

IRISH COMMUNITY CARE

MENSEYSIDE



Department for  
Communities and  
Local Government

## Response form: Consultation: planning and travellers

We are seeking your views to the following questions on proposed changes to planning policy and guidance, to:

- ensure that the planning system applies fairly and equally to both the settled and traveller communities
- further strengthen protection of our sensitive areas and Green Belt
- address the negative impact of unauthorised occupation

And

On proposed planning guidance on assessing traveller accommodation needs and use of Temporary Stop Notices.

### How to respond

**The closing date for responses is 23 November 2014.**

This response form is saved separately on the DCLG website.

Responses should be sent to [PPTS@communities.gsi.gov.uk](mailto:PPTS@communities.gsi.gov.uk).

Written responses may be sent to:

Owen Neal  
Planning Policy for Traveller Sites Consultation  
Department for Communities and Local Government  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

# About you

## i) Your details:

Name:	Win Lawlor
Position:	Deputy Director / Irish Traveller Service Manager
Name of organisation (if applicable):	Irish Community Care Merseyside
Address:	ICCM 151 Dale Street Liverpool Merseyside L2 2AH
Email:	winnie.lawlor@iccm.org.uk
Telephone number:	0151 237 3987

## ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response  
Personal views

## iii) Please tick the box which best describes your organisation

Local/ District Council  
Unitary Authority  
County Council  
Parish/ Town Council  
Traveller  
Public  
Representative body/ voluntary sector/ charity  
Non Departmental Public Body  
Other

(please specify):	Irish Travellers and Gypsies
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Would you be happy for us to contact you again in relation to this questionnaire?

Yes    X        No

## Questions

Please refer to the relevant parts of the consultation document for narrative relating to each question.

### Ensuring fairness in the planning system

**Question 1: Do you agree that the planning definition of travellers should be amended to remove the words or permanently to limit it to those who have a nomadic habit of life? If not, why not?**

Yes  No

Comments

See Supporting Statement

**Question 2: Are there any additional measures which would support those travellers who maintain a nomadic habit of life to have their needs met? If so, what are they?**

Yes  No

Comments

Provision of transit sites. See accompanying statement.

**Question 3: Do you consider that:**

**a) we should amend the 2006 regulations to bring the definition of "gypsies and travellers" into line with the proposed definition of "travellers" for planning purposes?**

Yes  No

Comments

The proposed changes will not address the inconsistency between the housing and planning definitions which needs to be addressed, nor do so satisfactorily. Further, this is not something which should be rushed through within a 10 week consultation period, and thereafter. We propose the establishment of a working party which would lead to a more consistent and widely-acceptable definition. Also see accompanying statement

and

**b) we should also amend primary legislation to ensure that those who have given up travelling permanently have their needs assessed? If not, why not?**

Yes  No

Comments

This would not necessary if the suggestions in our attached statement are incorporated.

## Protecting sensitive areas and the Green Belt

**Question 4: Do you agree that Planning Policy for Traveller Sites be amended to reflect the provisions in the National Planning Policy Framework that provide protection to these sensitive sites (set out in para. 3.1 of the consultation document)? If not, why not?**

Yes  No

Comments

Not necessary as it is already well covered in existing guidance and practice. The current system works well and does not need to be changed.

**Question 5: Do you agree that paragraph 23 of Planning Policy for Traveller Sites should be amended to "local authorities should very strictly limit new traveller sites in the open countryside"? If not, why not?**

Yes  No

Comments

What is meant by "open countryside"?

If Gypsies and Travellers are not allowed to settle in the Green Belt, are unable to afford land within urban areas and are very likely to face local opposition if they purchase land within villages, where then are they supposed to go?

What is needed is a policy that supports the creation of provision, not one that makes it more difficult.

**Question 6: Do you agree that the absence of an up-to-date five year supply of deliverable sites should be removed from Planning Policy for Traveller Sites as a significant material consideration in the grant of temporary permission for traveller sites in the areas mentioned above (set out in para. 3.7 of the consultation document)? If not, why not?**

Yes  No

Comments

The Government is targeting the wrong people here. The focus needs to be upon local authorities, whose failure to provide a five year supply of deliverable sites has necessitated the granting of temporary permissions.

**Question 7: Do you agree with the policy proposal that, subject to the best interests of the child, unmet need and personal circumstances are unlikely to outweigh harm to the Green Belt and any other harm so as to establish very special circumstances? If not, why not?**

Yes  No

Comments

Absolutely not. Please see our accompanying response.

## Addressing unauthorised occupation of land

**Question 8: Do you agree that intentional unauthorised occupation should be regarded by decision takers as a material consideration that weighs against the grant of permission? If not, why not?**

Yes  No

Comments

If local authorities provided enough sites, as part of a planned process, as with all other communities, then unauthorised occupation wouldn't be necessary. Unauthorised occupation is a matter of necessity for not done to flout planning laws, people have no alternatives other than to make their own provision given the huge gap between the number of sites needed and the number of sites actually provided. See accompanying response.

**Question 9: Do you agree that unauthorised occupation causes harm to the planning system and community relations? If not, why not?**

Yes  No

Comments

See our response to Question 8. This is not a simple yes or no question, whether it harms community relations is dependant upon a range of factors (location, size, attitudes of local community etc).

**Question 10: Do you have evidence of the impact of harm caused by intentional unauthorised occupation? (And if so, could you submit them with your response.)**

Yes  No

Comments

No but we do have evidence of positive outcomes for all. Please see accompanying statement.

**Question 11: Would amending Planning Policy for Traveller Sites in line with the proposal set out in paragraph 4.16 of the consultation document help that small number of local authorities in these exceptional circumstances (set out in paragraphs 4.11-4.14 of the consultation document)? If not, why not? What other measures can Government take to help local authorities in this situation?**

Yes  No

Comments

ICCM's concern is that there is a risk that policy development will be led purely on the basis of exceptions (e.g. Dale Farm). Mechanisms for inter-local authority work to address this issue already exist, they just haven't been fully utilised or supported through the current system. Why re-invent something that already exists?

**Question 12: Are there any other points that you wish to make in response to this consultation, in particular to inform the Government's consideration of the potential impacts that the proposals in this paper may have on either the traveller community or the settled community?**

Yes    X            No           

Comments

See our accompanying statement.

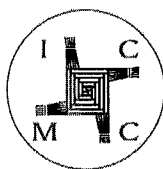
## **Draft planning guidance for travellers (Annex A)**

**Question 13: Do you have any comments on the draft planning guidance for travellers (see Annex A of the consultation document)?**

Yes    X            No           

Comments

This is wholly inadequate. 103 points of detailed guidance spread over 103 pages (plus a further 8 in an annex) have been whittled down into 4 points (point 5 isn't really to do with accommodation need assessments) in a page and a half. Where GTAA's worked well this was where local Gypsy and Traveller communities played a central role in the assessment process. The proposals set out in Annex A water this down dangerously - compare point 38 on page 13, point 46 page 14 and point 49 page 15 in the previous "Gypsy and Traveller Accommodation Needs Assessments" guidance with the bland statements in the draft planning guidance "local authorities should engage both the local traveller and settled communities..." and local authorities COULD (our emphasis) use "information gathered by traveller groups...". The proposed guidance will produce GTAA's that are neither robust nor credible and is, therefore, not fit for purpose.



## IRISH COMMUNITY CARE MERSEYSIDE

Registered Charity No: 1136760

Company No: 07259164

### **RESPONSE OF IRISH COMMUNITY CARE MERSEYSIDE TO THE DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION 'PLANNING AND TRAVELLERS' 2014**

#### **BACKGROUND:**

Irish Community Care Merseyside (ICCM) exists to identify and work to address the needs of Irish and Irish Travellers across Merseyside and the wider North West footprint. We have undertaken this work as a voluntary, community, third sector organisation for 50 years, and as a Charity for the last 25.

ICCM works with Irish Travellers and the English Romani, Welsh, and Scottish Traveller communities that have married into them, within this footprint and have had a specific funded service within ICCM since 2001, in recognition of the requirement to work in partnership to address specific cultural barriers that prevent Traveller communities from accessing basic accommodation, health services, and others, as well as to address inadequate service that does not meet cultural needs when there is engagement. ICCM's partnerships include other community organisations specific to Gypsy and Traveller communities, as well as the wider CVF sector, and local authorities, public and private services.

#### **GENERAL STATEMENT:**

All references within this document relate directly to the document to be found at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/355840/current\\_con\\_doc\\_in\\_publication\\_format\\_140917.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/355840/current_con_doc_in_publication_format_140917.pdf)

ICCM believes that The Government's processes within the consultation are open to question. The worthy sentiments of the introduction are not reflected within the proposals. The proposals reinforce the stance against the Travelling community which has become increasingly apparent through recent decisions the Government has taken here there has also been little or no consultation with the communities as to negative impacts which have inordinate impacts upon Travelling communities. The inequalities faced by Gypsy and Traveller communities in the UK is highlighted within the documents *Experts by Experience* from Anglia Ruskin University and the Joseph Rowntree Foundation and *Civil Society Monitoring on the Implementation of the National Roma Integration Strategies* from the Decade of Roma Inclusion Secretariat Foundation, (both published in October 2014).

The Government's desire to further limit Traveller sites in open countryside and in designated areas contrasts sharply with the more relaxed approach towards traditional housing which is being built in the countryside. The planning system currently is not fair or equal for members of the Travelling community and these proposals will only worsen that inequality. The proposals effectively reward Councils which have neglected to address Traveller issues and will put greater pressure on the few Councils which have sought to make proper provision.

The Department of the Environment Circular 01/94 (Welsh Office Circular 02/94) *Gypsy Sites and Planning* (in combination with the repeal of the duty to provide sites) put the emphasis on the provision of private sites. However it did not provide a system by which private individuals could realistically bring such sites into existence, and in this way undermined Gypsy Traveller communities' trust, compounded the difficulties for local authorities and failed to address the fears within the general population. In a sense this period of time is the perfect example of "localism" and also the perfect example of how, if local authorities are left to their own devices, then there will be complete stagnation in the provision of sites.

**Identifying and responding to the needs of the Irish and Irish Traveller Communities**

#### **Liverpool Office**

151 Dale Street, Liverpool L2 2AH  
Tel: 0151 237 3987 Fax: 0151 237 3988

#### **Wigan Office**

The Brian Boru Club, 55 Bryn Street,  
Ashton-in-Makerfield WN4 9AX



There has been an unacceptable failure to engage with the Travelling community within this consultation process, and generally. The Government should have sought to engage with those working with Travellers, and Traveller communities themselves, to get a better understanding of the problems and discuss changes to the planning system which would address those problems. In regard to Traveller issues, the current planning system is certainly open to criticism but many of these proposals show a complete lack of understanding of where the system is failing and of the real concerns of the communities, local authorities and also of the general public.

To quote the National Federation of Gypsy Liaison Groups, "The NFGLG found that mainstream policies in the areas of discrimination, accommodation, education, employment and health have consistently failed Gypsies and Travellers in the past and are continuing to fail these communities today".

**Q1 – Do you agree that the planning definition of travellers should be amended to remove the words or permanently to limit it to those who have a nomadic habit of life? If not, why not?**

ICCM strongly opposes this suggestion as to remove the words 'or permanently' from the definition places too much emphasis on the need to travel and ignores the other social ethnic and cultural factors that define a Traveller. The proposal is, furthermore, completely impractical and will be impossible to enforce.

It is already difficult for authorities to enforce personal occupation conditions. If this proposal was implemented, the question then is how would decision makers be able to determine whether families had ceased to travel permanently or merely temporarily? How long is "temporary"? What evidence would be required to demonstrate that a travelling lifestyle had been abandoned? What would happen if, having been granted permission because travelling had ceased temporarily due to changed circumstance, travelling was never resumed? What would happen to families now settled on sites in accordance with the current definition but who would not meet the proposed change to the definition? What of families who move nomadically throughout the housing system, who seemingly no longer travel on the road, but cannot settle due to a disconnect between cultures, because of the current lack of site availability, who then could be bequeathed family land?

The current definition already places undue emphasis on the need to travel. There are many single parent Gypsies who are not able to travel for work, particularly as education authorities require children to attend school and penalise parents who take their children out of school. The elderly, the disabled and those in poor health cannot travel for work but that should not exclude them from Gypsy status.

The proposal is insensitive and demeaning. It suggests that the disabled, carers and the elderly have no status in society.

It also gives weight to those in society who already have a negative stereotype of the Traveller community and plays into the hands of those who use the fears of others, often fueled by the media, to undermine the legal cultural standing of Gypsies and Travellers within their communities, thereby undoing all the work of the Traveller community, in staying in a place and becoming known there, their supporters and the local authority to deliver on Equality duties.

If a new definition is to be introduced, it needs careful consideration, and a robust piece of research, taking full account of the views of those it most affects.

**Q2 – Are there any additional measures which would support those travellers who maintain a nomadic habit of life to have their needs met? If so, what are they?**

An Independent Task Group set up by the Department for Communities and Local Government, and reporting in 2007 concluded that:

"...real improvements cannot be made while the provision of authorised sites remains woefully inadequate for the needs of Gypsies and Travellers."

This remains the case, and there has been some incentive for local authorities to respond. ICCM is working alongside Local Authorities to deliver on their local need, the proposals in this proposed Planning Policy Guidance remove what few incentives there are, and fail to propose monitoring of local authorities' provision for Gypsies and Travellers to ensure that those limited duties that do remain are fulfilled.

ICCM asks that the Government reconsider its proposals, which will significantly worsen an already very difficult and stressful environment for both Gypsies and Travellers and Local Authorities who seek to fulfil their public sector equality duty under S149 of the Equality Act 2010 as well as upholding and enforcing planning policy.

The Independent Task Group pointed to the myths and misinformation that lead to local opposition to the provision of 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.

There must therefore be the addressing of 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 groundless. These stories that need to be promoted widely.

Vital to any positive outcomes for Gypsies and Travellers is a strongly connected network of transit sites and tolerated stopping places, where families can stay for up to 3 months without being in breach of planning conditions.

### **Q3 – Do you consider that**

**a) we should amend the 2006 regulations to bring the definition of “gypsies and travellers” into line with the proposed definition of “travellers” for planning purposes, and**

**b) we should also amend primary legislation to ensure that those who have given up travelling permanently have their needs assessed? If not, why not?**

A single definition would be sensible and provide a consistent approach but it is essential to ensure that this takes proper account of the views of those on whom it will impact, and so is part of a proper consultation process.

- a) No. ICCM and Gypsies and Travellers do not recognise the official definition. ICCM feels that cultural distinctiveness is more even than living in caravans, with the extended family and animals (horses, dogs, chickens). Gypsy and Traveller culture is not just about travelling for work. There is the linguistic and cultural distinctness which is maintained even where families live in housing for generations also. Those who look after children, the infirm and the elderly, though unable to travel, do not regard themselves any less a Gypsy. Much work has been undertaken to support those who are vulnerable within the community in identifying their ethnicity in order that service provision (particularly within health services) can adequately respond to need, all of this work will be threatened also should there be an amendment to the definition.

ICCM believes that a change the definition would be to abandon the principle that local authorities should carry out their functions in a way that serves everyone in their area, since it will prevent them from considering the needs of ethnic Travellers who live in bricks and mortar, however unwillingly. In several Local Authority areas we work within there are no sites, it has taken many years of hard work, working in partnership, for those local authorities to recognise that there are housed families within their boundaries, all of whom will lose status again, and their rights to accessible services for their Gypsy or Traveller status.

Furthermore, taken together with the proposed change to planning policy guidance, this ICCM feels amounts to the planned destruction of a culture, and the forced assimilation of ethnic minority groups. Therefore the government would then be in contravention of Article 5 of the Framework Convention for the Protection of National Minorities, which states:

1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

1. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.

This proposal would also be in breach of article 27 of the International Covenant on Civil and Political Rights, which states:

“In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.”

b) No meaningful assessment of need could possibly take place in a context which by refusing to acknowledge people's ethnicity or cultural preference, the government prevented needs from being met.

**Q4 – Do you agree that Planning Policy for Traveller Sites be amended to reflect the provisions in the National Planning Policy Framework that provide protection to these sensitive sites? If not, why not?**

ICCM strongly disagrees. Paragraph 1 PPTS makes clear this guidance is to be read alongside NPPF. There is no need to add to PPTS when adequate guidance exists in NPPF. The designations mentioned already have sufficiently strong protection.

It is inequitable that developers should be allowed to build huge new developments on the Green Belt (5,600 dwellings approved last year, according to Glenigan Construction Insight) while the small-scale and low impact sites proposed by individual Gypsy families are specially targeted in this planning policy guidance.

It is noted that the lack of a 5 year planned supply of sites/pitches is currently one of the most significant material considerations for approval of sites in the Green Belt and other designated areas. If sufficient sites were provided, the problem would not arise. Removing this policy without first ensuring that need is met by supply will worsen homelessness among Travellers, which is already significantly higher than that of non-Travellers.

**Q5 – Do you agree that paragraph 23 of Planning Policy for Traveller Sites should be amended to “local authorities should very strictly limit new traveller sites in the open countryside”? If not, why not?**

ICCM strongly disagrees. The “countryside” as interpreted in planning policy, is not always a place of open character or beauty and often would not be recognised as countryside by the public at large.

“Countryside” locations are often required because the settled community do not want Traveller sites to be located within their settlement and will successfully oppose any sites within their settlement. This forces Travellers to seek sites outside settlements and thus in the countryside. There is a real difficulty of securing sites within towns and villages due the cost of land which usually has a high value for other forms of development  
Rural areas are where most caravans are located.

The countryside is where one generally finds caravan holiday sites, farm caravans, touring caravan sites, permanent park home sites and caravan storage areas. Caravan sites are rarely located within settlements; they are difficult to assimilate into the traditional street scene and are often refused planning permission for this reason, and also land recommended for development sites within existing settlements is highly sought after and as there is a larger profit margin in house building and there is much prejudice towards Gypsies and Travellers from Parish Councils, proposals for new sites would very rarely, if ever, be agreed upon within existing development zones.  
This proposed change is inequitable when large areas of housing are being permitted in the countryside due to the need to meet housing targets

Gypsies and Travellers often keep horses, chickens and dogs. This is integral to their traditional way of life. This makes it difficult to accommodate Traveller sites within settlements.

**Q6 – Do you agree that the absence of an up-to-date five year supply of deliverable sites should be removed from Planning Policy for Traveller Sites as a significant material consideration in the grant of temporary permission for traveller sites in the areas mentioned above? If not, why not?**

No. This is totally unacceptable and directly discriminatory.

Few local authorities have yet to meet their requirement for a five year supply of sites. If Councils are unable to meet the requirement for a five year supply of housing land, Green Belt locations are often released as are sites in other “protected” areas. The same should surely apply to Traveller sites. Temporary permissions whilst a shortfall of Traveller sites is rectified is the least one should expect, although they add to the stress of the community and often to the ability to be able to continue to travel.

**Q7 – Do you agree with the policy proposal that, subject to the best interests of the child, unmet need and personal circumstances are unlikely to outweigh harm to the Green Belt and any other harm so as to establish very special circumstances? If not, why not?**

ICCM does not agree. How can the harm to Green Belt be considered a greater priority than that of the Needs of The Child? Within a civilized society there should always remain a statutory duty to safeguard those who are vulnerable, whether adult or child, and homelessness remains a key issue to be solved, particularly for the Gypsy and Traveller communities who have such terrible health and education outcomes generally within this country, and particularly when linked to homelessness.

If the best interests of children were to be fully considered, policy should encourage the approval of small-scale family sites, in order that there might be more security for Gypsy and Traveller Families, and any children needing foster parents able to care for them and adequately respect their ethnicity might be found placements within the Gypsy and Traveller community.

**Q8 – Do you agree that intentional unauthorised occupation should be regarded by decision takers as a material consideration that weighs against the grant of permission? If not, why not?**

This is wholly impractical. It cannot be realistically implemented. Many families do not intentionally seek to 'ignore planning rules and occupy land without planning permission.' but are forced into situations of which they have no choice by the lack adequate site provisions, inequalities in the planning system (90% of Gypsy and Traveller planning applications are turned down opposed to 10% of settled communities applications) and lack of guidance and help from LPAs.

Consider, for instance, a case where, following a refusal of permission on this basis, the site is cleared and the use ceases. What stance will be taken when another applicant comes forward with an identical proposal?

This proposal has not been thought through and has much wider implications for planning law in general. If such a change is proposed the implications must be carefully considered as part of a wider review of planning policy and planning enforcement law.

**Q9 – Do you agree that unauthorised occupation causes harm to the planning system and community relations? If not, why not?**

No, ICCM cannot agree that unauthorised occupation causes harm to the planning system and community relations. There are many short term, small encampments in 'tolerated' or 'negotiated' locations which are actively welcomed by settled communities. Unauthorised encampments are a symptom of the planning system's failure to meet Travellers' needs, in our opinion it is poor community relations that lead to harm caused by unauthorised occupation, not the other way round.

What possible "harm to the planning system" can arise when remedies to unauthorised occupation are readily available. As to community relations, other than in a few cases which have received wide media coverage, the harm is more of a political perception than a reality.

The Planning System already has adequate provision to address unauthorised occupation of land.

The Government has deliberately deceived the public by claiming that this is an increasing problem when the verifiable statistics clearly show that unauthorised Traveller sites represent a declining problem and represent a very small proportion of enforcement cases.

**Q10 – Do you have evidence of the impact of harm caused by intentional unauthorised occupation? (And if so, could you submit them with your response.)**

No

ICCM are aware of a number of peaceful occupations which, although unauthorised, have led to acceptance and support by the local community, and enabled Traveller children to settle and flourish in school, and allowed access to health care systems as well as integration with neighbours.

It is concerning that with this question the government is seeking to gather evidence of harm due to perceived 'intentional' unauthorised occupation rather than seeking a balanced evidence base.

**Q11 – Would amending Planning Policy for Traveller Sites in line with the proposal set out in paragraph 4.16 above help that small number of local authorities in these exceptional circumstances? If not, why not? What other measures can Government take to help local authorities in this situation?**

This proposal is not based on robust evidence, and would create a perverse incentive to local authorities to argue that their case was exceptional, and they should therefore be able to evade their responsibilities. This proposal will merely reward Councils which have historically failed to meet their statutory responsibilities.

We consider that adequate enforcement powers already exist. The only realistic answer to solving the rare occurrence of over intensification of large sites is to ensure that there is adequate site provision on a sub-regional, regional and national level.

It concerns ICCM that this suggestion directly responds to fears and to public concern over the Dale Farm incident which, in reality, was a problem of Basildon Council's own making. Had the Council managed the situation more effectively at an earlier stage, it would not have escalated out of control. There is no evidence to suggest this sort of situation will become commonplace. The Government is seeking to address a problem which does not exist.

**Q12 – Are there any other points that you wish to make in response to this consultation, in particular to inform the Government's consideration of the potential impacts that the proposals in this paper may have on either the traveller community or the settled community?**

It is regrettable that this consultation only serves to perpetuate widespread misunderstandings about the Gypsy and Traveller community.

In our experience of attending enforcement appeal hearings, members of the public are becoming less critical of unauthorised occupation but increasingly critical of Councils and the Government for failing to ensure that proper provision is made through the planning system.

This proposed policy change would have adverse impacts on the most vulnerable members of a marginalised community, disabled and chronically ill people, older people and children and particularly children with disabilities. It would also disproportionately affect single women, who are more likely to be caring for dependants and less likely to be able to engage in employment suited to a nomadic lifestyle.

Even more families will be pushed into housing and denied their ethnic culture and way of life.

The impact for Gypsy and Traveller communities, will be that they will need to move onto unauthorised encampments in order to be counted as needing a pitch. This is likely to increase the numbers of families moving across the nation, therefore having an adverse effect on community relations. In times when community relations are poor – or poorer than usual – large encampments become more likely, in order to provide protection from perceived external threats. This is likely to further escalate tensions.

For the settled community, the housing crisis will become even more acute, as the settled community seeks to accommodate in bricks and mortar a group of people for whom it is a punishment, rather than a dream, as well as those families who genuinely want to be housed, but who have never lived in bricks and mortar before, with all the cultural issues that brings. This will also have an impact on health and wellbeing at a time when Service reductions are limiting the support that is available for the most vulnerable generally within local services.

This proposed planning policy guidance would create a situation in which a family could under no circumstances remain within the law whilst planning to provide their own site. In order to qualify for planning permission for a Traveller site, they would need to be nomadic, which could make employment opportunities insecure, and could have a negative effect on the education, health and well-being of their children, and older people, as well as leading to unauthorised encampments and constant evictions.

If the family nevertheless then manage to save sufficient funds to purchase their own land and settled on it, in order to meet their basic survival needs, as well as following their traditional way of life, they become ineligible for planning permission.

**Q13 – Do you have any comments on the draft planning guidance for travellers (see Annex A)?**

The guidance in Annex A is woefully deficient and superficial. If such guidance is to be produced it should be properly thought through in consultation with those who have some understanding of the impact of the planning process on the Travelling community.

ICCM is concerned that the questions asked are seeking a negative response to the needs of Gypsies and Travellers and therefore have an inherent bias against the communities needs, and within the answers that are being sought. There is also the continued use within planning documents of the non capitalisation of Traveller, which is unnecessary and demeaning to those members of groups recognised as having a distinct and separate culture. It's continued use would seem to suggest that there is an attempt to diminish the heritage and culture of those who over the years have made significant positive contributions to the overall culture and diversity of this country.

**Relevant Documents:**

Hargreaves and Brindley, 2011, "Planning for Gypsies and Travellers: The Impact of Localism", Irish Traveller Movement

(Cemlyn, S. et al., 2009, "Inequalities experienced by Gypsy and Traveller communities: a review", University of Bristol, Buckinghamshire New University, Friends, Families and Travellers)

That the situation has not improved is demonstrated by recent reports:

·Ryder, Cemlyn and Acton, 2014, *Hearing the Voices of Gypsy, Roma and Traveller Communities: Inclusive Community Development*, Bristol: Policy Press

·Lane, Spencer and Jones, , 2014, *Gypsy, Traveller and Roma: Experts by Experience*, Anglia Ruskin University and the Joseph Rowntree Foundation

·British-Irish Parliamentary Assembly, 2014, *Travellers, Gypsies and Roma: access to public services and community relations*

·Ryder and Cemlyn, 2014, *Civil Society Monitoring: on the Implementation of the National Roma Integration Strategies* Decade of Roma Inclusion Secretariat Foundation