



**Irish Traveller Movement in Britain
The Resource Centre
356 Holloway Road
London N7 6PA**

**Submission to Communities and Local
Government Select Committee inquiry into the
abolition of regional spatial strategies**



Submission by the Irish Traveller Movement in Britain

September 2010

The Irish Traveller Movement in Britain (ITMB) welcomes the opportunity to participate in the Communities and Local Government Select Committee inquiry into the abolition of Regional Spatial Strategies. ITMB is proud to work in partnership with the Gypsy, Roma and Traveller communities together with service providers and policy makers across the UK to better promote social inclusion and community cohesion.

Key Points

- The abolition of Regional Spatial Strategies (RSSs) has already led to many local authorities instigating regressive policies on the provision of Gypsy and Traveller sites, which in turn infringes upon Gypsies and Travellers Human Rights and exacerbates the incidences of unauthorised sites.
- RSSs or an alternative regional or national approach to the provision of Gypsy and Traveller accommodation is essential considering the extent to which Gypsies and Travellers face discrimination and inequality in accommodation provision at the local level.
- The Government's decision to ignore the evidence base created by the Gypsy Traveller Accommodation Assessments (GTAAs), alongside the abolition of RSSs, has created a policy vacuum in which many years worth of knowledge, community consultation and policy guidance is in danger of being disregarded.
- Gypsies and Travellers suffer from some of the poorest social outcomes of any group in the UK. The abolition of RSSs stands to exacerbate existing inequalities and further infringe upon Gypsies' and Travellers' Article 8 Human Right to 'respect for private and family life and home' (Human Rights Act 1998).
- Without a regional or national mechanism to ensure Gypsies' and Travellers' accommodation needs are met through the planning process, the New Homes Bonus Scheme will remain a token gesture.
- ITMB would like to know what information base and consultation process have informed CLGs decision to abolish RSSs in the context of the accommodation needs of the Gypsy and Traveller communities. Gypsies and Travellers must be consulted on all decisions that dramatically affect accommodation provision for their communities.

This submission follows the CLG Committee *Terms of Reference* in respect to Gypsies and Travellers accommodation needs

Background

The shortage of authorised Gypsy and Traveller sites has for a long time caused huge hardship for the Gypsy and Traveller communities and social unrest with their settled neighbours. For this reason the Housing Act 2004 placed a statutory duty on local authorities to include Gypsies and Travellers in their wider accommodation needs assessments. It also required local authorities to take a strategic approach and draw up a strategy demonstrating how Gypsies' and Travellers' accommodation needs would be met.¹ As a result GTAAs were carried out by local authorities across England to inform RSSs. This resulted in the most detailed research into the accommodation needs of Britain's Gypsies and Travellers that has ever been carried out. It also resulted in Gypsies and Travellers' accommodation needs being determined at the regional level through the regional process.

The continuing severe shortage of authorised Gypsy and Traveller sites has been widely documented by Gypsy and Traveller organisations, government departments and the EHRC. CLG's 2009 *Progress Report on Gypsy and Traveller sites* stated:

*'The current position on site delivery remains unsatisfactory. It is clear that local authorities need to increase the pace at which suitable locations are identified that can be used as Gypsy and Traveller sites.'*²

Unwilling local authorities, often unduly influenced by hostile local residents, are predominantly the reason why there has previously been a failure to deliver the required number of sites throughout the regions. Considering the evidence that 'well-run authorised sites can be effectively integrated into local communities' leading to greater community cohesion,³ the next logical step would be for Government to place a duty on

¹ CLG, 2007, *Gypsy and Traveller Accommodation Needs Assessment guidance*, p.4
<http://www.communities.gov.uk/documents/housing/pdf/accommneedsassessments.pdf>

² CLG, 2009, *Progress Report on Gypsy and Traveller Policy*, p.5
<http://www.communities.gov.uk/documents/housing/pdf/1284500>

local authorities to plan and build sites in the most appropriate locations possible for both Gypsy, Traveller and settled communities.

At the same time as revoking RSSs, the Coalition Government has offered no tangible or credible alternative to resolving the accommodation issues facing Gypsy and Traveller communities. Conversely, it has indicated an intention to give more power to local authorities, despite the fact that local authorities were unwilling to provide sites in the past. It has also chosen to ignore the invaluable evidence base created by the GTAAs and indicated that it will increase enforcement measures that will only exacerbate, not alleviate, the incidence of unauthorised sites. To add to this the Government's decision to cut the Homes and Communities Agency (HCA) Gypsy and Traveller Sites grant by 100% has presently put the nail in the coffin of financially supporting local authorities to identify and build new sites.

³ EHRC, 2009, *Gypsies and Traveller: Simple Solutions for living together*, http://www.equalityhumanrights.com/uploaded_files/gypsies_and_travellers.pdf

The implications of the abolition of regional Gypsy and Traveller accommodation targets for Gypsy and Traveller site provision

1. Planning Implications

Evidence of revision and/or termination of Gypsy and Traveller pitch provision by local authorities

Evidence of the implication of the abolition of RSSs on the provision of Gypsy and Traveller sites is already noticeable in local authorities across England. Many local authorities have interpreted the Secretary of State's decision as a green light for turning a blind eye to Gypsies' and Travellers' accommodation needs.

- In the last month Central Bedfordshire Council stated that it would cut provision of Gypsy and Traveller sites by half from 40 to 26 pitches as a direct result of the Government's decision.⁴
- Huntingdonshire District Council recently stated that they no longer accepted that there was a need for additional provision of Gypsy and Traveller sites resulting in plans for the provision for 46 pitches being scrapped.⁵
- Council leaders in Bournemouth and Poole have stated that they have 'no plans' or 'no wishes' to provide sites having taken into consideration the Government's decision on RSSs.⁶
- Epping Forest District Council has officially abandoned provision of Gypsy and Traveller sites after the 'requirement to find an extra 34 pitches in the district through formal consultation had been withdrawn.'⁷

⁴ *Traveller sites quota slashed in Mid Beds*, Bedford Today, 02 September 2010
<http://www.bedfordtoday.co.uk/bed-news/Traveller-sites-quota-slashed-in.6509728.jp>

⁵ Traveller Law Reform Project/Friends Families and Travellers, Steve Staines, Gypsy and Traveller planning research, August/September 2010

⁶ *Plan for Traveller sites in Dorset scrapped*, Daily Echo, 31 August 2010
http://www.bournemouthecho.co.uk/news/8361625.Plan_for_traveller_sites_in_Dorset_to_be_scrapped/

In London, the Mayor Boris Johnson has reduced the 800 pitches recommended by the London GTAA to just 238 through revisions in the Replacement London Plan and the introduction of policy 3.9; more commonly referred to as a ‘minor alteration.’ In a recent statement the Mayor announced that ‘following the removal of references to regional strategies in Government statements of planning policy, it considers requirements to set targets no longer apply.’ In his upcoming ‘further minor alteration’ the Mayor is expected to propose scrapping all regional Gypsy and Traveller accommodation/pitch targets for London to ‘enable boroughs and stakeholders to meet required needs in light of local circumstances.’ However, the Mayor has stated his intention to retain the regional approach to Housing Supply (policy 3.3), explaining that housing supply in London is ‘more than a local issue.’⁸

Other local authorities who are in the process of revising or significantly cutting pitch provision for Gypsies and Travellers include: North Tynside⁹; the local authorities that make up the Greater Norwich joint core strategy; Reigate and Banstead Borough Council¹⁰ and certain local authorities in Somerset.¹¹ However, the above examples are just a snapshot from around the country and by no means reflect the extent to which Gypsy and Traveller pitches have been revised or terminated by local authorities as a result of the abolition of RSSs.

What can be deduced from these trends is that many local authorities have instigated regressive policies on the provision of Gypsy and Traveller accommodation as a direct result of the abolition of RSSs. Even in London – which still retains the regional approach under the GLA Act 1999 – the Mayor has used the abolition of RSSs to justify reducing local authorities’ obligations to identify sites in the London Plan.

⁷ *EPPING FOREST: Gypsy and Traveller requirement lifted*, Epping Forest Guardian, 13th July 2010
http://www.guardianseries.co.uk/news/efnews/8269715.EPPING_FOREST__Gypsy_and_traveller_requirements_lifte
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⁸ *Targets in the London Plan, Statement to the examination on behalf of the Mayor of London*, Targets statement JL mod to original doc-1.doc

⁹ *Rethink on Gypsy sites*, New Guardian, 02 September 2010
<http://www.newsguardian.co.uk/latest-news/Rethink-on-gypsy-sites.6508867.jp>

¹⁰ Traveller Law Reform Project/Friends Families and Travellers, Steve Staines, Gypsy and Traveller planning research, August/September 2010

¹¹ *Fears over traveller and gypsy sites in Somerset*, BBC Somerset, 03 September 2010

The importance of retaining a regional or national approach and GTAAs as an evidence base

Regional or national targets for the provision of Gypsy and Traveller accommodation are essential considering the extent to which Gypsies and Travellers face discrimination and inequality in accommodation provision at the local level. RSSs went some way towards implementing a process by which Gypsy and Traveller accommodation needs could be fairly dealt with by local authorities in the regions. As described by the EHRC in its 2009 assessment of local authorities' progress on meeting the accommodation needs of the Gypsy and Traveller communities in England:

*'The regional dimension to GTAAs is intended to ensure that all local authorities contribute to resolving the current shortage of authorised site accommodation in a strategic manner, which helps redress current imbalances in the pattern of provision, and enhances the sustainability of the Gypsy and Traveller site network.'*¹²

The regional system has also enabled local authorities to justify making provision for Gypsy and Traveller sites to local populations who are hostile or skeptical towards such plans. Evidence from the EHRC highlights that 'well-run authorised sites can be effectively integrated into local communities', consequently leading to greater community cohesion.¹³ Considering such evidence, it is crucial that local authorities have a regional or national obligation to supply pitches for Gypsies and Travellers in order to set in motion a trend of interaction and cohesion between these communities and the settled community.

The importance of a regional or national approach is also evident in the examination process in which local authorities' GTAAs are scrutinised and evaluated by a regional panel in the regional context. A recent Freedom of Information request by the Traveller Law Reform Project and Friends Families and Travellers (TLRP/FFT) revealed the

¹² *Assessing local housing authorities progress in meeting the accommodation needs of the Gypsy and Traveller communities in England*, EHRC, 2009

http://www.equalityhumanrights.com/uploaded_files/Scotland/13assessing_local_housing_authorities_progress.pdf

¹³ EHRC, 2009, *Gypsies and Traveller: Simple Solutions for living together*, p.9
http://www.equalityhumanrights.com/uploaded_files/gypsies_and_travellers.pdf

South East Regional Panel Report to be ‘severely critical of the approach of some of the local authorities.’¹⁴ The South East RSS Draft Policy recommended a total of 1,064 pitches for the region. However, following its examination in public, the Panel recommended an increase to 2,119 pitches for the region. The Panel stated that:

‘Lessons will have to be learned from the first round and our criticisms of many of the GTAAs in this Report should be seen as guidance in formulating a methodology and analysis which provides a more focused, robust and consistent evidence base on which to identify the need for gypsy and traveller pitches across the region’¹⁵

In abolishing RSSs, the Government has stated that it is for ‘councils to decide for themselves how many traveller pitches are necessary in their area according to local need and historic demand.’¹⁶ However, considering the judgment of the South East Regional Panel Report it is evident that local authorities need to have their GTAAs scrutinised and evaluated by a regional or possibly a national panel to enable them to have an ounce of credibility and consistency. The South East Regional Panel stated that:

‘the three guiding principles should be transparency, simplicity and the close involvement of both the gypsy and traveller and settled communities so that the process is seen as legitimate and the assessment seen as credible’¹⁷

While many local authorities’ GTAAs have been flawed and often underestimate Gypsies’ and Travellers’ accommodation needs, they still represent a crucial evidence base from which those accommodation needs can be assessed. In abolishing RSSs, the Government stipulated that local authorities ‘are not bound by the methodology adopted by the regional planning bodies in drawing up the GTAAs.’¹⁸

Considering local authorities’ targets in the abolished RSSs were based on their own GTAAs, it follows that in the majority of cases local authorities still have an obligation to

¹⁴ Traveller Law Reform Project/Friends Families and Travellers, Steve Stains, Gypsy and Traveller planning research, August/September 2010

¹⁵ South East Panel Report 2010

¹⁶ CLG, 2010,

¹⁷ South East Panel Report 2010

¹⁸ Eric Pickles, letter to George Osborne, *Revocation of Regional Strategies*, 25th June 2010, p. 5

make the provision for the need they themselves originally identified. However, as evidenced by the South East Regional Panel Report, it is essential that all local authorities' GTAAs are properly examined by a regional or possibly in the future a national planning panel.

2. Human implications

In a recent Westminster Hall debate on Traveller 'unauthorised encampments', Andrew Stunell, the Under Secretary of State for CLG, stated that the Government was 'committed to addressing the discrimination and poor social outcomes experienced by Traveller communities.'¹⁹ He also stated that he wanted to see 'a plan, policy or strategy that can deliver the Traveller community authorised sites.'²⁰ In a research report on the lack of provision of Gypsy and Traveller sites, the EHRC concluded that 'the lack of secure accommodation for nomadic groups remains the lynchpin of a plethora of other inequalities.'²¹ This submission has cited evidence of local authorities significantly revising and/or terminating provision of sites as a result of the Government's abolition of RSSs. With this in mind the question stands: how does the Government propose to effectively address the 'discrimination and poor social outcomes experienced by Traveller communities' by instigating policies that allow greater discrimination and inequality in accommodation provision for Gypsies and Travellers at the local level?

In terms of health and education, Gypsies and Travellers are one of the most deprived groups in Britain. Life expectancy for Gypsy and Traveller men and women is 10 years lower than the national average. Gypsy and Traveller mothers are 20 times more likely than the rest of the population to have experienced the death of a child. Only 19 per cent of Irish Traveller children and 9.9 per cent of Gypsy children achieved 5 A*-C

¹⁹ Andrew Stunell, *Unauthorised Encampments*, Westminster Hall Debate, 8 September 2010
<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm100908/halltext/100908h0001.htm#10090817000003>

²⁰ Ibid

²¹ EHRC, 2009, *Gypsies and Traveller: Simple Solutions for living together*, p.11
http://www.equalityhumanrights.com/uploaded_files/gypsies_and_travellers.pdf

passes at GCSE in 2006 and it is estimated that nationally over 10,000 Gypsy and Traveller children are unregistered with a school.²² Lack of secure accommodation is the catalyst for many of the severe inequalities the Gypsy and Traveller community face.

The abolition of RSSs stands to exacerbate existing inequalities and further infringe upon Gypsies' and Travellers' Article 8 Human Right to 'respect for private and family life and home' (Human Rights Act 1998). Romany Gypsies and Irish Travellers are legally recognised as ethnic groups, and protected from discrimination by the Race Relations Act 1976 and the Human Rights Act 1998.

The likely effectiveness of the Government's plan to incentivise local communities to accept new Gypsy and Traveller sites, and the nature and level of the incentives which will need to be put in place to ensure an adequate long-term supply of Gypsy and Traveller sites

The inclusion of Gypsies and Travellers in the New Homes Bonus Scheme does little to abate Gypsies' and Travellers' genuine concerns over the provision of new sites under the Coalition Government. Aside from the wider question as to how such a scheme is funded, the Government also fails to address the fundamental obstacle preventing the planning and construction of new sites. In a 2009 report, the EHRC highlighted the obstacle as being 'resistance from the sedentary population to the idea of new sites for Gypsies and Travellers.'²³

If the Government is serious about financially supporting local authorities to build more Gypsy and Traveller sites, then it must first acknowledge that the primary obstacle preventing sites being built is local opposition through the planning process. The

²² CLG (2007); The Road Ahead: Final Report of the Independent Task Group on Site Provision and Enforcement for Gypsies and Travellers.

www.communities.gov.uk/documents/housing/pdf/1284475

²³ *Inequalities Experienced by Gypsy and Traveller Communities, Research Report*, EHRC 2009

<http://www.equalityhumanrights.com/key-projects/good-relations/gypsies-and-travellers-simple-solutions-for-living-together/gypsies-and-travellers-research-reports/>

abolition of RSSs and the introduction of a localism agenda will most likely not lead to more sites being built by local authorities. Consequently, the inclusion of Gypsies and Travellers in the New Homes Bonus Scheme inspires little confidence that such funds, even if available, will ever materialise in the form of increased provision of Gypsy and Traveller sites.

Conclusion

Britain's Gypsies and Travellers are not adverse to the Coalition Government introducing progressive new policies to resolve the existing accommodation issues facing the communities. However, ITMB strongly disagrees with the Government's present strategy of deconstructing or dismissing nearly all existing legislation, guidance and research on Gypsy and Traveller accommodation. If the Government is to be successful in addressing this issue, it must learn to build on the existing models of good practice and not simply disregard them.

In the run up to the general election the Conservatives stated that '**local authorities have a role to ensure the provision of suitable authorised sites to tackle genuine local need for their area in consultation with local communities.**' The Liberal Democrats also announced during the election that '**we are not intending to disturb the plans already in place for providing traveller sites.**' The abolition of RSSs contradicts both these positions. ITMB calls on the Coalition Government to listen to and consult with the Gypsy and Traveller communities when drawing up any policies which affect their lives.