



Irish Traveller Movement in Britain

The Resource Centre, 356 Holloway Road, London N7 6PA

Tel: 020 7607 2002 Fax: 020 7607 2005

Email: policy@irishtraveller.org.uk

www.irishtraveller.org

Briefing on Government Planning policy for Traveller sites

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1. Introduction

- 1.1 The Government's new Planning policy for Traveller sites¹ – published on March 26 following the budget – is much more like its abolished predecessor, planning circular 1/06, than the government has presented. The fact remains that Councils will still have to identify additional sites, based on robust evidence of need.
- 1.2 However, the Government's localism agenda means that many Gypsies and Travellers will not have the capacity and support to challenge local plans. Whilst previously Traveller organisations were able to input into and influence regional plans, the resources involved mean this will be impossible considering the hundreds of local authority plans that are produced. In anticipation of this, last year Traveller organisations applied for support from DCLG's Communities and Neighbourhoods scheme to enable Traveller communities to engage more effectively in the local planning process. Unfortunately these applications were not successful, begging the question as to how Gypsies and Travellers will develop the capacity to engage with and challenge local plans in the large areas of the country where they have little to no support.

2. Capitalisation and definition

- 2.1 The new planning policy still refers to **Gypsies and Travellers in lower case** and consequently fails to acknowledge the communities legal status as an ethnic minority group and their centuries old heritage and culture.
- 2.2 The planning policy does not revise the **outmoded planning definition of Gypsies & Travellers** based solely on a nomadic habit of life. ITMB and other Traveller organisations have made a number of recommendations to the government that they remove this inconsistency and use the definition under the 2004 Housing Act which includes an ethnic dimension, as well as nomadic habit of life.

¹ DCLG, March 2012, *Planning policy for traveller sites*

<http://www.communities.gov.uk/publications/planningandbuilding/planningpolicytravellers>

3. Using Evidence and Plan-making

- 3.1 ITMB in principle **welcome the evidence based approach (policy A and B of the new guidance)**. However, the guidance makes no reference to all the evidence and work that was done under the previous regional system and we have serious concerns that Gypsies and Travellers will not have the capacity to engage and challenge Council's on their new evidence and plans.
- 3.2 **Local authorities duty to cooperate (paragraph 9c) is too vague and risks remaining just words.** The ITMB would like to clarify what sanctions are in place if local authorities ignore the duty to cooperate? 2011 research by ITMB *Planning for Gypsies and Travellers: The impact of localism* found that local authorities with high need are often willing to cooperate (because they hope some of their need will be provided elsewhere), whilst those with low need are opposed (because they might have to accommodate need from elsewhere).

4. Decision-making

- 4.1 Paragraph 23 states that **local planning authorities should strictly limit new traveler site development in open countryside. ITMB are concerned that this will prevent families putting in applications on perfectly acceptable sites.** Gypsies and Travellers generally cannot afford sites within /on the edge of settlements, and it is in such areas that resident opposition is often strongest.
- 4.2 ITMB welcome the requirement (paragraph 24) for new sites to *enhance the environment, promote opportunities for healthy lifestyles and not enclose sites with hard landscaping, high walls or fences*
- 4.3 **Paragraph 25 indicates that if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision.** Whilst ITMB welcome this measure as positive, we have serious concerns about the 12 month delay before the measure comes into force (paragraph 28). In the case where Gypsies and Travellers are in urgent need of accommodation and the evidence of need is already there, why is it necessary for them to possibly wait a year by the roadside before submitting a planning application? We would also question why all approvals must be on a temporary basis?

5. Moving forward

- 5.1 ITMB acknowledge that Ministers will want to give the new policy a chance to work. We do however urge the government to make two key changes to the planning policy for Traveller sites and to wider Government policy:
- ITMB urge the Government to capitalize Gypsy and Traveller as standard policy in all Government departments with DCLG taking the lead;
 - ITMB recommend the Government use the definition under the 2004 Housing Act which includes an ethnic dimension, as well as nomadic habit of life.

5.2 Without changes to the new planning policy, we recommend the Government act upon three key measures now, which could make a big difference in the long-term:

- Provide a modest amount of funding from the DCLG Communities and Neighbourhoods fund for Traveller organisations to engage in and challenge local authority plans;
- Support efforts to provide an emergency site for families threatened by further evictions from Dale Farm and be centrally involved finding a long term, sustainable solution;
- Accept bids to the HCA for new Traveller sites without local authority support where there is clear evidence of need & the authority hasn't allocated sites (which would ensure the HCA's rules back up the new planning policy.)