

Gypsies and Travellers:



Simple solutions for living together

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– the Travellers and
our settled neighbours.
We’ve all got something
in common: we want our
children to be healthy
and educated”

Gloria Buckley MBE, Romany Gypsy and manager
of three authorised sites

Simple solutions for living together

Gypsy and Traveller communities are an integral part of 21st century Britain. Some committed, forward-looking local authorities have pioneered ways of meeting the needs of these nomadic groups to preserve their traditional lifestyle, while accessing health and education services and maintaining good relations with other communities.

In other areas, however, Gypsies and Travellers continue to be the focus of social tension with accommodation issues at the core. People living near unauthorised sites often object to developments without planning permission or where the environment is being damaged. Such concerns receive widespread coverage in local and national media.

Nobody benefits from such confrontations; least of all the Gypsies and Travellers themselves. Romany Gypsies and Irish Travellers are legally recognised as ethnic groups, and protected from discrimination by the Race Relations Act (1976, amended 2000) and the Human Rights Act (1998). In terms of health and education, they are one of the most deprived groups in the 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.

- In 2003, less than a quarter of Gypsy and Traveller children obtained five GCSEs and A* - C grades, compared to a national average of over half.

Previous studies, such as 'Common Ground', a major report published by the Commission for Racial Equality in 2006, have demonstrated how a lack of authorised sites for Gypsies and Travellers perpetuates many of these problems. The Government has required all local authorities in England "to increase significantly the number of Gypsy and Traveller sites in appropriate locations with planning permission in order to address under-provision" by 2011.

The Equality and Human Rights Commission was formed in 2007 to protect and promote equality and human rights, to work towards the elimination of discrimination and harassment and to promote good relations within and between groups. As part of this remit, we have reviewed the progress made since 2006. Have things improved in the last three years? Will the Government target be met by 2011?

We undertook studies to assess the current situation in England – work on this issue in Wales and Scotland is also underway.



Susan Mote with daughter Emily.

Fenland District Council

Perched on the sofa of her immaculate caravan, Susan Mote rearranges her teacup on its coaster. “When I first arrived here I thought it was heaven – electricity and water all the time,” she says. “Before that we were travelling. We’d stop on the side of the road – my mother would cook over a fire. My granddad said he’d never use electricity but he became a TV addict when he moved here.”

Susan now lives with her three-year-old daughter Emily on the Seadyke Bank site in Cambridgeshire, which is owned and managed by Fenland District Council. It is a tidy, paved patch of land deep in the Fens with enough room for 12 caravans. Susan is not designed for travelling – with Emily just about to start school, she doesn’t move around much these days. The family rabbit and dog live in the well-tended back yard; a shower and washing machine are kept in a small amenities block.

Other families on the site have more traditional Romany caravans, elaborately kitted out inside with cut glass mirrors, display cabinets and even wood-burning fires. “They keep you much warmer than the ones with electric heating,” explains Bob Smith, another resident. “People are getting into refurbishing the old caravans instead of buying new ones.”

It is a simple lifestyle, in many ways no different to that of the residents of

Murrow, the quiet town next door to the site. But although the residents of Seadyke travel less than in the past, life in a bricks and mortar house is unimaginable to them. “I’d feel so hemmed in,” says Susan, shuddering. “In a caravan, you have all the windows, and you spend all your time outdoors. My mother lives across the way, and my best friend next door.”

Tina Furnell, who has managed sites for Fenland District Council for 12 years, has seen many Gypsies and Travellers move into bricks and mortar accommodation. “Almost all of them come straight out again,” she says. “They say they feel blocked in, and they miss the sense of community you get in the sites. Family is so important to Gypsies and Travellers – you’ll find all the generations of one family living together.”

Fenland District Council prides itself on its practical, forward-thinking approach to Gypsy and Traveller communities, which have a long history in the area.

The council owns and manages five sites, which are maintained to a high standard, and it is planning to identify and develop another 108 “pitches”, or family-sized lots. It has built up a good relationship with travelling communities, and provides them with advice on making planning applications for privately-owned sites.



Tina Furnell with a family on a Fenlands site

“This kind of positive engagement means that Travellers will come to us when they want to set up a site, rather than taking the unauthorised route,” says David Bailey, the council’s Traveller and diversity manager. “We save the hundreds of thousands of pounds which some local authorities spend on dealing with evictions and the environmental damage caused by unauthorised encampments.”

The sites have, he says, also laid a good foundation for community relations in the area. “If everyone knows that the situation is dealt with fairly and efficiently, it prevents tensions arising over planning permission, waste collection and so on. 10 years ago, an unauthorised encampment would be a front-page story in the local newspaper. With good provision in place, Gypsy and Traveller issues have gone right down the agenda.”

Councillor Fred Yeulett, the Conservative deputy leader of Fenland District Council, agrees. “By providing good sites we avoid many of the problems associated with Gypsies and Travellers, which gave them a bad name and attract bad publicity.”

He emphasises that the positive engagement approach works alongside a “firm but fair” policy on unauthorised encampments. “We still get unauthorised sites springing up causing problems,” he says. “In that case we try to talk things through with people, and use legal action as a last resort. The job of a politician in my position is to listen to everyone and work with them to find the best solution.”

For Susan, the arrangement means that Emily can grow up aware of her Gypsy heritage – while having access to the education Susan herself missed out on during her childhood on the road. “I want Emily to go to school so she can find a good job – but I wouldn’t want her to forget the old ways.”

“By providing good sites we avoid many of the problems associated with Gypsies and Travellers, which gave them a bad name and attract bad publicity.”

Why provide authorised sites for Gypsies and Travellers?

The Fenlands example shows how good practice and a proportionate policy approach can work and the Commission believes that such approaches can help other local authorities tackle similar issues. At its most basic we believe that everyone in Britain has a right to a decent home. Providing adequate accommodation for Gypsies and Travellers is also an essential first step towards addressing a host of other problems, both social and economic.

Creating authorised sites for Britain's Gypsies and Travellers is a small solution to what is often perceived to be a big problem. It is estimated that the entire Gypsy and Traveller population could be legally accommodated if as little as **one square mile** of land were allocated for sites in England.

The business case: spending to save

- Currently, local authorities spend around £18 million a year of council tax payers' money evicting Gypsies and Travellers from unauthorised sites.¹ Evidence suggests these costs could be significantly reduced if councils invested in providing an authorised alternative. Since Bristol City Council created two authorised sites, it has seen its costs for enforcement drop from £200,000 in the mid-90s to a current yearly average of £5,000.
- Once Gypsies and Travellers are in authorised sites significant returns can also be collected in rent, council tax and utility bills.

The social benefits

- Community tensions often arise when sites are developed without planning permission. Experience shows that well-run, authorised sites, like those in Fenlands, can be effectively integrated into local communities.
- Unauthorised sites are often located in unsafe or unsuitable places, such as close to motorways or rubbish dumps, and lack basic toilet and waste disposal facilities. As well as being a health hazard for those who live there, such sites cause environmental damage and create an eyesore for neighbours.

1 'Common Ground', Commission for Racial Equality, 2006.

Ian Holding, Neighbourhood and Housing Services, Bristol City Council

“In 1996 we didn’t have any authorised sites, and every summer we were facing 20-30 large illegal encampments, each one with 40-50 vans. The situation was at boiling point: we were receiving over 1,000 complaints every year, and we had a number of serious standoffs between Travellers and local residents.

We were spending anywhere between £200,000-£350,000 annually dealing with the situation. It was unsustainable, so we decided we had to spend to save.

We built two sites, one transit site and one permanent. Almost instantly we saw the level of expenditure drop. We now receive rent on all those pitches, and residents pay their utility bills like everyone else. We are generating income as opposed to expenditure.

We used to get banner headlines about Gypsies in the local press every other week – that has just fallen away. Rather than wasting public money on clearups and evictions, we can now focus on getting families access to healthcare and education.”

A resident on a Suffolk site



Our research

Inequalities experienced by Gypsy and Traveller communities

Our decision to focus on the lack of authorised accommodation for Gypsies and Travellers has been informed by research conducted for the Commission. ‘Inequalities experienced by Gypsy and Traveller communities: A review’, is a literature review produced by Sarah Cemlyn (University of Bristol), Margaret Greenfields (Buckinghamshire New University) and Zoe Matthews, Sally Burnett and Chris Whitwell of Friends, Families and Travellers.

The literature review confirmed that many sites are currently located in unsuitable areas. It also found that Gypsies and Travellers experience discrimination and inequalities in the following areas:

- Economic inclusion and access to employment
- Access to and experience of the healthcare system
- Social care, education and other public services, policing and the criminal justice system
- Racism and discrimination
- Domestic violence

- Interaction with faith organisations, political participation, good relations and capacity building.

It examined the impact of the current lack of authorised accommodation on Gypsies and Travellers, and concluded that: “the lack of secure accommodation for nomadic groups remains the lynchpin of a plethora of other inequalities.”

The full report is available on our website, at:
www.equalityhumanrights.com/researchreports

Have local authorities made progress?

We commissioned a second piece of research to assess the progress local authorities have made towards providing sites for Gypsies and Travellers. This report, ‘Assessing local housing authorities’ progress in meeting the accommodation needs of Gypsy and Traveller communities in England, was conducted by Philip Brown (Salford Housing & Urban Studies Unit, University of Salford) and Pat Niner (Centre for Urban and Regional Studies, University of Birmingham).

“The lack of secure accommodation for nomadic groups remains the lynchpin of a plethora of other inequalities.”

A questionnaire went out to all 354 local authorities in England in October 2008. It received 185 replies – a 54 per cent response rate. The picture, therefore, is not complete but sufficient to draw some conclusions.

The research also drew on analysis of all available Gypsy and Traveller Accommodation Needs Assessments (GTAAs) and analysis of the 2006-8 Caravan Count data.

The context

- We found that there are an estimated 5,733 pitches required before 2011 across the 329 English authorities for which data is available. There are significant regional differences in pitch requirements: the East of England and South West have the largest requirement, the North East and London have the smallest.
- The average pitch requirement per local authority, based on the information provided by respondees, is 17.4.

Key findings

There has been some progress in making legal sites available for Gypsies and Travellers.

- There are 13 per cent more pitches available now than there were in 2006.
- There are 1,573 more caravans in authorised sites – as opposed to unauthorised encampments – now than in 2006.

However, most local authorities are far from meeting the target for Gypsy and Traveller accommodation provision by 2011.

- Local authorities need to **double** their rate of progress if they are to meet the Government's 2011 target to provide accommodation for Gypsies and Travellers. This figure includes temporary permissions; they will need to **quadruple** their progress if enough permanent permissions are to be granted by 2011.
- At the current rate, it will take 18 years for local authorities in England to create enough permanent pitches.
- Of the responses we received, 83 per cent of local authorities are not on track to provide the necessary pitches by 2011.

Detailed findings²

Progress through the planning system

- Gypsy and Traveller Accommodation Needs Assessments have been completed in the great majority of local authorities in our survey.
- Only a fifth of local authorities have a Core Strategy setting out criteria for the location of Gypsy and Traveller sites. A variety of different reasons were given for this, reflecting the very variable picture of planning across England.
- Some local authorities are working to identify land for Gypsy and Traveller sites informally rather than waiting for the planning process.
- There have been 268 planning applications for site development or expansion affecting around 888 pitches.
- Between 2006 and 2008 a total of 250 planning permissions were granted which provided at least 793 pitches. 61 per cent of these were permanent and 39 per cent were temporary.
- The appeal process remains a significant component in the provision of Gypsy and Traveller pitches with 31 per cent of applications granted permission on appeal.
- Since 2006, a total of 42 new social residential pitches have been opened and 24 pitches have been brought back into use.
- Since 2006, a total of 539 private pitches have been completed although these are concentrated in

a small number of local authorities and over a third have temporary rather than permanent planning permission.

- Almost half of local authorities have a policy or action plan relating to the provision of accommodation for Gypsies and Travellers in their housing strategy.
- Over a third of local authorities have introduced a specific measure to support Gypsies and Travellers moving into, or already living in, bricks and mortar housing since 2006. These include services such as floating support workers and the appointment of Gypsy and Traveller liaison officers.

Gypsy and Traveller Sites Grant

- A total of £54.6 million of Gypsy and Traveller Sites Grant was awarded by the Department of Communities and Local Government between 2006 and 2008; a further £21.6 million was allocated in December 2008 after the research analysis was completed. As of December 2008 the grant is administered by the Homes and Communities Agency.
- Indications are that most of the grant has gone to the refurbishment of existing sites, but some of the grant has been awarded to new site provision and other initiatives.
- The survey of local authorities indicated that the grants awarded will create 165 additional pitches, bring 23 pitches back into use and refurbish 928 existing pitches.

² All of these figures are based on the 185 local authorities that returned the questionnaire. The survey actively targeted those with a significant Gypsy and Traveller population.

Overcoming the challenges

We are aware that local authorities face challenges in winning public, political and media support for creating new authorised Gypsy and Traveller sites. With committed leadership and good planning, however, these difficulties can be overcome.

Political parties

Political will and leadership is essential if progress is to be made on this issue. Even if national party leaderships accept the case for good provision, it is important to ensure that this filters down to support at local level.

Local authorities

Councillors and local representatives who show clear leadership on Gypsy and Traveller matters set the tone for a more positive debate in their communities.

The media

Media coverage of Gypsy and Traveller issues often focuses on environmental damage and community tensions caused by unauthorised sites. With proper provision in place, the issue drops down the agenda, opening up opportunities for more positive representations of the Gypsy and Traveller communities.

Working together with Gypsies and Travellers

Gypsy and Traveller groups are very diverse, and often have different needs and agendas. Even well intentioned local authorities often struggle to consult and include Gypsies and Travellers in their policy making and service provision. It is important, however, that they provide training for their staff and learn from examples of best practice around the country.

John Elworthy, editor, *Cambs Times*

“I’ve reported on the travelling community in Cambridgeshire for years. When you talk to them you find out that their aspirations are no different to anyone else’s: an Englishman’s home may be his castle – for a Gypsy his caravan is his castle. Our reporting must reflect that. I will not allow this newspaper to be intolerant.

Local authorities are afraid of the media on this issue, but they have to understand that newspapers do not set the tone – they report the reality. If Gypsy and Traveller issues

are being dealt with effectively and accountably, the media will have no reason to report negative stories. If, on the other hand, the council takes a belligerent attitude, newspapers take their cue – and the press are blamed for reporting that.

In this difficult issue, you reap what you sow. The onus has to be on local authorities to provide decent health, education and accommodation. If those things are taken care of you won’t have these explosions being reported in the media.”

A mother and her son outside their home in the Fenlands



Alan Noyce, Mayor of Shipston-on-Stour

There was heated opposition when a Traveller family moved their caravans onto a piece of land they had bought near the town of Shipston-on-Stour in Warwickshire in 2008. Local councillors mounted an eviction campaign, and, because the cabinet minister Tessa Jowell lived near the site, *The Sun* ran an article under the headline “Gypsy Hell”.

Alan Noyce with a resident on the Shipston-on-Stour site



Alan Noyce, the local mayor, decided to visit the site and open up a dialogue with the family.

“They came across as very nice people. They explained that they just wanted to get education for the children and medical treatment – which is everyone’s right. I told them that there was no problem with that as long as they behaved themselves and respected the community.

Afterwards I got abusive phone calls from people saying I shouldn’t have gone, and that I should resign. People were worried about theft, fighting and drunkenness. They were frightened.”

Mayor Noyce invited the family to come to a town meeting to answer questions. “That really took the heat out of the situation. Temporary planning permission has now been granted, and they have integrated very well into the community – they are not causing any of the problems that people thought they would.”

Recommendations

Providing adequate accommodation for Gypsies and Travellers is both eminently possible and an essential foundation for good community relations. Only two years away from the 2011 Government deadline, it is clear that too little progress has been made towards meeting this need.

For local authorities, the key to effective handling of Gypsy and Traveller issues is:

- Strong leadership and a commitment to finding long-term solutions.
- Sufficient site provision and good site management.
- Good communication with the local community, including Gypsies and Travellers themselves. This could include creating a forum in which representatives of all groups can discuss site provision with each other and with the local authority.

There are also specific steps local authorities can take to improve the situation:

- Develop a holistic vision for their work on Gypsies and Travellers, and embed it in their Community and Homelessness Strategies, Local Development Framework and their planning and reporting obligations under the Race Equality Duty.
- Review all policies on accommodation for Gypsies and Travellers.
- Support the training of elected members and officers, using the forthcoming toolkit being developed by IDeA and LGA.
- Advise Gypsies and Travellers on the most suitable land for residential use and provide help with the application process.
- Develop an internal policy on how to deal with racist representations in the planning approval process.

There is also a role for national organisations to help make this work.

Central government can:

- Establish national standards and key performance indicators for public sites.
- Integrate Gypsy and Traveller issues into their frameworks and guidance for promoting social inclusion.
- Gather and use robust data on accommodation provision.
- Ensure value for money for site grants, and provide further funding to meet the shortfall in the 2011 targets.
- Consider reconvening the Independent Task Force on Gypsies and Travellers.

Government offices for the Regions and Regional Development Agencies can:

- Ensure that Regional Spatial Strategies and Local Development Frameworks do not delay the delivery of sites.
- Plan for provision beyond 2011, when regional decision-making and structures are due to change.

Young residents at the playground on a Suffolk site



Additional recommendations for national agencies

- The Audit Commission should ensure Gypsy and Traveller issues are reflected in Comprehensive Area Assessments.
- The Improvement and Development Agency for local government should roll out its pilot training scheme to all local authority members and officers.
- The Homes and Communities Agency should ensure Gypsies and Travellers are incorporated into housing and homelessness strategies.
- The Planning Inspectorate should tackle the bureaucracy, inflexibility and pace of delivery of pitches/sites where there is an identified need.
- The Royal Town Planning Institute should develop guidance on the conduct of public meetings.
- The National Association of Local Councils should raise awareness and roll out training among parish, town and community councils.
- The Department of Health should establish targets to reduce the health inequalities experienced by Gypsies and Travellers; and, develop guidance and training for health authorities and practitioners.
- The Department for Children, Schools and Families and the Department for Innovation, Universities and Skills should undertake a review of Traveller Education Support Services and incorporate Gypsies and Travellers within measures to combat bullying.
- The Association of Chief Police Officers should identify and publicise good practice in dealing with crimes or anti-social behaviour; and, encourage the appointment and training of liaison officers.
- The Press Complaints Commission should revise their rules to allow for class / group complaints to be made.

Gloria Buckley, manager of three authorised sites



Gloria Buckley, MBE

Gloria Buckley manages three authorised sites in Norfolk and Suffolk. She is from Romany stock, and spent her childhood ‘on the road’ before settling into a bungalow once she married. In 2008 she became the first English Romany woman to be awarded an MBE.

“Gypsies are like everyone else – none of us are angels, but we don’t deserve all the negative stories. On my sites all the families understand the rules before they move in: I interview them beforehand and explain about health and safety, common sense, and respect for the local community. If they don’t want to live like that then they leave.

We are one community – the Travellers and our settled neighbours. We’ve all got something in common: we want our children to be healthy and educated.

When I started managing the site at Costessey [in Norfolk] things were very rough, with terrible problems between the Gypsies and their neighbours. People said you can’t do it – but we got things in hand and we have made it work. We even got an award for making a contribution towards village life.

I’ve tried to learn my way through the system. Still, when I went to Buckingham Palace to collect my MBE I felt like an imposter. I kept expecting someone to tap me on the shoulder and ask, who do you think you are?”

What will the Commission do?

- Integrate Gypsy and Traveller work into its local government and good relations work, including any future guidance on the good relations duty on public bodies.
- Engage all major political parties in a dialogue around fostering good relations, effective and consistent communication with party membership, and standards for electoral campaigning.
- Work with the media to improve their understanding of the background to stories about Gypsies and Travellers.
- Document and promote good practice. We have awarded grants to a number of organisations, including £20,000 to One Voice 4 Travellers Ltd, which provides advocacy for roadside traveller women and children in Suffolk and Cambridgeshire. The Black Training and Enterprise Group (BTEG) was awarded £14,000 to develop the capacity of Gypsy and Traveller communities in the South East by providing training in project management and equality and human rights legislation.
- The Commission primarily wants to encourage local authorities to find solutions to Gypsy and Traveller accommodation provision and we believe the use of the case studies outlined in this report will help with that. We will continue to work with partners to promote best practice and review progress again in 2010. We reserve the right to take legal action if necessary.

Legal interventions

The Commission has the power to intervene in court cases, and we have done so in two cases involving the Gypsy and Traveller community. The aim of our interventions has been to clarify how anti-discrimination legislation such as the Race Equality Act and the Disability Discrimination Act apply to Gypsy and Traveller communities, particularly when local authorities decide to evict them from unauthorised sites.

We have also sought to clarify how planning inspectors can best uphold the legal duty local authorities have to promote racial equality when they are deciding whether or not to grant planning permission for Gypsy and Traveller sites.

We want to clarify the law in this way so that local authorities can better understand how to deal lawfully with Gypsy and Traveller communities. We also want to promote a better understanding of legal rights and responsibilities within the Gypsy and Traveller communities themselves.

Case one: Dale Farm (Basildon District Council v McCarthy and others [2009] EWCA)

The Traveller community at Dale Farm in Billericay in Essex brought a case against Basildon Council in the High Court in February 2008. Basildon Council had decided to evict the community, which includes 150 children and a number of disabled people.

The Commission intervened to advise the court on how the law in relation to race and disability discrimination should be applied in cases where councils decide to evict Gypsy and Traveller communities from unauthorised sites. We offered guidance on how councils should come to these decisions while meeting their legal obligations to behave in a fair and transparent way.

The High Court ruled that the Council's decision to evict the community was unlawful as it was indirectly discriminatory and the Council had failed to take into account a number of issues, including its homelessness obligation, the individual needs of the Travellers and whether they had a need for accommodation which the Council should address. However, the Court concluded that the Council had complied with its duties to promote race and disability equality on this occasion.

Basildon Council went to the Court of Appeal which ruled in favour of the Council in December 2008. In March 2009 the Traveller community at Dale Farm was granted legal aid as they were in the process of seeking leave to appeal to the House of Lords.

In the meantime, the Commission is continuing to work closely with the community and with Basildon Council to find a mediated solution. John Wadham, Group Legal Director for the Commission, said:

“We are very concerned that this ongoing legal dispute has created a distressing situation for the Travellers at Dale Farm and for local residents... We will now work with interested parties to look for a solution that can heal the damage the dispute has had on everyone in the local community. We recognise that dealing with these issues on the ground is difficult. We would like to help Basildon Council bring all sides in this dispute together. We can also offer them guidance in weighing their legal obligations to the Traveller community with the need to maintain planning controls.

We believe Basildon need to concentrate efforts on finding a practical solution to this problem by identifying alternative accommodation where necessary and publically explaining their approach.”

Case two: Bromley (Baker and Others v Secretary of State for Communities and Local Government and London Borough of Bromley [2008] EWCA)

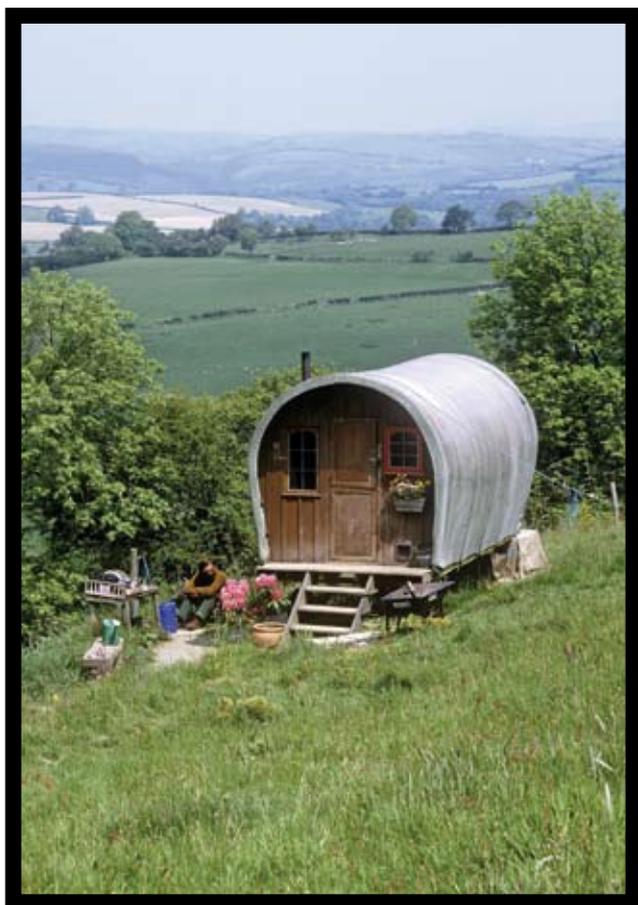
A Romany Gypsy and a number of Irish Travellers challenged the decision of a planning inspector to refuse them planning permission for a caravan site on the green belt in February 2008. One of the grounds of the challenge was that the inspector had failed to comply with the duty on local authorities to promote race equality.

We intervened to advise the court on how to apply the Race Relations Act 1976, particularly in respect of the legal duty local authorities have to promote racial equality. We emphasised in particular how this duty should be taken into account by planning inspectors and local authorities when considering planning permission applications for Gypsy and Traveller sites.

The Court ruled that the inspector had complied with the duty, and dismissed the appeal.

Importantly, however, the Court acknowledged the importance of equality of opportunity for Gypsies and Travellers. The Court also maintained that planning inspectors should pay due regard to the race equality duty when making decisions about planning permission for Gypsy and Traveller sites.

A unique way of life



Gypsies and Travellers have lived in Britain for hundreds of years. As this report has shown, there are compelling social and economic reasons why local and central governments should positively engage with these communities. There are also less quantifiable benefits to improving public understanding and appreciation of Britain's nomadic heritage.

Traditional Gypsy and Traveller values are similar to those aspired to by many in the wider population: a strong sense of family and community and a close bond with the natural environment. Jonny Jones, 14, runs a Gypsy and Traveller youth group with his brother. He explains why he loves his life in the field he shares with his mother, siblings and grandparents:

“I live in one caravan with my brother – my mum and younger siblings have the one next door. My mum and dad split up when I was small, but my dad comes to stay in our field sometimes. I’ve travelled everywhere with my family, all round Britain and as far away as Greece.

I like the way I’ve been brought up. I like hearing the rain on my trailer, and the birds outside. I like having my family around me.”

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