Siobhan Spencer

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.

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:	Siobhan Spencer MBE
Position:	
Name of organisation (if applicable):	
Address:	Moorend Cottage Beeley Nr Matlock DE4 2NR
Email:	scspencer@hotmail.co.uk
Telephone number:	

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 **x**

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 **X**

(please specify):	We seem to have lost the category of Gypsy from this consultation document. Identity is an important issue !!!!

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 **x**

Comments

There should be a working party set up to discuss definition as the present definition is not perfect, however to take out the words or permanently does not address the problems around definition and will make the situation worse.
There is the assumption that Gypsy people travelled all the year through but in 1960 (through the Caravan Sites and Development Act) many families lost their winter yard, a yard that they may have stopped on for some considerable time, for example I had an aunt that stopped on farmers land and a friend that was on a back of a farm for 13 years.
They had to leave the land when the new law came on the statute books.
It appeared that overnight there was an awful lot more people on the road but it was the CSDCA that gave us this influx.
Farmers dare not let families stop for fear of a fine; they could not afford to improve facilities. It was a fact that a law that was intended to improve living conditions also had this detrimental effect.
There should be a policy in law that protects Gypsy and Traveller people in relation to land use. It is important that this be discussed in a considered way and not be used as an election tool.

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 x No ☐

Comments

Work with the community to put in place an improved definition and be proactive in the creation of sites and not react in a negative way to site provision. The Secretary of State should not be calling in Gypsy and Traveller sites in the way that he is. It is important that an independent Inspector be allowed to undertake his job without a third party intervening and under minding the Planning Inspectorate

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 **x**

Comments

The case law on definition is complicated and there needs to be a thorough review on "gypsy status" or definition as previously stated.

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 **x**

Comments

As stated there needs to be a working party created to discuss the issue of definition to save on costly law cases.

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 **x**

Comments

There needs to be education to the wider community on what exactly Greenbelt is, often they think it is wide open fields, very few people know that part of Dale Farm for example was part of an old scrap yard site that was adopted back into the Greenbelt. It is often the case that Greenbelt land is taken out of plans to provide for the building of houses on a very large scale in comparison to Gypsy provision.

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 **x**

Comments

Gypsy and Traveller families end up in a catch 22 situation, often residents do not want the families within the village envelope If not in the town or the village and not in the Green belt then where????

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 **x**

Comments

Local authorities should help in the identification of land. We are talking about a very small minority need.

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 x

Comments

What happened to the policy "Every child matters" it is extremely difficult for families to live traditional way of life and look to children's needs at the same time. It is important that children have access to the services that they need.

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 **x**

Comments

Families do not consider the fact in the circumstances where they have nowhere to go they will move on their own land rather than be at the side of the road.

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

Yes x No ☐

Comments

Yes but there needs to be recognition of this traditional way of life and a policy to protect it with an improved definition.

Lately it is apparent that many local communities consider that Local authorities should help in the provision of sites or identification of land. The local population are as frustrated with system as Gypsy and Traveller people are.

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 x No ☐

Comments

Yes I know families where members have had strokes with the stress of the planning system and the lack of sites. It is very upsetting and some individuals have to have mental health counselling

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

The whole circumstances need review. It would be beneficial to create a working party in relation to definition. This was put forward in the Civil Society Monitoring report of the UK Strategy for Roma communities (Roma also covers Gypsy and Traveller communities)

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

On the first reading of this consultation paper, I felt that it had been created just for an election tool on an unpopular subject. This is not helpful to anyone. There is a need to discuss definition but it cannot be discussed in the way that this paper lays out. It is a complicated issue. It would be beneficial to create a working party on the definition issue.

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

Not detailed enough, the old guidance was very good especially in relation to Gypsy and Traveller Accommodation Needs Assessments. How can the information be reduced down to these few pages