



Department for Communities and Local Government

17 November 2014

Dear Sir or Madam

**Re: Consultation: Planning and Travellers, September 2014.**

We are a national organisation working with Gypsies and Travellers. One of our activities, amongst others, is to assist hundreds of Gypsy and Traveller families a year with resolving their accommodation issues.

We wish to strongly object to the changes proposed in this consultation, as we believe them to be illogical, ill-thought out and unhelpful in providing a much-needed solution to Gypsy and Traveller's accommodation needs.

We have a serious shortage of sites for Gypsies and Travellers in the UK, and measures need to be introduced by the government to address this; these proposals do not.

**Q.1** We do not agree with the proposed amendment of the planning definition of Travellers.

Gypsies and Travellers who live on local authority sites, are in breach of their site licence agreement if they travel for more than a set amount of weeks a year and stand to lose their licences if they do so. Their nomadic habit of life has therefore been severely curtailed. Does this mean that children who grow up on local authority sites, upon reaching adulthood are not allowed to develop Gypsy sites of their own under the current proposals?

Similarly, the traditional nomadic habit of life of other Gypsies and Travellers has been severely curtailed by government legislation such as the Criminal Justice and Public Order Act 1994, and a constant round of evictions from unauthorised stopping places on the side of the road by police and local authorities, as well as the closure of hundreds of traditional stopping places. There are very few transit sites in the UK on which to stop, and Travellers who stop on the side of the road are evicted from pillar to post. Where are

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Travellers, who the government want to demonstrate their nomadic habit of life, supposed to stop when they are travelling around?

Are children growing up on private sites, similar to those growing up on local authority sites, going to be refused planning permission for Gypsy sites on the basis that they do not travel enough, when there are no sites on which they can stop when they do travel?

Gypsy and Traveller families have not chosen to lessen their travelling, it has been forced upon them by successive governments' legislation, and the closure of traditional stopping places.

If a Gypsy or Traveller, living on a site, has permanent employment with an employer, does that mean he or she can not apply for planning permission for a Gypsy site? Surely this is discriminatory, meaning Gypsies and Travellers can only work for themselves, in unfixed work, and never hold a permanent job if they wish to still live on a Gypsy site, now or in the future?

Some of the general public, and the tabloid press, appear to have a vehement hate of unauthorised encampments on the roadside, on others' land, parks, etc. The current government proposals would see a huge increase in unauthorised encampments as Travellers would be forced into increasing their travelling to 'prove' their Gypsy status in planning terms. Why would the government wish to introduce such a proposal which is directly in contradiction with some of the settled community views and would increase tensions between the communities hugely?

If an elderly or ill Gypsy or Traveller has had to stop travelling because they are too old or unwell to be able to do so, are they to be forced into a house, surely this is a discriminatory attack on Gypsy and Traveller culture-are they no longer able to live in a caravan because they are ill or old?

**Q.2** Sufficient transit sites to fully accommodate the need for those travelling to be compulsory on all local authorities to provide. Local authorities should not be allowed to block off stopping places, by way of ditching, bunding and gating, and thereby preventing Travellers from stopping on local authority land. Cancellation of the legislation under the Criminal Justice and Public Order Act, which curtails and criminalises travelling, so that Travellers are able to travel freely and maintain their nomadic habit of life without being evicted and moved on constantly. The duty to facilitate the provision of sites should be reinstated.

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**Q.3** No we do not think the definition should be amended. We think the Housing Regulations 2006 definition is a very good one and should remain. In fact the Welsh Assembly are currently consulting on widening their definition of Gypsies and Travellers and we think that this is the right approach and that the Welsh Assembly are to be followed in their forward thinking approach.

**Q.4** No.

**Q.5** No, this would be discriminatory against Gypsies and Travellers, since housing development cases will still have the current system applied to them.

**Q.6** No. Local authorities are not delivering up-to-date five year supplies of deliverable sites; if this push on them is removed, what on earth is going to make them deliver?

**Q.7** No, as, as stated at Q.5 this would be discriminatory since housing development cases will still have the current system applied.

**Q.8** No. The majority of Travellers who encamp on their own land before planning permission has been achieved have nowhere else to go, they are homeless, and would be involved in an endless cycle of evictions from unauthorised encampments on other people's land if they were not on their own. Which is preferable and causes least disruption to all concerned? The situation has only arisen due to the failure of local authorities to provide enough sites and locations for sites in their local plans.

**Q.9** No, the harm has been caused by the failure of local authorities to facilitate the provision of sites; homeless families have to stop somewhere, and their homelessness needs to be resolved as a government priority.

**Q.10** As stated before, the situation has arisen because homeless families have nowhere else to go, and local authorities have failed to provide sites for them.

**Q.11** No, large scale unauthorised developments are very rare. They are not the norm, but the tabloid press highlights what are actually very few. The majority of unauthorised developments are very small. The other measures the government can take is to ensure that all local authorities allocate sufficient land for their site needs, then this issue will not arise. The

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re-instatement of a duty to facilitate the provision of sites, as has recently been introduced in Wales would be a good idea.

**Q.12** The impact these proposals would have on both the Traveller and settled community would be devastating, and likely to face legal challenge.

**Q.13** The need for sites for Travellers currently living in housing, because of the shortage of sites and there being nowhere else for them to go, must be included in the assessments.

We believe it would be preferable to keep the current, very good, Accommodation Needs Assessment Guidance, rather than replace it with the proposed Annex A. We also believe 'Designing Gypsy and Traveller Sites- Good Practice Guide (2008) should be retained, as it is useful and important, and we are against the proposal that the new guidance should replace it.

The presumption of this consultation paper is that the current planning system is skewed unfairly in Travellers' favour, if this was actually the case presumably the problem of site provision would have been resolved- it has not.

Yours sincerely

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