while a planning appeal is underway, this can mean a long delay before enforcement action can be taken. As highlighted in our interim report, we considered that steps could be taken to redress this situation, and we are pleased that the Government has included proposals in the planning white paper, *Planning for a Sustainable Future*, to take this forward.

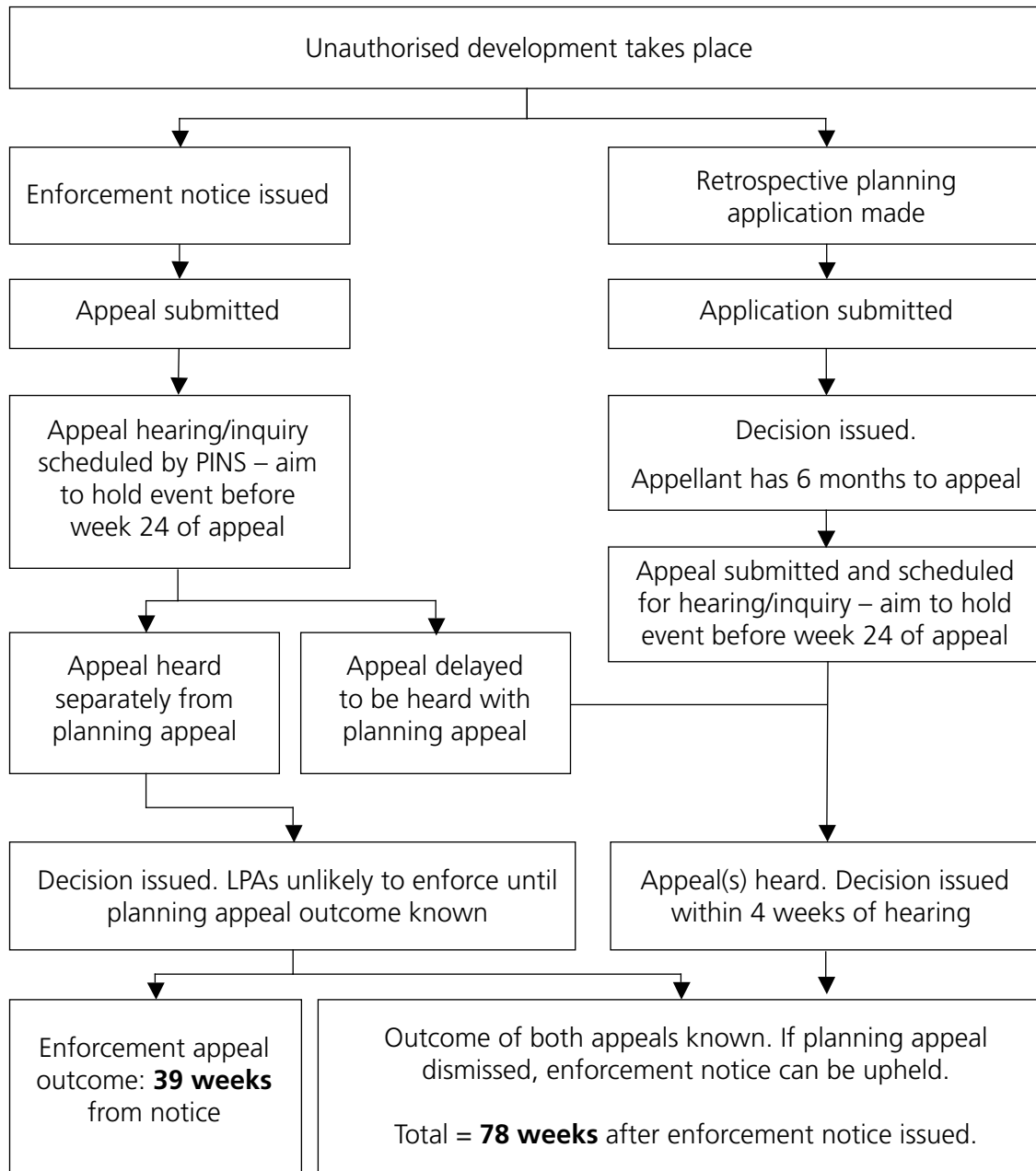
In cases where planning permission is refused and an enforcement notice is issued, the time limit for submitting a planning appeal should be reduced to the same period as for the enforcement notice. This would allow both appeals to be linked and considered to the same timetable, reducing the time taken to determine appeals by up to 39 weeks. This change would apply to all developments, whether owned by Gypsies and Travellers or by anyone else. The flow charts below show the current process and how our proposed revisions would work.

The Government should proceed with the proposal in the planning white paper to reduce the time limit for planning appeals when the same development is the subject of an enforcement notice.

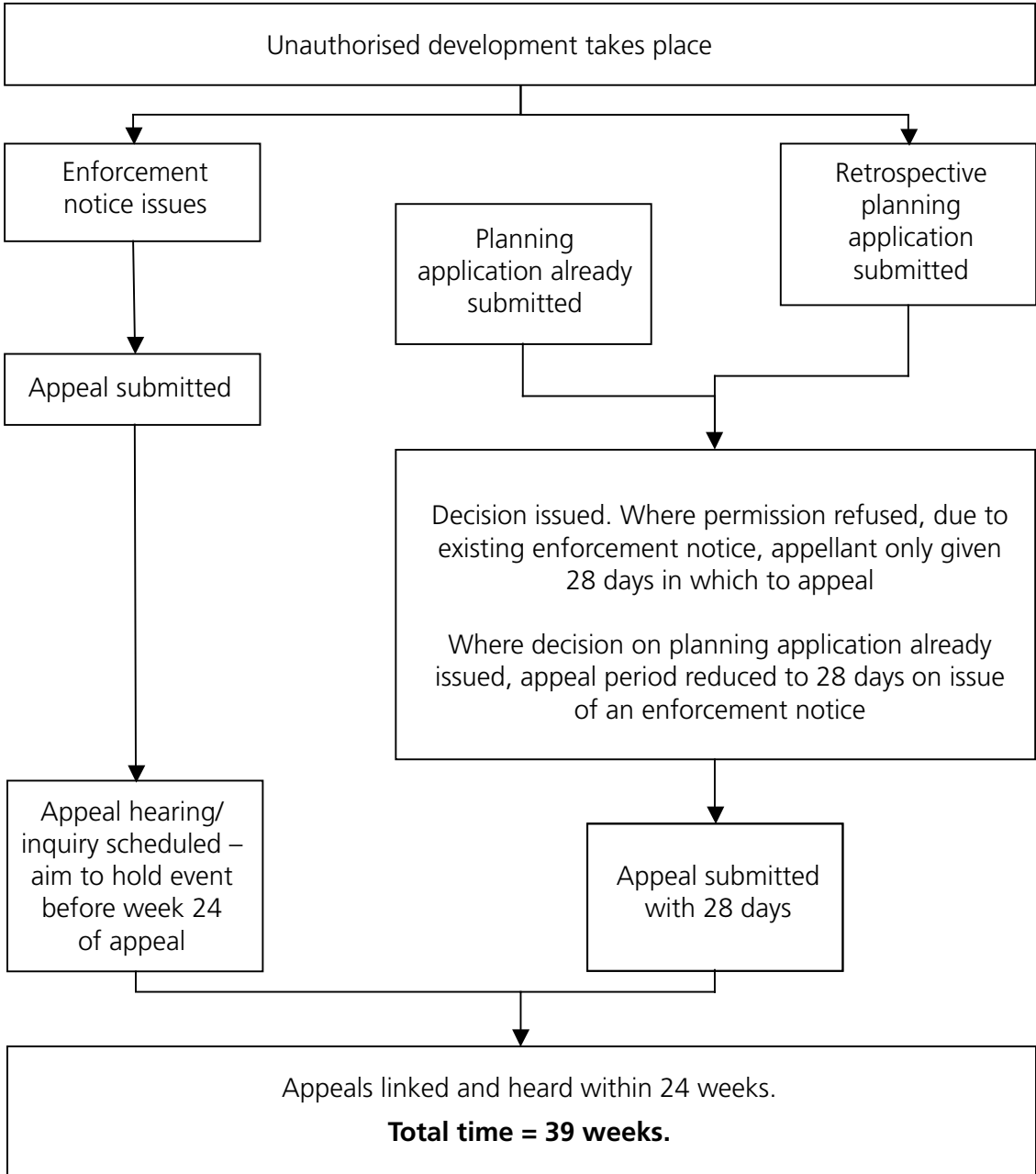
The Task Group recognises the impact that such a change may have on the workload of the limited number of advisors who are currently prepared to take on work relating to planning cases involving Gypsies and Travellers. It is important that steps are taken to increase the capacity of this sector to ensure that developers, including Gypsies and Travellers, remain able to access and utilise expert advice within the shortened timeframes we are proposing.

The Ministry of Justice should consider how capacity might be increased for specialist legal advice on planning issues, to allow developers – including Gypsies and Travellers – to access such advice within a shortened appeal period.

Current situation – total length of time = 78 weeks from enforcement notice being issued



Effect of proposed changes – total length of time = 39 weeks from enforcement notice being issued



REGULATION OF ENFORCEMENT AGENTS

While enforcement agents can never hope for popularity among the people against whom action is being taken, the Task Group has heard disturbing reports from Gypsies and Travellers of excessive force and dubious methods being employed by private firms of bailiffs, and have seen video evidence of the distress that these evictions can cause. At present, private bailiffs have no supervising body, and there is no recourse for anyone who is treated unfairly other than to take private action through the courts. In view of the impact of their work on people's lives and property, the Task Group is strongly of the view that regulation of the sector is needed.

The Task Group was therefore pleased to take evidence from the then Department for Constitutional Affairs (DCA), which had identified the need for regulation of enforcement agents carrying out distress for rent, and to be able to feed into a consultation exercise on this subject. This was an ideal opportunity to address the issues faced by Gypsies and Travellers, and we are reassured by the seriousness with which officials responded. It is, however, important that this consideration results in real change to the situation on the ground.

In taking forward its proposals on the regulation of enforcement agents, the Ministry of Justice should ensure that regulation covers the actions of private firms of bailiffs evicting Gypsies and Travellers from sites, and that the system provides for a complaints mechanism if standards are not met.

CRIMINALISATION OF DEVELOPING WITHOUT PLANNING PERMISSION

The Task Group considered suggestions that it be made a criminal offence to create a new dwelling, such as the stationing of a caravan on land (and the associated works that go with it), without planning permission. It has been noted that, in many cases where breaches of planning control took place, the developer claimed to be ignorant of the need for planning permission (this is not, of course, a situation restricted to developments by Gypsies and Travellers). Some have argued that no-one could realistically claim to be ignorant of the need to seek planning permission for a new dwelling, and that criminal sanctions should therefore be applied to such a breach of planning control. It has been suggested that such a change might be made when sufficient levels of site provision were in place, providing an incentive for the creation of new sites.

The Task Group has not been convinced by this argument. It is already a criminal offence to ignore a planning enforcement notice with a penalty, on summary conviction, to a fine not exceeding £20,000; and, on conviction on indictment, to an unlimited fine. Furthermore, it would clearly be inappropriate to criminalise an activity for only one part of the community, and any such change would need to apply to all developments of new dwellings. In order for the police to be able to take enforcement action against such an offence, officers would require an understanding

of planning law which they do not currently have, and could not be obtained without disproportionate cost for the minimal benefit of such a provision.

REMOVAL OF RETROSPECTIVE PLANNING PERMISSION

There are regular cases of Gypsies and Travellers developing sites before applying for planning permission retrospectively. The Task Group heard evidence from some who suggested that this approach resulted from a lack of confidence by Gypsies and Travellers in the fairness of the planning system and a view that by developing a site in this way they would at least gain a place to stay while applications were considered. For the settled community, however, this approach can be seen as an attempt to circumvent planning rules. In fact, the process of applying for retrospective planning permission can be a long one for any development, and enforcement action is not normally taken against anyone while an application is being processed. It was suggested that stopping anyone from applying retrospectively for planning permission would help prevent damage by inappropriate development, ensure that enforcement action could be taken quickly, and help increase confidence in the integrity of the planning system.

Despite the problems that retrospective planning permission can cause, we have come to the view that its removal would create more problems than it would solve. Anyone who unintentionally breached planning control would be affected by such a change, however minor the nature of the breach – raising the height of a fence, for example; or, in the case of a new dwelling being unintentionally created, the use of an annex for independent habitation by an elderly relative.

INTRODUCTION OF EXTRA PROTECTION FOR AREAS WITH SPECIAL LAND DESIGNATIONS

It was suggested that extra protection could be given to areas with special designation, such as Green Belt land, or Sites of Special Scientific Interest (SSSIs). This could include removing permitted development rights from these areas.

At present, certain types of development are allowed without planning permission. These include the installation of utilities such as electricity and water. It was argued that removing these rights would make it more difficult to develop areas without permission, by allowing planners to spot work that might precede the establishment of an unauthorised site.

The Task Group considered this option, but took the view that removing such development rights would have a negative effect on a range of land uses, without necessarily allowing planners to identify early signs of an unauthorised development. Farmers, for example, often need a supply of water or electricity to their fields or outbuildings, and requiring them to seek planning permission for this would place a new burden upon the industry. In addition, Gypsies and Travellers on unauthorised

developments often do not use mains utilities. Installing gas, electricity and water, particularly in isolated areas, can be expensive. We have been told that most Gypsies and Travellers would choose not to make such a large investment in a site they would have to leave if planning permission were not granted, preferring to use generators and bottled gas and water.

EXTENSION OF TEMPORARY STOP NOTICE POWERS

In March 2007, Communities and Local Government published a consultation document setting out proposals to extend temporary stop notice powers to allow local authorities to require caravans, including those used as a principal dwelling, to be moved from the site of an unauthorised development if a suitable alternative was available. The Task Group took evidence on the proposed amendment and considered that the requirement for extra site capacity to accommodate Gypsies and Travellers meant that the ability to use such a power would currently be extremely limited. We note that the Government's response to the consultation has now been published, and agree with its conclusion that it is not appropriate to proceed with such a change at the present time.



Local authorities have a statutory duty to promote race equality and good race relations

Race relations

For Gypsies and Irish Travellers recognition as ethnic groups under race relations legislation should mean that they enjoy the protection afforded by the law to such groups. Of particular relevance here are the statutory duties of local authorities under the Race Relations Act to have due regard to the need to promote race equality and good race relations in exercising their functions. Authorities are also required to take certain procedural steps in doing so, including carrying out consultation and impact assessments.

The Commission for Race Equality's 2006 report on Gypsies and Irish Travellers, *Common Ground*, found that many local authorities were failing to fulfil these duties. It noted that:

“Many authorities have not considered the possibility that tensions over unauthorised encampments and developments may be connected to their failure to provide and manage sites, blaming Gypsies and Irish Travellers instead for antisocial behaviour.”⁶

⁶ Commission for Race Equality, 2006, *Common Ground: Equality, good race relations and sites for Gypsies and Irish Travellers*

At the same time, nearly half of local authorities with public sites admitted that they had done nothing to promote good relations between the travelling and settled communities; and while nine out of ten authorities reporting community tensions said that unauthorised encampments were a cause, only one in ten had identified them as being relevant to race equality and race relations in their statutory race equality schemes.

For members of the travelling community who are Gypsies and Irish Travellers, then, the protection that should be offered by the law appears not to be delivered effectively in practice. We consider the role of local authorities in taking practical action to address this in Chapter 5. It is important, however, that those authorities who see their duty to promote race equality and good race relations as somehow not applying where Gypsies and Irish Travellers are concerned are properly and publicly held to account.

The Equality and Human Rights Commission should ensure that any local authorities who are failing in their duties under the Race Relations Act towards Gypsies and Irish Travellers and the communities in which they live are reminded of those duties; and should take robust enforcement action against any continued failure to comply.

Conclusions on the policy framework

In summary, we take the view that the policy framework for both site provision and enforcement is broadly right, and that race relations legislation should provide both appropriate protection for those of the travelling community who are Gypsies or Irish Travellers and a framework for promoting good relations with their neighbours. Enforcement will be improved by clear policies transparently and fairly applied by local authorities, by linking timetables for planning and enforcement appeals, and by the robust regulation of enforcement agents. But real improvements cannot be made while the provision of authorised sites remains woefully inadequate for the needs of Gypsies and Travellers.

While there are issues that need to be resolved by central government in relation to the policy framework for site provision – notably around the transfer of regional planning responsibilities from Regional Assemblies to Regional Development Agencies, and on the continuing importance of site allocations DPDs for Gypsies and Travellers – the key issue is the pace of delivery. Local authorities must now demonstrate that they are able to rise to the challenge presented by the recent Local Government White Paper and make real progress on an issue that is often deeply unpopular but crucially important. Communities and Local Government must ensure that the clear timetable set for progress does not end with GTAAs, and that it continues to monitor the pace of delivery on the ground. And ministers must also

show the courage of their convictions in directing authorities that fail to take the steps that are necessary.

In essence, our conclusion is that it is the implementation of the policy framework that must improve if homelessness amongst Gypsies and Travellers and the problems associated with unauthorised camping are to be addressed. That will require everyone with a part to play to recognise their role, understand their powers and responsibilities, and take the action that is so urgently needed.

Chapter 3

Policy in action: enforcement

This chapter considers the issues around enforcement as it applies to Gypsies and Travellers – both against breaches of the planning system, and against some of the problems associated with unauthorised encampments and developments.

A need for repeated enforcement action is a sign of failure. Such action is costly and stressful for all concerned, but is the inevitable consequence of ignoring the need for adequate levels of accommodation for Gypsies and Travellers. At the same time, planning and other laws apply to Gypsies and Travellers in the same way as anyone else. Both the settled community and the vast majority of Gypsies and Travellers who abide by the law must be confident that action will be taken against those who do not.

We conclude that existing enforcement powers are sufficient, but that there are considerable improvements that could be made to the way in which they are used.

The watchword for enforcement must be fairness. In the final analysis, it is only when both the settled community and Gypsies and Travellers feel that they are treated fairly that we will be able to say that enforcement action is truly effective.

Getting the basics right

This report has already examined the scope of existing enforcement powers and recommended some changes to the policy framework. **But overall our message to government, enforcement agencies and the public is that existing powers are sufficient.** Where they are used well, enforcement can be rapid and effective. Poor practice may be all too prevalent, but the steps needed to improve matters need not be difficult or expensive.



The provision of a transit site in Bristol dramatically cut enforcement costs

At the heart of the issue lies the provision of adequate, decent quality accommodation to meet the needs of Gypsies and Travellers. During the lifespan of the Task Group, we met with several local authorities with differing policies on enforcement. It became obvious that those authorities that had already made progress on site provision had better results than those that resorted only to enforcement action. To take perhaps the clearest example, Bristol City Council saw enforcement costs fall from around £200,000 to less than £5,000 per year following the provision of a transit site

costing £450,000. With the Commission for Race Equality citing estimates of around £18m spent on enforcement action every year,⁷ new sites in many areas will effectively pay for themselves in the short to medium term.

Conversely, even the most effective enforcement team will only be able to apply a sticking plaster to a gaping wound if site provision is inadequate. The Task Group took evidence from a cross-disciplinary team of dedicated and experienced staff in one local authority area who were making the best of the situation in which they were working. Cooperation between the agencies included in the team was good, and the fact that the same people always dealt with Gypsy and Traveller issues meant that they had developed a consistent approach and created relationships with the local travelling communities.

The members of the team who gave evidence to the Task Group were obviously expert at carrying out enforcement action, and had worked hard to build up good relationships between themselves and the local travelling community. Nevertheless, the Task Group was concerned by what appeared to be a continuous cycle of enforcement action against the same people. Having found no evidence of any policy in the area actively promoting site provision, we were forced to conclude that in effect the same people were simply being moved from place to place. This duplicates the situation described in an Audit Commission report of 2001 as a “continuous cycle of ‘moving on’ illegal encampments,” and a “wasteful use of resources.”⁸

Nevertheless, while adequate site provision may be vital, there will always be some people who do not play by the rules. This will be no less true for Gypsies and

⁷ Commission for Race Equality, 2006, *Common Ground: Equality, good race relations and sites for Gypsies and Irish Travellers*

⁸ Audit Commission, 2001, Best Value Inspection: Northampton Borough Council: Gypsy and Travellers Unauthorised Encampments

Travellers than any other part of the community. The current lack of decent, well managed sites may mean that enforcement action is taken more frequently than should need to be the case; but it will always be important to ensure that appropriate powers are in place to tackle both breaches of planning control and wider issues of crime and anti-social behaviour. A failure to tackle such issues helps no-one. The settled community lose confidence in the system of enforcement; Gypsies and Travellers suffer the consequence of a general perception that they are 'above the law', whilst often bearing the brunt of antisocial behaviour themselves (either from within or outside the community); and local authorities, the police and other enforcement agents lose the confidence of the settled community and Gypsies and Travellers alike.

These are difficult challenges – but the evidence presented to the Task Group demonstrated clearly that the powers already in place are sufficient to meet those challenges when they are used effectively.

A CO-ORDINATED APPROACH TO ENFORCEMENT

The Countywide Traveller Unit brings together a specialist multi-agency team to deal with Traveller issues across the County in a co-ordinated and proactive way. The CTU includes Traveller Liaison Officers, a Police Inspector and the Health Visitor for Travellers, who work together to deal with Traveller matters on behalf of all the Councils in Northamptonshire.

The CTU exists to reduce friction between the settled and travelling communities. It does so by working to develop a better mutual understanding of cultural differences; and consistently and fairly enforcing a code under which unauthorised encampments will be tolerated or evicted, and services delivered to both communities.

As a result of working closely with Gypsy and Traveller communities, the CTU is able to carry out enforcement action with only one police officer present, instead of the large numbers needed in other areas.

Both the Northamptonshire example and other evidence heard by the Task Group highlighted three areas where good practice was particularly important to effective enforcement:

- communication and relationship building
- timing of action/period of notice; and
- considering the use of an intermediary.

COMMUNICATION AND RELATIONSHIP BUILDING

It is clear that good relationships between travelling communities and the police and local authorities are invaluable. One of the many barriers to community cohesion is the lack of trust that many Gypsies and Travellers have in authority, making them

reluctant to report crime within their community, and hampering cooperation between Gypsies and Travellers and local authorities. Taking time to build those relationships and communicating effectively can bring real dividends. In the case of unauthorised encampments, for example, we heard that in many instances it was possible to deal with the issues through negotiation, without having to use formal enforcement powers. And where those powers are used, good relationships can mean that action is prompt and cost effective – the Northamptonshire experience of carrying out enforcement with a single police officer is a striking example of what can be achieved. At the same time, communication between enforcement agencies is vital to ensuring that everyone understands their role in taking action to deal with the situation. A multi-disciplinary team is one, but not the only way, to help achieve that communication.

TIMING OF ENFORCEMENT ACTION

There can be no reason not to give those living on an unauthorised site due notice of an intention to carry out an eviction. This leaves open the option of moving voluntarily before such action is taken – an option which, the evidence presented to the Task Group suggests, people will not infrequently take.

In contrast, many local authorities appear to treat the situation as one of inevitable and violent conflict, where dawn evictions carry the benefit of surprising and disorientating those on site. It is true that such an approach may in some cases bring short term gains for that authority (as long, of course, as it is successful in escorting people to the boundary of its area); but it is another nail in the coffin of Gypsies' and Travellers' trust in and respect for authority, and will almost certainly store up problems for the future – next time around, both sides will ensure that they are prepared for confrontation.

Due notice of the intention to evict should also be accompanied by information on alternative locations onto which people may move. As set out in Chapter 2, enforcement powers are considerably stronger where alternative, authorised pitches are available. We recognise that for many local authorities, the situation where such spare capacity is available is a long way in the future. Unless alternatives can be presented to those living on unauthorised sites, however, eviction by one local authority is likely to result only in an unauthorised encampment elsewhere.

The Task Group wishes to highlight the existing powers provided by the Caravan Sites Act 1960, which allows up to three caravans to be stationed on an area of land of at least five acres for a period of up to 28 days in a year, with the consent of the landowner. Furthermore, the Secretary of State has powers to amend by secondary legislation either the area of the land or the period of time which may be treated as permitted development. Local authorities and Communities and Local Government should give careful consideration as to whether use of these powers might facilitate

the establishment of a network of emergency stopping places which might be used as short term alternatives for those moving from unauthorised encampments.

Local authorities and landowners, their enforcement agents, and the police should give clear notice of an intention to carry out an eviction, to provide an opportunity for those living on an unauthorised site to leave voluntarily; and should provide information on alternative, appropriate places to go.

In advance of delivering increases in permanent and transit site provision, local authorities should urgently consider the scope for emergency stopping places within their areas that can provide an alternative location for Gypsies and Travellers on unauthorised sites in dangerous or damaging locations. Such stopping places might be on local authority owned land, or delivered in partnership with other landowners, and might be facilitated using the provisions of the 1960 Caravans Act on permitted development. They should provide basic facilities on an as needed basis to enable Gypsies and Travellers to dispose of waste appropriately and prevent costly clean up exercises when people move on.

Using an intermediary

In some cases, the presence of an intermediary may be helpful. Enforcement action can be highly stressful not only for those against whom action is being taken, but also for those carrying out that action. The presence of a calm third party to negotiate a solution may help action to go more smoothly, minimising distress for those involved.

Minimising the impact of unauthorised encampments

Unauthorised encampments and problems such as fly-tipping that may be associated with them are a major cause of community tensions. Residents in areas with a history of problematic unauthorised encampments are less likely to accept the need for permanent authorised sites in the neighbourhood, whilst such areas are at the same time likely to be those where Gypsies and Travellers face the most pressing need for accommodation. A disruptive unauthorised encampment can confirm prejudice against Gypsies and Travellers, and the damage done to community relations cannot easily be undone.

It may be possible for local authorities to anticipate some unauthorised encampments, if they have good relationships with the local travelling community. Events such as weddings or funerals may lead to large numbers of Gypsies and Travellers arriving, and prior intelligence can enable arrangements to be put in place to minimise the effects of unauthorised camping.

MANAGING UNAUTHORISED ENCAMPMENTS

Wakefield Metropolitan District Council successfully managed a large unauthorised encampment by applying policy in a pragmatic way. The encampment in question was formed when large numbers of mourners arrived following a death on an authorised site. The unauthorised campers moved onto the nearby Common, an area where under normal circumstances no camping of any kind is allowed, and any vehicles or caravans would be removed in a few hours.

Due to the obvious sensitivity of the situation, Wakefield officers worked with the campers, police, press, elected members and the settled community to allow them to stay for the funeral. Some of the caravans were accommodated on the authorised site temporarily. The campers organised their own skips and portaloo facilities. When it was time to leave, they carried out a litter pick of the whole site, leaving the Common in a good, clean state.

Not all unauthorised encampments are disruptive, and enforcement action can be expensive. With good management and cooperation between local authorities and Gypsies and Travellers, problems can be minimised. Local authorities provide services to the settled community in exchange for a fee, and such an approach to providing basic amenities for Gypsies and Travellers in such circumstances can help to minimise environmental damage and subsequent clean-up costs.

Where it is not expedient to take enforcement action against unauthorised encampments, local authorities should consider providing basic facilities, such as skips and chemical toilets, for a reasonable fee payable by Gypsies and Travellers on site.

Tackling unacceptable behaviour

Unfortunately, as in any community, a minority of Gypsies and Travellers do not behave acceptably. Where this is the case, local authorities and the police should seek to ensure that appropriate action is taken. The behaviour of this minority of Gypsies and Travellers only fuels the prejudice that many people feel, and should be dealt with as it would be for any other member of the community when it occurs.

FLY-TIPPING

It is a common concern among the settled community that Gypsies and Travellers moving into an area will lead to increased levels of fly-tipping, and the Task Group visited an area where this was a particular issue in preparing this report. We concluded that there are a number of steps that can be taken to tackle both the practical problems that can lead to fly-tipping, and the perceptions that this is an offence for which Gypsies and Travellers bear a disproportionate level of responsibility.

Problems with access to waste disposal services are one simple cause of fly-tipping by Gypsies and Travellers. Providing skips or rubbish bags at unauthorised encampments, and ensuring that Gypsies and Travellers who are new to the area know where civic amenity sites can be found and are able to access them are equally simple methods to help address those problems.

Local authorities also need to be aware that if fly-tipping takes place, it may encourage others to dump rubbish in the area. Quick action should therefore be taken to remove any rubbish left at sites to prevent the problem from becoming worse.

Use of unlicensed waste carriers to dispose of rubbish can also lead to that rubbish being dumped – possibly in the vicinity of authorised or unauthorised Gypsy and Traveller sites. The presence of fly-tipping near to a site does not necessarily, however, indicate that site residents are to blame. In some cases, fly-tippers may choose to dump waste near to a site in the belief that Gypsies and Travellers will be blamed. If there are suspicions that this may be the case, one simple solution may be to provide the site residents with a disposable camera to photograph fly-tipping as it takes place. This is a method which has reportedly been used successfully in the past.

A wealth of information and advice for local authorities and landowners on fly-tipping is available from the Environment Agency at www.environment-agency.gov.uk.

Antisocial behaviour

It is a common misconception that levels of crime and antisocial behaviour are higher in the vicinity of Gypsy and Traveller sites. While there is no evidence that this is the case, such perceptions challenge community cohesion and feed opposition to the development of new sites.

Gypsies and Travellers acknowledge that there are members of those communities who commit crimes and behave anti-socially, as there are those within the settled community who do so. It must also be recognised that Gypsies and Travellers may be the victims of crime and anti-social behaviour both from within and outside the travelling community, experiences which they may feel reluctant to report to the police.

Communities and Local Government has committed to producing guidance on managing antisocial behaviour as it relates to Gypsies and Travellers, and the Task Group has had the opportunity to comment on an early draft of the document.

We encourage the Department to ensure that guidance on tackling antisocial behaviour is completed at the earliest opportunity. This should support local authorities and the police in dealing with Gypsies and Travellers' experience of antisocial behaviour either as victims or as perpetrators.

Chapter 4

Policy in action: site provision

Site provision is the single most important means of tackling the problems faced by Gypsies and Travellers, and the difficulties associated with unauthorised encampments and developments. It is therefore critical that the policy framework to deliver more sites is implemented effectively.

This chapter sets out the Task Group's findings on that implementation. It notes our concern at the pace of delivery and value for money of new provision, and at the extent to which the granting of temporary planning permission for privately owned sites may be storing up problems for the future.

Finally, it records those issues which we have concluded to be of fundamental importance in achieving a fair and sustainable supply of accommodation for Gypsies and Travellers: good site design and management; a range of options in line with those available to the settled community; and a home where residents have a reasonable degree of certainty that they will not face eviction without an opportunity to put their case.

Rising to the challenge

Increasing site provision lies at the very heart of the task for central government, regional assemblies and local authorities. A failure to achieve this will continue to condemn Gypsies and Travellers to the homelessness and poor access to services that has left them with the worst health and educational outcomes of any part of the community. At the same time, a lack of authorised sites makes enforcement action costly and essentially futile, whilst the inevitable unauthorised encampments result in loss of amenity to the settled community and damage their confidence in the ability of the Government and police to protect their legitimate interests. There are no winners in such a situation, and there can be no alternative but to take effective action to increase the availability of accommodation for Gypsies and Travellers.

With over 90 per cent of local authorities having Gypsies and Travellers either living in their area or passing through it, there are few that can afford to ignore this issue. The Task Group has been heartened by the progress that many local authorities

have made on Gypsy and Traveller issues during its lifetime, in particular in assessing accommodation needs – over 90 per cent of authorities have completed their reports or have them underway, with the vast majority expecting to meet Ministers’ deadline of the end of this calendar year. That means that the results of GTAA’s should now be providing a clearer picture of the level of need that exists, and local authorities must be ready to translate that information into a clear delivery plan.

Tackling myths and misinformation

It is clear that delivering more sites will not be easy. We have heard about the practical difficulties of finding land and resources. But it is clear to us that the key issue is neither of these – the land required to meet the accommodation needs of Gypsies and Travellers against the 240,000 bricks and mortar homes the Government plans to build each year is a drop in the ocean; whilst Communities and Local Government is currently making available 100 per cent grant funding to local authorities and Registered Social Landlords to meet the costs of new sites. The most significant stumbling block is opposition from members of the settled community, fuelled by negative perceptions of living near to a Gypsy and Traveller site.



Neighbourhood Watch schemes and good recycling facilities can be found in well designed sites

A key challenge, then, must be to address those fears. This may be a difficult task, but it is not a hopeless one. Work undertaken by the Joseph Rowntree Foundation on the experience of neighbours of three newly established Gypsy and Traveller sites showed that, a year after the development had been completed, members of the settled community said that most of their concerns had been entirely groundless⁹. These are the stories that need to be told, and developers – whether local authorities, Registered Social Landlords or Gypsies and Travellers themselves – must be ready to tell them.

The Task Group is aware of Gypsy and Traveller community organisations that can assist local authorities in presenting a balanced, informed consultation, and who can work with the local settled community in order to promote cohesion and mutual understanding of each other’s cultures. These organisations will be able to dispel common myths, such as that permanent sites are not necessary because Gypsies

⁹ Joseph Rowntree Foundation, 1996, *Research Paper 201: Neighbours’ Views of Official Sites for Travelling People: The Planning Exchange*

and Travellers travel constantly from place to place, whilst informing residents of the reality that some Gypsies and Travellers travel infrequently or not at all – for example, to allow children to attend school regularly – but continue to live in caravans as their ancestors have done for generations. Local authorities should explore these contacts when drawing up their communication strategy.

SITE PROVISION – A NEIGHBOUR’S EXPERIENCE

Although many settled residents are very apprehensive at the prospect of a site being established in their area, the reality of living near to a site is often nothing like they expected. The following is taken from a comment posted on an online forum on site design hosted by Communities and Local Government:

“... We have a small site very close to my house, which is in a group of houses in a rural area. Although there was objection when the site was first established (some time ago now) there has been a good integration of the families living there with others in the community. The success, I think, has been partly because 1. the site is quite small – 3 plots, one of which has been subdivided (although one has been empty for some time), and 2. the Gypsy residents have been there for several years, so have a commitment to the area and we all know each other by sight...”

(for full comment please see
forum.communities.gov.uk/node/40/252#comment-252)

Local authorities should give careful consideration to their communications strategy as an integral part of their plan for delivering new Gypsy and Traveller sites. This should include providing an opportunity for people to learn more about the experience of members of the settled community who are already living close to well designed and managed authorised sites.

Picking up the pace

Although some sites may gain planning permission on a temporary basis, through planning appeals, or through the Gypsy and Traveller Site Grant, local authorities have in the main chosen to wait for the Regional Spatial Strategy before preparing Gypsy and Traveller DPDs. That is very disappointing, and means the unnecessary continuation of the social and economic costs resulting from a lack of provision.

Delay can sometimes arise from difficulties in joint working between local authorities. Members of the Task Group visited one sub-regional group of local authorities that were having difficulty in agreeing how they should take forward the GTAA process. A key concern appeared to be that some feared neighbouring authorities would not play their part in meeting the needs of Gypsies and Travellers in their area. It is clearly unacceptable for any authority to take the position that it has ‘enough’

of any particular group within a community, or that it will only meet the needs of those people when its neighbours do likewise. At the same time, however, an uncoordinated approach to site provision can have serious practical implications for delivery and for the experience of Gypsies and Travellers on the ground. It is therefore important that authorities co-operate on their approach to site provision and the timetable for delivery. Such issues will require a mature and constructive approach, built on the recognition that a 'do nothing' option is acceptable for no-one.

The Task Group has considered possible interim measures that local authorities may be able to take until DPDs are prepared. These may include granting temporary planning permission for sites, tolerating unauthorised developments and encampments in locations that are not disruptive to the wider community, or working with landowners to find more innovative solutions.

As noted above, Circular 01/2006 sets out a clear expectation that local authorities will bring forward site allocations DPDs in advance of the RSS process where there is a clear and immediate need. At the same time, the Gypsy and Traveller Site Grant provided by Communities and Local Government has made £56m available for local authorities and RSLs between 2006 and 2008 to provide and refurbish sites. So far £36.4m has been spent providing 242 additional pitches, protecting a further 42 for longer term use and refurbishing 119 sites. In such circumstances, and with such a pressing issue of homelessness amongst the Gypsy and Traveller community, there can be no argument for delay.

It is clear that the outcome of GTAAs should represent the beginning of a new phase for local authorities. Armed with good information on accommodation needs, they should be well placed to pick up the pace in delivering sites – either themselves, through RSLs, or by supporting Gypsies and Travellers to navigate the planning process. It is equally important that central government maintains its commitment to site provision through this period.

Communities and Local Government should confirm that the Gypsy and Traveller Unit will continue in place to promote government policy, and that government will maintain the level of funding provided between 2006 and 2008 for the Gypsy and Traveller Site Grant in real terms, throughout the CSR07 period.

NO COST TO THE COUNCIL – FUNDING A NEW SITE

The Gypsy and Traveller Site Grant 2006 – 2008 was launched in October 2005 and local authorities were invited to submit applications for funding by the end of January 2006. This process took place when implementation of the planning framework by local authorities was still at an early stage.

Essex had not yet completed their Gypsy and Traveller Accommodation Assessment and Colchester are yet to adopt final site allocation policies for Gypsy and Traveller accommodation. However, Essex has a clear need for more authorised provision as it experiences one of the highest numbers of unauthorised developments in England. Essex was successful in obtaining £1,972,348 for the development of a brand new Gypsy and Traveller residential site in Colchester, a state of the art site design and a project which has been put in place with a sound consultation process and full engagement of the local community. This shows that local authorities with a clear need for more site provision can address this successfully and with support from central government.



The Gypsy and Traveller Site Grant can be used to refurbish existing facilities

Delivering value for money

Members of the Task Group have seen examples of refurbishment work undertaken on Gypsy and Traveller sites and discussed with residents across the country their experience of whether they feel they get value for money. For new provision, figures from applications for Gypsy and Traveller Site Grant put the average cost of a pitch on a new site at approximately £80,000. This figure masks large variations in the costs submitted by different local authorities, and appears disproportionate when compared to the cost of social housing and the type of product delivered. Such a price tag would mean delivering only a little over 1,000 new, publicly owned pitches through the CSR07 period if real terms funding were to be maintained for the Gypsy and Traveller Site Grant, and all public provision were to be funded in this way. It is vital, therefore, to look critically at whether proposals for new provision and refurbishment of existing sites are offering value for money for the public purse.

Several reasons have been postulated for the high cost of works:

- The cost of groundworks can often be particularly high, not least because of the tendency for Gypsy and Traveller sites to be located away from other forms of residential development. Available land may require remediation to address contamination, while sites in rural locations will often require expensive work to install utilities
- Contractors are often unwilling to work on Gypsy and Traveller sites, and may submit inflated bids to avoid winning contracts. This seems to be particularly the case for refurbishment work
- Local authorities appear in some cases to be reluctant to negotiate with contractors for a better deal. The availability of funding from central government in the shape of the Gypsy and Traveller Site Grant may compound this issue, reducing the incentive for local authorities to seek the best value possible.

A bid submitted in the 2007/08 grant cycle, demonstrates this reluctance by local authorities to seek value for money through their negotiations with contractors.

This particular bid outlined a case for refurbishment – the contractors quote included only lump sum quotations; no back up information to these high level costs was sought by the local authority before submitting the bid.

Therefore it was not possible to ascertain if costs were accurate. The validity of the costs were also drawn into question as the local authority had failed to secure a validity date for the submitted quotation originally issued in October 2006 – almost guaranteeing that the given quotation would incur increased costs, by the time any refurbishment works could commence.

We have nevertheless seen some examples of good practice in procurement. Ensuring that new sites use the same fixtures and fittings as other local authority housing, for example, has allowed some local authorities to take advantage of their bulk purchasing power to equip and maintain sites. Similarly, local authorities may wish to consider making site maintenance part of general maintenance contracts for social housing, ensuring that they take advantage of the economies of scale this can offer.

Local authorities should, where possible, ensure that contracts for fitting and maintaining social housing also cover publicly owned Gypsy and Traveller sites. Those authorities without a housing function beyond its Gypsy and Traveller sites should work with neighbouring authorities to identify contractors who can provide good quality and value for money.

Innovative approaches to provision are urgently needed to offer better value for money. There is no reason why, for example, 'self-build' schemes should not be available to Gypsies and Travellers as they are to other parts of the community. In the past, the scoring system used to assess bids for Gypsy and Traveller Site Grant has placed bids for innovative schemes at a disadvantage. We understand, however, that a new approach will be taken to scoring innovative bids in the second bidding round of 2007. Local authorities and Registered Social Landlords should take the opportunity this offers to look at new approaches to delivering good quality sites for improved value for money.

Gypsies and Travellers tend to express a preference for privately owned sites, and it is important that opportunities are available for new provision to be developed by Gypsies and Travellers themselves. High land costs are likely to be a significant barrier here, particularly in view of the difficulty of obtaining loans for such purchases generally, and the intense difficulties faced by many Gypsies and Travellers in accessing financial products.

Communities and Local Government should coordinate work with Gypsy and Traveller community groups, the financial industry and other relevant government departments to consider the development of financial products to support Gypsies and Travellers to develop their own sites.

Local authorities will, of course, be working with developers to address the accommodation needs of the wider community, and this too can provide important opportunities to deliver pitches for Gypsies and Travellers. The provision of affordable housing through section 106 agreements is well established, and Gypsies and Travellers should be able to benefit from such approaches in the same way as the settled community. Local authorities needing to deliver significant housing growth therefore have a key opportunity to deliver accommodation for Gypsies and Travellers as an integral part of this agenda.

Section 106 agreements may be used to provide for Gypsies and Travellers in this way either as part of the new development, or at another location. Aside from the arguments in favour of deliverability, however, incorporating pitches for Gypsies and Travellers alongside accommodation for the settled community in new developments has other potential benefits. Experience with other groups suggests that closer integration helps to erode misconceptions and distrust, while a development that from its conception accommodates both Gypsies and Travellers and the settled community removes the potential for friction that comes with a proposal to locate a new site in close proximity to existing bricks and mortar accommodation.

Local authorities should assess the scope to use section 106 agreements to deliver accommodation for Gypsies and Travellers as part of all new housing developments.

Despite the relatively high cost of bids for new site provision and refurbishment of existing sites, the Government should not be tempted to cut levels of funding for the Gypsy and Traveller Site Grant. While the current spending climate across government may make it tempting to do so, this would provide only a small short term saving. It would however, have a high cost, reducing the numbers of new sites provided for a community in desperate need, and undermining central government's message that this is an issue on which it expects to see real progress. The Task Group is encouraged by the Government's renewed commitment to ensuring that housing is available for those who need it most. Gypsies and Travellers must benefit from such commitments alongside the settled community.

The Task Group has also heard from Gypsies and Travellers who are concerned that they are being charged more for services such as gas or electricity, than they would if they were living in bricks and mortar housing. High utility bills must, of course, be viewed in relation to the amount of usage, and the addition of other costs that may be relevant and that are applied to all users – for example, charges for arrears or an inability to benefit from discounts for direct debit payments. Notwithstanding these points, however, charges in some instances do appear to be excessive. We would encourage local authorities who manage sites within their areas to work closely with residents and service providers to ensure that residents can be confident that charges are fair and that they are receiving value for money on a day to day basis.

On a related issue, members of the Task Group visited a Gypsy and Traveller site where residents felt that the level of rent that they were being charged by the local authority landlord was excessive. The issue of fair rents has been explored in relation to social housing for the settled community, and there would appear to be merit in looking at regulation of the rents paid by Gypsies and Travellers living on publicly owned sites.

Communities and Local Government should examine the case for regulating rents paid by Gypsies and Travellers living on publicly owned sites, in line with the approach taken towards other forms of social housing.

Temporary Planning Permission

Figures from Communities and Local Government suggest that more temporary planning permissions are now being granted for Gypsy and Traveller sites, with Planning Inspectors apparently affording greater weight to a lack of alternative accommodation. While this is giving a breathing space to the Gypsies and Travellers

and local authorities concerned, this is clearly not a long-term solution to the problems of site provision. In some cases, sites that have been given temporary planning permission are in unsuitable locations, which make it impossible to grant permanent permission. It is therefore important that local authorities recognise that new sites must provide sufficient provision for those living on developments with temporary planning permission and where it is unlikely that permanent permission will be granted.

TEMPORARY PLANNING PERMISSION – A MISSED OPPORTUNITY?

No report on site provision and enforcement could be complete without reference to what is probably the most infamous unauthorised site in the country – at Dale Farm in Basildon, Essex. While the scale of development at Dale Farm is far from typical, it provides a cautionary tale of how temporary planning permission can fail to address – and indeed sometimes exacerbate – fundamental problems with the supply of permanent accommodation for Gypsies and Travellers.

The site has a long and contentious planning history. Temporary permission was granted by the Secretary of State in 2005 with the intention that this would give the site residents and the local authority time to find a suitable alternative site. However, no such progress has been made, and the local authority has now received a homelessness application for the 400 people who claim that eviction from the site will leave them homeless. At the same time, opposition amongst parts of the settled community towards site residents has become ever fiercer, with parents from the settled community withdrawing their children from the school attended by children from Dale Farm, and the view regularly expressed in letters to the local press that Gypsies and Travellers living on the site are somehow ‘above the law’.

The lesson is clear: unless the period of a temporary permission is used to take active steps towards providing an alternative, permanent site, both local authorities and Gypsies and Travellers run the risk of finding themselves in exactly the same position when the permission expires as they were in before it was granted. Planning Inspectors may also see a lack of progress as a material consideration when deciding whether or not to make a temporary permission permanent, leaving local authorities with sites in locations that may not be the most suitable.

Creating a sustainable legacy

It will be essential that new sites do not repeat the mistakes too often made in the past. Providing more sites is crucial, but it is also essential that those sites support community cohesion and provide decent homes. In addition, the existing stock of poorly maintained, isolated and sometimes dangerous sites across the country simply does not provide a standard of accommodation that is acceptable in a civilised society. Addressing this historic under-investment will be an enormous task.

Site management and design

Central to achieving the aim of decent homes for Gypsies and Travellers will be the quality of site design and management. Good design is not only important aesthetically. It can make sites easier to manage and maintain, and can help to overcome some of the concerns that neighbours of potential sites may have. Many older sites, particularly those in public ownership, are not attractive places either to live within or to live next to. This need not be the case.

Communities and Local Government has recently produced consultation documents on both site design and management. These provide some important messages on the steps that should be taken to ensure that both new sites and refurbishment activity provide homes that will stand the test of time.

In particular, we would draw attention to the draft guidance on the appropriate size of sites, which also reflects the views of the Gypsies and Travellers who have given evidence to the Task Group. This notes that, while there are examples of large sites that work well, smaller sites of between six and twelve pitches are most popular amongst Gypsies and Travellers and are reportedly easier to manage.

Whilst small sites may in theory meet less opposition through the planning process, it is clear that meeting the accommodation needs of Gypsies and Travellers in this way will require the provision of a greater number of sites. It may be tempting for local authorities to take what is likely to be the path of least resistance, by seeking to meet the need for public provision by extending existing sites. While this may in some cases be appropriate, great care must be taken to ensure that sites remain manageable and to avoid ghettoising Gypsies and Travellers.

In considering whether new public provision should be provided through new sites or extensions to existing sites, local authorities should take into account guidance on the appropriate size of sites. It is unlikely to be appropriate for the accommodation needs of Gypsies and Travellers to be met solely through site extensions.

Equally as important as good design is good site management. Without an effective management regime, the best quality site can deteriorate rapidly, to the extent that it may need to close. Site managers have a crucial role to play, and should have access to appropriate training and support.

Local authorities and RSLs should give careful consideration to the approach they will take to managing new sites as a key part of the planning process.

The Task Group has commented on Communities and Local Government’s draft guidance, and we are aware that both documents have received responses from a range of stakeholders. We welcome the work that has been undertaken thus far, and look forward to the publication of final guidance in the near future.

Registered Social Landlords

Registered Social Landlords (RSLs) have an important role to play in site provision. Many local authorities no longer manage their own social housing, and there is no reason why, in future, this should not also be the case for Gypsy and Traveller sites. RSLs may feel uncomfortable in moving away from traditional bricks and mortar housing management but in fact RSLs already deal successfully with a range of vulnerable client groups. There is clearly great potential for RSLs to work well with Gypsies and Travellers, but only a handful are currently actively involved in site management or ownership. We would strongly encourage more RSLs to take advantage of the Government’s site grant and to become involved in this area.

CARA HOUSING ASSOCIATION – AN RSL’S EXPERIENCE

“Cara first became involved with Travellers during 2003 when we took over an existing service contract from another organisation that was failing financially. The service would have been lost completely if Cara hadn’t stepped in at that time.

Since then the service has seen a major expansion, particularly during the last year. We have recently been awarded further contracts to provide support services to Travellers in Solihull, Birmingham, Luton and LB Waltham Forest.

The most significant problems we have encountered have been in dealing with local authorities; specifically social services and education. We have dealt with these by holding joint services’ meetings, inviting housing managers, education workers and social workers, primarily to give an insight on how Traveller culture differs from other cultures.

As well as continuing to expand our support service, we are also looking into site management with the possibility of setting up this service in the near future.”

Michelle Morgan, Traveller Support Worker

Security of tenure

The judgment of the European Court of Human Rights in the 2004 case of *Connors vs United Kingdom* requires the Government to take steps to improve the security of tenure of Gypsies and Travellers living on local authority owned caravan sites. At present, local authorities need only give 28 days' notice to terminate the license agreement of a site resident and obtain a court order for possession of the pitch, even if the resident has lived there for many years. As there is no need for the local authority to prove grounds for the order, there is no opportunity for the court to examine the facts of the case and, if proved, to consider whether it is reasonable for a possession order to be made. The Court ruled that this lack of procedural safeguard breached article 8 of the European Convention of Human Rights – the right to respect for private, home and family life.

The current situation is unacceptable and it is essential that this judgement is implemented at the earliest opportunity. Without a change in the law, Gypsies and Travellers living on local authority sites will continue to face the threat of losing their home in the space of four weeks and with no opportunity to argue their case. We would expect local authorities too to welcome the clarification of the expectations upon them as landlords that legislative change would bring. We welcome the Government's consultation on the draft legislative programme for the third session of Parliament, which noted its intention to include such measures in a Housing and Regeneration Bill.

The Government should bring forward legislation in the next parliamentary session to implement the European Court of Human Rights' judgment in the case of *Connors vs the UK* – ie to improve security of tenure for Gypsies and Travellers living on local authority owned sites.

Chapter 5

Tackling social exclusion

Data on health and education outcomes for Gypsies and Travellers make for grim reading. Without a stable, decent home which provides the opportunity for people to access schools and healthcare, it is difficult to see how the situation will improve.

This chapter looks at the steps that need to be taken to tackle the appalling social exclusion faced by this part of the community. It highlights the importance of political leadership at all levels, the role to be played by Gypsies and Travellers themselves, and the importance of a coordinated approach.

The scale of the issue



10,000 Gypsy and Traveller children are unregistered with a school

All available data suggests that Gypsies and Irish Travellers are the most excluded ethnic minority groups in British society today.

Research undertaken by the University of Sheffield¹⁰ found that around 18 per cent of Gypsy and Traveller mothers had experienced the death of a child, compared with less than 1 per cent of mothers in the settled community. More than 40 per cent of Gypsies and Travellers report a life-limiting long term illness and life expectancy is around 10-12 years less than for members of the settled community.

In education, only 19 per cent of Irish Traveller children and 9.9 per cent of Gypsy children achieved 5 A*-C passes at GCSE in 2006¹¹ and it is estimated that nationally over 10,000 Gypsy and Traveller children are unregistered with a school. Even more concerning is that this gap in attainment appears to be growing. The experience of exclusion reflects attitudes in wider society, but without an authorised pitch for Gypsy and Traveller households to call home, it is difficult to see how significant progress can be made.

¹⁰ Van Cleemput, P, et al. 2004. *The Health Status of Gypsies & Travellers in England*. Report to the Department of Health. School of Health and Related Research, University of Sheffield.

¹¹ *National Curriculum Assessment, GCSE and Equivalent Attainment and Post-16 Attainment by Pupil Characteristics in England 2005/06 (Provisional)*: SFR46/2006, National Statistics.

Our understanding of the challenges faced by Gypsies and Travellers is, however, far from complete. As noted at the beginning of this report, neither Gypsies nor Irish Travellers are recognised as specific ethnic groups within Census categories, despite other ethnic groups including Chinese and Bangladeshi being identified in this way. As a result, basic information about the Gypsy and Traveller population is extremely patchy. If the Census categories are amended to address this issue, as we recommend they should be, it will be important to work with the Gypsy and Traveller community to explain the reasons for collecting this information and, given relatively poor literacy levels, to assist in completing forms.

The Office for National Statistics should ensure that two separate categories are included in the 2011 Census for Gypsies and Irish Travellers.

In advance of this change, government departments should work together to agree a consistent approach to data collection to improve understanding of the outcomes experienced by Gypsies and Travellers. In particular, the rollout of the National Health Service national records system should provide an early opportunity to improve monitoring of health outcomes.

The Department of Health gave evidence to the Task Group on the work they were doing to improve health outcomes for Gypsies and Travellers. Gypsies and Travellers are included in the 'Pacesetters' initiative, which aims to help NHS Trusts target specific local communities experiencing health inequalities. DH stated that key health problems for Gypsies and Travellers include asthma, bronchitis, a lack of uptake of or access to immunisation programmes and mental health problems such as anxiety, stress-related conditions and depression.

Gypsies and Travellers also experience problems with access to basic healthcare, finding difficulty in registering with GPs or dentists. This means that children may miss out on immunisation programmes and that chronic conditions may not be properly managed, leading in the longer term to higher costs for the NHS. Efforts must be made to ensure that Gypsies and Travellers are able to access health care as easily as the rest of the population. This means, in part, ensuring that safe and well managed authorised sites are available, allowing their residents to access continuous care and ensuring that any chronic illnesses are managed efficiently and effectively.

The Pacesetters programme will be trialling innovative approaches to the problems faced by Gypsies and Travellers in accessing healthcare. One of the key problems currently is that areas of good practice exist, but often do so in isolation, so that lessons are not shared with the wider NHS.

The Department of Health should ensure that good practice emerging from its Pacesetters programme is disseminated widely amongst health practitioners.

Political leadership

Ministers and elected members have a crucial role to play in both representing and leading all members of their communities. There is perhaps no issue where strong and principled political leadership is of greater importance than in protecting the interests of vulnerable minorities. Meeting the accommodation needs of Gypsies and Travellers falls squarely within that definition, and both central and local government must demonstrate that it can rise to the challenge.

We do not underestimate the scale of that challenge. Supporting the case for site provision is seen by some councillors as political suicide. But this is too important an issue for all members of the community to be used as a political football. Public bodies have a duty to promote good race relations, and both national and local politicians have a responsibility to refrain from campaigning on anti-Traveller tickets – an approach which we have unfortunately seen taken in the past.

Senior politicians at national and local level and the bodies that support them should take proactive steps to build political consensus between the main parties on the importance of increasing site provision for Gypsies and Travellers.

CHALLENGING PUBLIC OPINION – A COUNCILLOR’S VIEW

The first I knew of a public consultation on the provision of sites for Travellers in my local area were several e-mails directed to myself as a Town and County Councillor. I was taken aback by some of the views expressed. Many clearly went beyond ‘fair comment’ on planning, and were clearly expressing views that were unacceptable. As a barrister and an elected Councillor I have a duty to uphold the law.

Having had a plethora of calls and e-mails on the subject, I then wrote letters to local newspapers. The tone of my letters reflected my dismay that there was a broad assumption that I would concur with views that were clearly based on prejudice and bigotry. I wanted to make it clear that I regarded those views as unacceptable. When the letters were published an avalanche of bile followed. I received several very abusive e-mail and telephone calls, some of which I reported to the police. I was told by my own Party Office to be careful as standing out on this issue may cost me the next election. I was genuinely surprised by the reaction. Some of the letters published in the local press were unashamedly racist.

CHALLENGING PUBLIC OPINION – A COUNCILLOR’S VIEW (*continued*)

In the run-up to the public meeting I made my fellow Councillors aware of their duties and responsibilities under the **Model Code** and forced through the Town Council a resolution condemning racism. 300 people turned up to the public meeting, and it was disappointing that even though this resolution had been passed, Councillors still kept their head down in the face of vehement public hostility and views such as “*Give me an AK47 and I’ll solve the problem*” were not challenged by elected representatives, the meeting Chair, nor the police. Indeed, some Councillors expressed sympathy with views expressed from the floor. Local MPs even went on record to condemn all plans to make provision for Gypsy and Traveller sites.

The media gave prominence to views and opinions that were clearly racist and driven by bile. I felt that the public meetings degenerated into opportunities for grandstanding by disaffected elements. Such levels of inappropriate behaviour would not have happened during the consultation process if elected representatives on all sides had abided by the Model Code and the media, in the course of encouraging public debate, had not published views likely to engender hatred and intolerance. On the basis of my own experience, I hope in the future that political strength, responsibility and leadership would enable a more balanced, considered and informed debate.

Councillor Mark Horn

We recognise too that elected members may need support to understand the issues around accommodation and enforcement fully, and to deal effectively with the vehemence of the arguments that are likely to be deployed. Some authorities have provided cultural awareness training for members (though it should be noted that the fact that in some cases such training has been delivered by people who are not themselves Gypsies and Travellers has been the subject of some criticism by community representatives); while some elected members have found that organised site visits have been valuable in broadening their understanding of the issues.

Following publication of its interim report, the Task Group invited Lucy de Groot of the Improvement and Development Agency (IDeA) to join the Group. We welcome the work in which Communities and Local Government and the IDeA have since been engaged to develop a toolkit for elected members and to establish an online Community of Practice which enables local authority officers and members to share their experience and seek advice. The Planning Advisory Service also provides training to help elected members fulfil their planning responsibilities, including their responsibilities for Gypsies and Travellers.

Local authorities should ensure that training on equality and diversity includes consideration of Gypsies and Travellers and of local authorities' responsibilities in relation to those communities under the race equality duty. They will also wish to consider whether dedicated training might be provided to elected members and officers to support them in operating effectively on Gypsy and Traveller related issues.

During the life of the Task Group, Communities and Local Government consulted on revisions to the Code of Conduct for elected members. In responding to the consultation we noted that, while local authorities have a statutory duty to promote good race relations, it is currently difficult to transfer this duty to individual members. It is important that councillors are allowed to speak freely on matters affecting their constituents, but equally important that they do so in a measured and non-inflammatory manner. Rules on 'behaviour outside official duties' are highly relevant to these kinds of situations, and public statements on matters relating to council business should always be counted as official behaviour in order to discourage councillors from behaving in a manner that increases community tensions and divisions. A more localised approach to dealing with complaints is desirable, but it is very important that the board dealing with complaints includes members independent of the local authority.

Community engagement

For too long, people have talked about what Gypsies and Travellers want and need, without having felt it necessary to do them the courtesy of asking whether those assumptions were accurate. This must change.

Seeking to engage a community that has long been effectively excluded from public life presents its own challenges. Low levels of literacy, the lack of a settled place to live, a mistrust of authority in general and a tradition of keeping things within the community can make it hard to establish relationships within the community. Different community representative groups concentrate on different issues and geographical areas and, in common with groups representing any constituency, may or may not be in agreement on the best way forwards. Most will struggle with resources and may have limited capacity to engage with local authorities or central government.

Some local authorities have nevertheless been effective in building good relationships with travelling communities in their areas. Many have offered training to Gypsies and Travellers to act as interviewers for GTAA's, both building skills and helping to improve understanding of and confidence in the GTAA process.

FENLAND DISTRICT COUNCIL – BUILDING GOOD RELATIONSHIPS

Fenland District Council has engaged and consulted with its Travelling community to provide a tailored, responsive service, which successfully meets their needs. This relationship is based upon a mutual understanding between the council and the Travelling community, which has won respect from all sides.

The objectives Fenland DC has for its work with the travelling community are to educate, engage and consult to allow Gypsies and Travellers to lead safe, healthy and supported lives. This also includes bringing about better community cohesion within the District.

Education: Fenland DC's aim is not only to offer formal education opportunities, but to educate the Gypsy and Traveller community and the settled community on how they each impact on each other lives and to expose any myths that may exist. This has included providing cultural awareness training to all sections of society, including Fenland DC staff and elected members to promote community cohesion.

Engagement: Fenland DC actively engages with the travelling community through Travellers' Forums', Travellers Fairs, feedback forms, an annual satisfaction survey and consultation with each individual through their own Supporting People Plan. This has led to a successful relationship being built up between the council and the travelling community.

Consultation: Fenland DC is in constant contact with the travelling community to ensure their needs are being met. This is completed through an annual satisfaction survey, feedback forms, Travellers' Forums and Travellers' Fairs. The success of this approach is supported by the fact that 100 per cent of Travellers living on the five local authority sites are satisfied with the service they receive from the council.

Fenland DC is consciously trying to build capacity within the Fenland travelling community to diversify their skills range through offering opportunities to train for new skills such as social research and computer literacy courses. This will empower members of this diverse community to apply for main stream jobs and train others within their community.

As well as building skills, Fenland DC is committed to supporting every individual that comes to live on one of their Traveller sites. Each new arrival receives a Traveller welcome pack which is available in pictorial and audio format and sets out all the support services available in the district and how they can access them. This includes council services but also help lines, travel information, locations of places of worship and other useful telephone numbers. This is supplemented by each new person receiving an individual supporting people plan, which looks at any needs that Fenland DC may need to support in order for individuals to lead an independent lifestyle. Every child also receives a support plan which covers health and educational support issues. These documents are regularly reviewed, to ensure that the person's needs continue to be met.

Local authorities should consider the scope for working with organisations representing Gypsies and Travellers to build their capacity, including as part of broader strategies for community empowerment.

Engaging with Gypsies and Travellers prior to the submission of planning applications can also be extremely valuable and is recommended by Circular 01/2006. Providing advice on making planning applications is resource intensive, but overall money and time is saved by these discussions, as they ensure that planning applications are acceptable in principle. This can mean that the need for enforcement action and the costs of legal challenges are greatly reduced, and also raises the confidence of Gypsies and Travellers in the planning system.

Planning Aid is supporting this process by piloting a one day course to improve Gypsies' and Travellers' understanding of the planning system, and we understand that they intend to roll this across the country shortly. Planning Aid in the South West has also produced a DVD on the planning system aimed at Gypsies and Travellers. This will be a valuable resource, and we hope that it too will be made available nationally.

**EARLY ENGAGEMENT ON PLANNING –
FENLAND DISTRICT COUNCIL**

The former Office of the Deputy Prime Minister recognised Fenland within the good practice guide, 'Diversity and Equality in Planning' for its work with Travellers. The council and Travellers work together to assess the suitability of any land purchases and if the council thinks it may cause a problem, then Travellers act on this advice and will not buy the land. This prevents conflicts that may occur between the travelling and settled community and also prevents a build up of community tension. This proactive strategy is an example of the relationship that has been built up between FDC and the travelling community, which is one of trust and two way communications.

The role of the media

One of the key barriers to delivering more sites is the negative reaction of the general public. Irresponsible reporting in the media can exacerbate this reaction.

The Society of Editors cites reporting of Gypsy and Traveller stories as a particular cause for concern in their guide *Reporting Diversity: how journalists can contribute to community cohesion*. This guide states that the media should test whether a story is offensive by checking "whether someone's colour or faith can be substituted for the word Gypsy or Traveller. [This test] would be failed if this did not avoid publishing racial details irrelevant to the story".

National and local media should ensure that reporting of Gypsy and Traveller related stories is undertaken in a responsible manner. The new Equality and Human Rights Commission should challenge incidences of irresponsible reporting.

The Press Complaints Commission must also demonstrate that such complaints are treated seriously.

Despite the generally negative stance taken by the media on stories relating to Gypsies and Travellers, helpful work has been done on broader community cohesion issues. There is no reason why the techniques used by local authorities and other bodies to work with the media on community cohesion should not be equally valuable in promoting a more balanced approach to reporting on Gypsies and Travellers.

PARTNERSHIP WORKING WITH THE MEDIA – THE LEICESTER MERCURY

Leicester City Council has forged close links with the Leicester Mercury and its work in using a 'First Person' editorial column to highlight community issues has been nationally recognised. The Leicester Mercury's relationship with the Leicester Multi-Cultural Advisory Group (LMAG) is cited in the Commission for Integration and Cohesion's final report as "...a positive example of how media can work with local voluntary and statutory partners to promote the messages of integration and cohesion to a wider audience." The report also recommends Local Authorities develop myth busting strategies aimed specifically at established communities and that advisory groups, such as LMAG, take responsibility for measuring the success of these. Local Authorities in the County and City need to build on the existing positive relationships with the media and work with neighbouring authorities the way in which they would like neighbouring communities to work together.¹²

A cross-cutting approach

Communities and Local Government is not the only government department that deals with policy affecting Gypsies and Travellers. This is a genuinely cross-cutting issue, and many departments can contribute to gaining better outcomes for Gypsies and Travellers. The Task Group has therefore met with representatives from several other government departments to discuss how they are taking Gypsies and Travellers into account in their policies, effectively carrying out a 'policy audit'.

¹² Adamson, J. and Boek, T. 2007. *Cohesive Communities in Leicestershire*: Leicestershire County Council in collaboration with De Montford University.

Many mainstream policy initiatives will have an effect on Gypsies and Travellers, and it is important that these links are recognised. To provide just a few examples: the recently published housing green paper, the planning white paper, the Respect agenda and work on race equality and community cohesion all have important parts to play in tackling the social exclusion faced by Gypsies and Travellers.

It is important that both central and local government take steps to ensure that policy initiatives link effectively to deliver improved outcomes for Gypsies and Travellers. While Local Area Agreements are a sensible approach to allow local authorities to focus on the issues that are most important in their areas, they must bring benefits for all parts of the community and should not mask under-achievement for groups such as Gypsies and Travellers, who may be small in number but who are particularly vulnerable. It is essential that the Audit Commission's assessment of local authorities' performance shines a spotlight on the level of service received by such groups. We understand that the Commission is currently considering its approach to Comprehensive Area Assessment, and the role it will take in examining the performance of local authorities against the full range of indicators in the national indicator set. This is likely to include exploring authorities' reasons for focusing on those indicators selected for their Local Area Agreements. We would emphasise the importance of considering how performance against indicators on community cohesion and race equality in particular reflect Gypsies' and Travellers' experience of the services provided by local authorities.

At the same time, the role of the Audit Commission in examining whether local authorities provide services that offer value for money to their communities means that they must look critically at the balance authorities are achieving between expenditure on site provision and on enforcement action against Gypsies and Travellers.

The Task Group welcomes the consideration currently being given by the Audit Commission to developing a set of local indicators on the provision and management of Gypsy and Traveller sites for local councils, to support them in benchmarking their performance in this area and identifying good practice.

The Audit Commission should set out how it will ensure that the Comprehensive Area Assessment will allow it to evaluate the performance of local authorities in meeting the needs of vulnerable people in their areas. This should include considering how indicators on community cohesion and race equality might reflect the experience of Gypsies and Travellers.

Annual management letters produced by local auditors should include an evaluation of how local authorities are discharging their duties in relation to Gypsies and Travellers.

Chapter 6

Conclusions and recommendations

It is crucial that the Government continues to insist that action is taken to improve both levels of site provision and the effectiveness of enforcement action where needed. A failure to do either of these things will lead to a failure to improve the life chances of Gypsies and Travellers, a continuance of the futile cycle of enforcement that is so costly both in economic and social terms, and an undermining of confidence in the planning system and in the ability of local authorities and the police to take effective action to protect the legitimate interests of both the settled community and Gypsies and Travellers themselves.

This is a sensitive issue, and without a robust system of reporting progress we would suggest that there is a real danger that it will be allowed to slip off the agenda. In addition to the recommendations below, we therefore propose that an annual progress report be made to Parliament. This should show what Communities and Local Government, other government departments and local authorities have been doing to address the twin issues of site provision and enforcement.

The Task Group has brought together representatives from a wide range of bodies with expert knowledge of these issues. We take the view that such an annual report should be considered by representatives of these bodies, who will be able to maintain the pressure for action. Perhaps most vitally of all, Gypsies and Travellers themselves must continue to be involved with any group of this kind. We consider that one of the most important achievements made by Communities and Local Government and this Task Group has been to start talking with Gypsies and Travellers, instead of about them. Without buy-in from the travelling communities, government policy cannot succeed. This progress must not be lost.

Providing sites for Gypsies and Travellers is not an easy process, but it is essential that it is achieved. With only a square mile of land across the whole of England required to meet the current shortfall in authorised provision, the task should be an achievable one. Without an increase in the supply of authorised sites, there will be no improvement in the current levels of unauthorised encampment or development, in the levels of spending required to continuously move on the quarter of caravan-dwelling Gypsies and Travellers who are effectively homeless, and in community relations between Gypsies and Travellers and the settled community. It is the Task Group's sincere hope that the argument about whether site provision is the right course of action will now be superseded by determined efforts by all those with a part to play to make rapid progress on the ground.

Recommendations

THE POLICY FRAMEWORK

- 1.** All local planning authorities where there is demonstrable need for site provision – including those in regions where a Regional Spatial Strategy has not yet allocated pitch numbers to each local planning authority – should give serious consideration to proceeding with a Development Plan Document now.
- 2.** Communities and Local Government should monitor the pace of delivery by local planning authorities. The Secretary of State should be prepared to direct local authorities which are not making adequate progress to prepare Gypsy and Traveller Development Plan Documents.
- 3.** The Government should underline its continuing expectation that all local authorities will produce site allocations Development Plan Documents that include specific allocations for Gypsy and Traveller accommodation, unless there is clear evidence that need is not pressing.
- 4.** It is important that the Government gives serious consideration to the implications for site provision of the transition of planning responsibilities from Regional Assemblies to Regional Development Agencies. This should include setting out explicitly how it expects regional planning to meet the accommodation needs of Gypsies and Travellers to be undertaken through the transitional period and beyond.
- 5.** Ministers should meet Gypsies and Travellers to discuss their concerns about the different definitions of Gypsies and Travellers used for planning and housing purposes. Government time should also be set aside in the House of Commons to debate this issue openly.
- 6.** Local authorities should ensure that their published planning enforcement policies include their approach to enforcement against unauthorised encampments and developments, and set out clearly what all members of the community should be able to expect.
- 7.** Police services should publish their policies on dealing with unauthorised encampments, setting out clearly what all members of the community should be able to expect.
- 8.** The Ministry of Justice should consider how capacity might be increased for specialist legal advice on planning issues, to allow developers – including Gypsies and Travellers – to access such advice within a shortened appeal period.

9. In taking forward its proposals on the regulation of enforcement agents, the Ministry of Justice should ensure that regulation covers the actions of private firms of bailiffs evicting Gypsies and Travellers from sites, and that the system provides for a complaints mechanism if standards are not met.
10. The Equality and Human Rights Commission should ensure that any local authorities who are failing in their duties under the Race Relations Act towards Gypsies and Irish Travellers and the communities in which they live are reminded of those duties; and should take robust enforcement action against any continued failure to comply.

Policy in action: enforcement

11. Local authorities and landowners, their enforcement agents, and the police should give clear notice of an intention to carry out an eviction, to provide an opportunity for those living on an unauthorised site to leave voluntarily; and should provide information on alternative, appropriate places to go.
12. In advance of delivering increases in permanent and transit site provision, local authorities should urgently consider the scope for emergency stopping places within their areas that can provide an alternative location for Gypsies and Travellers on unauthorised sites in dangerous or damaging locations. Such stopping places might be on local authority owned land, or delivered in partnership with other landowners, and might be facilitated using the provisions of the 1960 Caravans Act on permitted development. They should provide basic facilities on an as needed basis to enable Gypsies and Travellers to dispose of waste appropriately and prevent costly clean up exercises when people move on.
13. Where it is not expedient to take enforcement action against unauthorised encampments, local authorities should consider providing basic facilities, such as skips and chemical toilets, for a reasonable fee payable by Gypsies and Travellers on site.
14. Communities and Local Government should ensure that guidance on tackling antisocial behaviour is completed at the earliest opportunity. This should support local authorities and the police in dealing with Gypsies and Travellers' experience of antisocial behaviour either as victims or as perpetrators.

Policy in action: site provision

- 15.** Local authorities should give careful consideration to their communications strategy as an integral part of their plan for delivering new Gypsy and Traveller sites. This should include providing an opportunity for people to learn more about the experience of members of the settled community who are already living close to well designed and managed authorised sites.
- 16.** Communities and Local Government should confirm that the Gypsy and Traveller Unit will continue in place to promote Government policy, and that government will maintain the level of funding provided between 2006 and 2008 for the Gypsy and Traveller site grant in real terms, throughout the CSR07 period.
- 17.** Local authorities should, where possible, ensure that contracts for fitting and maintaining social housing also cover publicly owned Gypsy and Traveller sites. Those authorities without a housing function beyond its Gypsy and Traveller sites should work with neighbouring authorities to identify contractors who can provide good quality and value for money.
- 18.** Communities and Local Government should coordinate work with Gypsy and Traveller community groups, the financial industry and other relevant government departments to consider the development of financial products to support Gypsies and Travellers to develop their own sites.
- 19.** Local authorities should assess the scope to use section 106 agreements to deliver accommodation for Gypsies and Travellers as part of all new housing developments.
- 20.** Communities and Local Government should examine the case for regulating rents paid by Gypsies and Travellers living on publicly owned sites, in line with the approach taken towards other forms of social housing.
- 21.** In considering whether new public provision should be provided through new sites or extensions to existing sites, local authorities should take into account guidance on the appropriate size of sites. It is unlikely to be appropriate for the accommodation needs of Gypsies and Travellers to be met solely through site extensions.
- 22.** Local authorities and RSLs should give careful consideration to the approach they will take to managing new sites as a key part of the planning process.
- 23.** The Government should bring forward legislation in the next parliamentary session to implement the European Court of Human Rights' judgment in the case of *Connors vs the UK* – ie to improve security of tenure for Gypsies and Travellers living on local authority owned sites.

Tackling social exclusion

- 24.** The Office for National Statistics should ensure that two separate categories are included in the 2011 Census for Gypsies and Irish Travellers.
- 25.** In advance of a change to the Census, government departments should work together to agree a consistent approach to data collection to improve understanding of the outcomes experienced by Gypsies and Travellers. In particular, the rollout of the National Health Service national records system should provide an early opportunity to improve monitoring of health outcomes.
- 26.** The Department of Health should ensure that good practice emerging from its Pacesetters programme is disseminated widely amongst health practitioners.
- 27.** Senior politicians at national and local level and the bodies that support them should take proactive steps to build political consensus between the main parties on the importance of increasing site provision for Gypsies and Travellers.
- 28.** Local authorities should ensure that training on equality and diversity includes consideration of Gypsies and Travellers and of local authorities' responsibilities in relation to those communities under the race equality duty. They will also wish to consider whether dedicated training might be provided to elected members and officers to support them in operating effectively on Gypsy and Traveller related issues.
- 29.** Local authorities should consider the scope for working with organisations representing Gypsies and Travellers to build their capacity, including as part of broader strategies for community empowerment.
- 30.** National and local media should ensure that reporting of Gypsy and Traveller related stories is undertaken in a responsible manner. The new Equality and Human Rights Commission should challenge incidences of irresponsible reporting.
- 31.** The Press Complaints Commission must demonstrate that complaints of racist reporting against Gypsies and Travellers are treated seriously.
- 32.** The Audit Commission should set out how it will ensure that the Comprehensive Area Assessment will allow it to evaluate the performance of local authorities in meeting the needs of vulnerable people in their areas. This should include considering how indicators on community cohesion and race equality reflect the experience of Gypsies and Travellers.

33. Annual management letters produced by local auditors should include an evaluation of how local authorities are discharging their duties in relation to Gypsies and Travellers.

Monitoring progress

34. The Government should report annually to Parliament on progress on Gypsy and Traveller issues.
35. The bodies represented on this Task Group, including representatives of Gypsies and Travellers, should continue to meet on an annual basis to consider this report.

Majority recommendation

A minority of Task Group members felt unable to agree with the following recommendation because of concerns that there would be insufficient capacity amongst planning advisors to support developers of Gypsy and Traveller sites effectively within a shortened appeal timetable. The majority, however, felt that it would improve the effectiveness of the system and public confidence in its resilience to abuse by developers.

36. The Government should proceed with the proposal in the Planning White Paper to reduce the time limit for planning appeals when the same development is the subject of an enforcement notice.

Task Group Membership

Sir Brian Briscoe Chair	Consultant and Former Chief Executive of the Local Government Association
CLlr Richard Bennett	Local Government Association
Janie Codona	Commissioner: Commission for Racial Equality
Fiona Cruickshank	Housing Corporation
Alan D'Arcy	Environment Agency
Lucy de Groot	Improvement and Development Agency
Peter Geraghty	Planning Officers' Society
Mike Gillespie	Home Office
Bill Holland	Association of Chief Police Officers
Bridie Jones	Canterbury Gypsy and Traveller Support Group
Hamish MacPherson	Commission for Racial Equality
Christian Papaleontiou	Home Office
Leslie Smith	Royal Town Planning Institute
Sarah Spencer	Commissioner: Commission for Racial Equality
Siobhan Spencer	Derbyshire Gypsy Liaison Group
Nick Williams	Association of Chief Police Officers
Secretariat:	Communities and Local Government

Glossary of terms

- **Amenity block** – a permanent building, normally containing kitchen and bathroom facilities. These are generally provided on permanent sites, with each pitch having its own amenity block.
- **Authorised site** – a site with planning permission or a lawful development certificate.
- **Development Plan Document** – Development Plan Documents (DPDs) are prepared by local planning authorities and outline the key development goals of the local development framework. DPDs include the core strategy, site-specific allocations of land and, where needed, area action plans. There will also be an adopted proposals map which illustrates the spatial extent of policies that must be prepared and maintained to accompany all DPDs. All DPDs must be subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of the inspector’s binding report. Once adopted, development control decisions must be made in accordance with them unless material considerations indicate otherwise. DPDs form an essential part of the Local Development Framework.
- **Emergency stopping places** – used by Gypsies and Travellers in transit for very short stays – normally up to one month.
- **Local Development Framework** – The Local Development Framework (LDF) is a non-statutory term used to describe a folder of documents, which includes all the local planning authority’s local development documents. An LDF is comprised of:
 - Development Plan Documents (which form part of the statutory development plan)
 - Supplementary Planning Documents
 The local development framework will also comprise of:
 - the Statement of Community Involvement
 - the Local Development Scheme
 - the Annual Monitoring Report
 - any Local Development Orders or Simplified Planning Zones that may have been added.
- **Permanent site** – sites used by families as their main base.
- **Pitch** – a space on site for one family. On average, each pitch will have 1.7 caravans stationed on it.
- **Regional Assembly/Regional Planning Body** – Each of the English regions outside of London has a regional chamber which is responsible for developing and co-ordinating a strategic vision for improving the quality of life in a region. The assembly is responsible for setting priorities and preparing certain regional strategies, including the Regional Spatial Strategy.

- **Regional Spatial Strategy (RSS)** – A strategy for how a region should look in 15 to 20 years time and possibly longer. The RSS identifies the scale and distribution of new housing in the region, indicates areas for regeneration, expansion or sub-regional planning and specifies priorities for the environment, transport, infrastructure, economic development, agriculture, minerals and waste treatment and disposal. Most former Regional Planning Guidance is now considered RSS and forms part of the development plan. Regional Spatial Strategies are prepared by Regional Planning Bodies.
- **Registered Social Landlord (RSL)** – The technical name for a body registered with the Housing Corporation. Most Housing Associations are RSLs. They own or manage some 1.4 million affordable homes, both social rented and intermediate.
- **Retrospective planning application** – An application for planning permission submitted after the development in question has begun, or been completed.
- **Site** – an area of land where caravans are stationed.
- **Transit site** – a site used for short stays of up to three months. Normally publicly run.
- **Unauthorised development** – Development that has or is taking place without the benefit of planning permission. It may then risk being the subject of enforcement action.
- **Unauthorised encampment** – a site set up by Gypsies or Travellers without planning permission on land which they do not own.