

2. Background

Gypsy and Traveller Accommodation: The current situation

- 2.1. Conservative estimates suggest that there are approximately 13,500 Gypsies, Roma and Travellers (GRT) living on either authorised or unauthorised sites, or in 'bricks and mortar' accommodation across London³. These GRT are often severely disadvantaged in terms of accommodation. There is inadequate provision of sites, exacerbated by the high demand on land in the capital. The lack of authorised accommodation for GRT often leads to unauthorised encampments, which has negative impacts on both GRT, and the wider community. In London, from 1997 to 2008 no new sites were built⁴ and several sites were closed. The estimated need for accommodation in London is now approximately 768 additional sites to be provided by 2017.
- 2.2. Where sites are provided they are often inappropriately located, overcrowded, have poor facilities, and are poorly managed⁵. The London Gypsy and Traveller Accommodation Needs Assessment (GTANA) gives a profile on the accommodation problems experienced by Gypsies and Travellers in London.

Local Authority sites:

- 42% of the respondents were dissatisfied or very dissatisfied with their utility blocks suggesting many were in poor condition.
- 17 % of the respondents pay more than 40 pounds a week for electricity.
- 47% of respondents are satisfied or very satisfied with their accommodation, much lower than the wider community for London typically 70 to 85% of social housing occupants.

Unauthorised encampments:

- Only 18% of respondents said they had access to basic facilities.
- 10% of respondents were dissatisfied and 56.4% were very dissatisfied with their present location and cited factors such as eviction, lack of facilities, security, pollution overcrowding and poor access to services.

Travellers in housing:

- Just over half were satisfied with their home, with the isolation and loss of cultural identity given as a reason for dissatisfaction. A small majority wanted to return to a site.
- 42% of respondents were dissatisfied or very dissatisfied with their accommodation.
- Often they lack knowledge of tenancy agreements and need greater tenancy support to ensure a successful transition to housing.

³ Fordham Research, 2008: p34

⁴ DCLG (2008) Gypsy sites provided by Local Authorities and Registered Social Landlords in England 21 July 2008

⁵ Commission for Racial Equality (2006) *Common Ground: Equality, good race relations and sites for Gypsies and Irish Travellers*, p12.

Wider exclusion issues:

- A third of participants said they had been discriminated against when accessing services.
- Just over half thought they had been a victim of racism with only one fifth reporting race crime to the police.
- A third of the respondents on unauthorised encampments are not registered with a GP and 26% have problems using local services.
- 33.3% of respondents on unauthorised sites attended school regularly as opposed to 72.2 % on authorised sites. Bullying was the main reason for preventing school attendance, with 31.1% of respondents citing this factor.

This profile provides a truly distressing picture of the problems faced by Gypsies, Roma, and Travellers, and throws into further relief the urgency of the need to improve and increase accommodation for these groups.

- 2.3. There are several benefits to be gained from providing additional authorised sites. It is estimated that local authorities spend around £18 million a year evicting GRT from unauthorised sites (CRE, 2006: p18). If councils invested in authorised sites, then this cost could be significantly reduced, and income would be generated through rent, council tax and utility bills. Social tensions over unauthorised encampments may be reduced through well-run sites and thus community cohesion is strengthened. The benefits for GRT themselves are many. One of the most important benefits would be to increase the well-being of GRT who are impacted negatively by living in 'bricks and mortar'.

"For many Travellers, the transition from living among a close knit community to experiencing the social isolation of dwelling within four walls can be profound and traumatic. The situation is often exacerbated by the fact that many newly housed Travellers may, for the first time in their lives, now reside miles away from their friends and family and (not infrequently) they find themselves exposed to racist abuse or fear when their ethnic origins become apparent to their new neighbours"

(Greenfields and Clarke, 2005: p108)

Gypsy and Traveller Accommodation in Legislation and Planning

- 2.4. In response to the problems faced by GRT, the present Government has made a commitment to ensure decent and suitable accommodation is provided to meet the needs of these communities. The *Housing Act 2004* requires local authorities to provide sites for GRT where a need has been established. This need is assessed through regional Gypsy and Traveller Accommodation Needs Assessments (GTANAs), which then should inform local authorities' strategies to meet these needs.
- 2.5. In 2006 Planning Circular 01/2006 was published to outline how the accommodation needs of GRT should be integrated into the Planning system, marking a shift away from a situation where most LPAs do not have policies identifying suitable locations for sites and do not help Gypsies and Irish Travellers to find suitable land (CRE, 2006: 128). The Circular sets out how GTANAs should inform overall pitch levels in Regional Spatial Strategies (RSSs), and how additional pitches are to be distributed amongst local planning authorities. Using this evidence of need, local planning authorities must identify specific sites suitable for pitches and establish criteria used to assess

planning applications for pitches in the LDF. Critically, Circular 01/2006 paragraph 43 states; "Where there is clear and immediate need... local planning authorities should bring forward DPDs [Development Plan Documents] containing site allocations in advance of regional consideration of pitch numbers, and completion of the new GTANAs".

Circular 01/2006: p9

Local planning authorities will need to demonstrate that sites are suitable, and that there is a realistic likelihood that specific sites allocated in DPDs will be made available for that purpose. DPDs will need to explain how the land required will be made available for a gypsy and traveller site, and timescales for provision...

There are a number of ways in which local authorities can identify specific sites and make land available.

a) Local authorities have discretion to dispose of land for less than best consideration where it will help to secure the promotion or improvement of the economic, social or environmental well-being of the area, as set out in ODPM Circular 06/03.

b) Authorities should also consider making full use of the registers of unused and under-used land owned by public bodies as an aid to identifying suitable locations. Vacant land or under-used Local Authority land may be appropriate.

c) Authorities should also consider whether it might be appropriate to exercise their compulsory purchase powers to acquire an appropriate site.

d) Cooperation between neighbouring authorities, possibly involving joint DPDs, can provide more flexibility in identifying sites. Such cooperation is particularly important where an authority has strict planning constraints across its area.

The Local Development Framework (LDF) is central to planning at a Local Authority level. An LDF is comprised of several different documents, including Development Plan Documents, Supplementary Planning Documents, and a Statement of Community Involvement.

Development Plan Documents (DPDs) are the most important documents in the LDF. This is because they contain the key policies for the area, are independently assessed by an Inspector from outside of the Council, and have a minimum level of community involvement in their preparation. The Core Strategy is the central DPD, and outlines the spatial vision and strategic objectives of the planning framework for an area. Site Allocation DPDs identify specific sites to meet the spatial planning strategy. Each DPD is subject to public consultation and an examination in public to test that it is 'sound'.

The LDF will also include a Statement of Community Involvement (SCI). This establishes how the Local Planning Authority will involve local communities in planning, and outlines how these communities can get involved in influencing decisions on planning applications for developments, and in preparing local development documents that guide future development. The SCI also states which groups or organisations it will automatically contact for consultations. While the 2008 Planning Act altered the status of the SCI, it remains an important point of reference for both Local Authorities and communities with regards to Local Authorities' duty to involve communities in planning.

- 2.7. Local Area Agreements (LAAs) can potentially act as a delivery vehicle for the provision of accommodation for GRT. They set out how the Sustainable Community Strategy, the core vision for the area, should be delivered over a three year period. Priorities and targets are agreed, and what resources should be allocated to deliver these targets. Establishing GRT needs in an LAA can be a significant step in providing for these needs. Other important contributions to delivery include the Gypsy and Traveller Site Grant administered by the Homes and Communities Agency.

Other mechanisms for delivery of GRT accommodation are Section 106 agreements, Community Land Trusts, and where necessary, Compulsory Purchase Orders.

Involving Gypsies and Travellers in Planning

- 2.8. Consultation with GRT in the processes of identifying, designing, developing and managing new sites and pitches is essential. By not involving these groups in the planning process, sites may not properly meet the needs of their residents, and Gypsies and Travellers will lack any real control in the process. However, the Commission for Racial Equality (whose functions have been incorporated within The Equalities and Human Rights Commission) found in 2006 that many local authorities in England do not consult on GRT policies. When drawing up site planning policies, only 28.6% of Local Authorities consulted Gypsy and Traveller support groups, and 15.7% consulted individual Gypsies and Travellers (CRE, 2006: p126). Furthermore, “two thirds of authorities did not adapt their consultation methods to avoid the barriers that some Gypsy and Travellers face, such as low literacy” (CRE: 2006: p11).
- 2.9. Frontloading consultation on planning policies is an important element of Circular 01/2006. Involving GRT should help to ensure sites are appropriately located, and that the design of sites meets the needs of their users. Embedding GRT in the SCI is one way to strengthen their involvement in consultation processes. Other ways in which Local Authorities can consult with GRT, and build successful practices, include forums, focus groups and residents groups. Chapter 4 gives more detail about how local authorities in London have consulted with GRT, while Chapter 5 gives recommendations of consultation practice.

Gypsy and Traveller Accommodation Needs in London

- 2.10. The Gypsy and Traveller Accommodation Needs Assessment (GTANA) for London was carried out by Fordham Research and published in May 2008. The GTANA established that there is an overall maximum need of 768 new residential pitches from 2007-2017 (Fordham Research, 2008: 162). Since this was published there has been some dispute over the calculations and pitch numbers. The use of a maximum and a minimum need is unique to the London needs assessment and has led to some confusion. However some of that confusion has been removed by the GLA who readily accept that the maximum figure should be the target need that London seeks to address.
- 2.11. A Greater London Authority (GLA) note to boroughs (March 2009) “seeks the views of London boroughs (and of London Councils) on the process for arriving at proposed borough-level Gypsy and Traveller pitch provision targets.” As part of this the GLA is proposing options to redistribute the identified need across London boroughs. This consultation with boroughs will be included in the draft London Plan published for consultation in late 2009.

The redistribution scenarios proposed by the GLA are:

- GTAA Need – This is the maximum figure per borough found through the Gypsy & Travellers Accommodation Assessment.
- Minimum Threshold – All boroughs with a need of less than 10, have figure rounded up to 10 pitches, the ‘surplus’ of places is then subtracted from the top 4 boroughs, in proportion to their share of collective need.
- Need Capacity – Each boroughs conventional housing capacity, is taken as a % of London total, this is averaged with identified share of need. This average is applied to London total.
- Current & 3% - Every borough takes 3% of the need (23 pitches in most boroughs, 24 in some) added to authorised provision identified in London Plan (Table 3A.3 pg 82).

These options are currently being considered by LPAs

- 2.12. It is important to highlight that the GTANA research into ‘a cultural aversion of bricks and mortar’ took a conservative estimate of the actual need, only ascribing a need for a pitch were residents stated both a negative psychological effect of living in bricks and mortar accommodation, and dissatisfaction with their current home. Indeed, the Fordham’s research itself makes clear that the identified need was conservative and possibly underestimated the actual need:

“12.24. It is worth stating that a further 762 families were identified as having a psychological aversion to housing but did not say they were dissatisfied with their current accommodation. Given that ‘proven’ psychological aversion implies a high level of confidence that the aversion is detrimental to their living standards, these participants were not therefore counted as having a need for a pitch.

12.25. However it is clear demand for sites from those living in housing is therefore significantly higher than our assessment of need [see Table 14.5 for a comparison]. Certainly it is clear from the survey data that many Gypsies and Travellers living in bricks and mortar accommodation retain a keen desire both on behalf of current adults and their children to resume their traditional way of life on sites. A lack of suitable alternative accommodation may be one reason why many participants did not say they were dissatisfied with their current home yet elsewhere demonstrated a psychological aversion to living in a house.”

(Fordham Research, 2008: p102)

Table 1: Gypsy and Traveller accommodation - Estimated need for residential pitches by borough, 2007-17 as presented by the GLA to the LGTU, January 2009

	'Minimum' need			'Maximum' need		
	2007-12	2012-17	2007-17	2007-12	2012-17	2007-17
Barking and Dagenham	2	2	4	9	3	12
Barnet	0	0	0	13	2	15
Brent	7	7	14	13	8	21
Bexley	2	5	7	46	11	57
Bromley	17	12	29	96	23	119
Camden	1	1	2	4	1	5
City of London	0	0	0	0	0	0
Croydon	7	3	10	15	4	19
Ealing	5	6	11	52	12	64
Enfield	0	0	0	2	0	2
Greenwich	14	8	22	35	10	45
Hackney	8	5	13	27	7	34
Hammersmith and Fulham	0	0	0	5	1	6
Haringey	4	2	6	50	8	58
Harrow	0	0	0	14	2	16
Havering	12	5	17	17	6	23
Hillingdon	3	3	6	35	8	43
Hounslow	3	3	6	11	4	15
Islington	0	0	0	3	0	3
Kensington and Chelsea	3	3	6	8	4	12
Kingston upon Thames	-1	4	3	11	5	16
Lambeth	2	2	4	7	3	10
Lewisham	4	1	5	16	3	19
Merton	2	2	4	12	4	16
Newham	7	3	10	15	4	19
Redbridge	2	3	5	13	4	17
Richmond upon Thames	2	2	4	11	3	14
Southwark	6	6	12	10	7	17
Sutton	4	4	8	8	5	13
Tower Hamlets	19	6	25	33	7	40
Waltham Forest	-1	3	2	4	4	8
Wandsworth	1	2	3	7	3	10
Westminster	0	0	0	0	0	0
London total	135	103	238	602	166	768

NOTES

- London total does not match total given in GTANA report due to rounding of borough figures
- The 'maximum' need figure is most consistent with government guidance as it takes into account need arising from those with a cultural aversion to bricks and mortar housing.

Assessing Progress in Meeting Accommodation Needs

- 2.13. While there are some weaknesses with the London-wide GTANA (see Niner, 2008), it has been effective to a degree in mainstreaming the accommodation needs GRT communities into the planning system, and building up practices of consultation. It is important however, that the GTANA is followed up with the integration of findings into regional and local planning policies, and that sites are provided to meet the established need.
- 2.14. This report looks at progress that LPAs in London have made in integrating Gypsy and Traveller Accommodation needs into their LDF, and whether/how Gypsies and Travellers have been consulted in this process, following the publication of the GTANA. It follows the report *Assessing local housing authorities' progress in meeting the accommodation needs of Gypsy and Traveller communities in England* published in March 2009 by the Equalities and Human Rights Commission, which looks at the progress made by Local Authorities nationwide. This report provides an overview of the situation in London specifically.
- 2.15. Nationally, "the planning system seems not to be working as intended, or at least as quickly as intended" in providing for the accommodation needs of GRT communities (Brown & Niner, 2009: ix). For London, at the current rate of progress, it would take 15 years for Local Planning Authorities to meet the five-year requirements set out in the GTANA⁶. One possible cause of this delay is the protracted review process for the London Plan; the consultation draft is expected to be published in autumn 2009, while examination in Public will be in summer 2010 and final publication in 2011. Another cause is the timescale for submission and adoption of LDFs. Yet, where a need is evidenced, local authorities should identify land for site development ahead of the timetabled planning process.

⁶ Brown & Niner, 2009: p11