

LOCAL PLAN

helping shape the district



Gypsies and Travellers

Frequently Asked Questions

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The following list of frequently asked questions has been devised to help explain this subject and the Council's role in the provision of accommodation for the Gypsy and Traveller community.

Please note that this document has been prepared to give a broad overview of the Gypsy and Traveller community and is not specific to those Travellers who need accommodation in this district.

Q: Who are Gypsies and Travellers?

A: Romany Gypsies and Irish Travellers are defined as minority ethnic groups under the Race Relations Act (1976). There are a number of Gypsy and Traveller communities, each have different histories and traditions:

- Gypsies are Romany ethnic groups who have lived in Britain for around 600 years. Their ancestors originate from northern India.
- Irish Travellers are a nomadic group with a distinctive way of life who have been part of Irish and British society since ancient times but increased since the 1960s.
- New Travellers are people of settled background who adopted a travelling lifestyle more recently, although some are now in their third or fourth generation of travelling. They have adopted this way of life for a variety of reasons, such as homelessness, unemployment or environmental issues.

Q: Why do Gypsies and Travellers have a different way of life to the settled community?

A: Their way of life; language, culture and traditions, are passed down from generation to generation in the same way as any other group. The onus on keeping them varies from family to family. Cultural values are strong and extended families are more the norm than nuclear families.

Q: Do Gypsies and Travellers work?

A: In the same way as the settled community, Gypsies and Travellers work in a range of occupations; for example, as teachers, academics and health workers, while others work in the financial sector and in the sport, leisure and entertainment industries*. Traditionally, Gypsies and Travellers have also worked in a variety of trades, such as landscape gardeners, agricultural workers, laying tarmac, motor trade workers, scrap metal dealers, tree fellers etc. and many continue to do so, but need to move around to find the work.

*This information has been taken from Bristol City Council's booklet entitled 'Gypsies and Travellers: Frequently Asked Questions, Myth and Fact'. The research behind this information is unknown

Q: Do Gypsies and Travellers pay Council Tax?

A: Gypsies and Travellers on authorised sites do pay council tax, rent, gas, electricity and other amenity charges.

Q: Why is most media coverage of Gypsies and Travellers negative?

A: There have been conflicts due to the establishment of unauthorised sites. If more authorised sites can be identified and provided, then it should reduce the conflicts and lead to less negative coverage. Having authorised sites also gives the Police powers to move Gypsies and Travellers on illegal encampments to authorised sites.

Q: Why do Gypsies and Travellers set up on sites without planning permission?

A: The lack of public sites and the difficulties Gypsies and Travellers have in setting up their own sites has often left them without the ability to access their basic rights to accommodation. 90% of planning applications that Gypsies and Travellers submit fail, which often forces them back on the road, with no fixed address.

Q: What is a residential site?

A: Also referred to as permanent sites, these sites are either owned by Gypsies and Travellers themselves, provided by a private landlord or, in some cases, by local authorities. The sites are used long-term by Gypsies and Travellers. The residential sites are managed and have a number of amenities. This includes water supply, electricity, individual toilets, utility rooms with food preparation, and washing areas.

Q: What is a transit site?

A: Transit sites are authorised sites which are used for short stays by Gypsies and Travellers. The sites are permanent but are used short term and have basic amenities and services, which include water supply, shared toilets, washing facilities/utility room, and waste disposal. All transit sites are managed and are subject to rent and council tax. Gypsies and Travellers can only stay on these for a limited amount of time. They are only meant to be for short term stop-overs.

Q: If they move into houses, do Gypsies and Travellers stop being Gypsies and Travellers?

A: No. Gypsies and Travellers that move into houses do not lose their culture or ethnic status. Many move into houses for health reasons, or to give their children an education. Many will still travel in the summer months, even if they are based in a house. Many feel that they are forced into housing as a result of society not accepting their way of life and as there are insufficient sites available to them to continue their travelling tradition. For some families it doesn't work; they feel isolated from their community, and often feel claustrophobic or hemmed in, inside four walls.

Q: What exactly is a pitch?

A: A pitch is the space required to accommodate one household and their caravans (static and travelling) and parking spaces, together with enough room for the turning of vehicles.

Q: What is an unauthorised encampment?

A: Land that is owned by Gypsies and Travellers but does not have planning permission for use as a residential or transit site. If an unauthorised encampment is on Council land, the Council has a power, not a duty, to move them on and they may only evict them subject to complying with Human Rights legislation and other procedures. Failure to comply would render the Council and Police officers liable to a challenge in the courts, proving potentially costly and quite probably resulting in lengthy stays for the travellers. The Council cannot remove Gypsies and Travellers immediately from land on which they are illegally encamped. This Council has taken legal action to remove Gypsies and Travellers from such sites.

Q: Do the Council or Police have a duty to move unauthorised encampments on when they are camped on private land without the landowner's permission?

A: If they are on private land it is the landowners responsibility to deal with the issue. The Police will tackle all reports of crime (but not trespass) wherever they are reported. If the landowner does not take action and is in breach of planning or licence requirements, the Council may take action against the landowner to require the removal of the caravans. Court action may follow if the landowner does not comply.

Q: Why is the provision of more Gypsy and Traveller sites suddenly an issue?

A: It is a Government requirement for councils to make provision for all people requiring housing. This includes meeting the needs of Gypsies and Travellers and Travelling Showpeople. Government advice says that councils have to ensure that through their plan-making process, sites are identified for Gypsies and Travellers to meet any requirements, which have been identified in a housing needs assessment. As Warwick District does not currently have any sites, we are obliged to find sites for 31 permanent pitches and 12 transit pitches during the life of the Local Plan.

Q: What benefit to the settled community will a specific Gypsy and Traveller site provide?

A: If sites can be identified through the planning process, it will prevent the need for illegal encampments, which often cause conflict with the settled community and can cost the Council money if legal action has to be taken and clean-up costs are incurred. It is better for all members of the community if sites can be identified in suitable locations, by agreement, following consultation. By taking a positive approach we can have greater control over the identification of sites. It also means that if illegal encampments occur in the district, the Council will be far more likely to be successful if it has to take action against those sites. An available site also gives the police powers to move on roadside travellers as they can be directed to a suitable authorised site.

Q: How many Gypsy and Traveller sites are there in Warwick District?

A: There are no sites for transit or permanent use in the district currently.

Q: Why do we have to have sites in Warwick District?

A: A need has been identified for 31 permanent pitches and 12 transit pitches. An independent Gypsy and Traveller Accommodation Assessment (GTAA) has been undertaken on our behalf providing us with the evidence of need. The Council is required to provide a five year land supply for Gypsy and Traveller sites within its Local Plan in the same way as for other types of housing.

Q: Are Gypsy and Traveller sites exempt from Green Belt policy?

A: No. Government policy does allow for exceptions to be made to Green Belt policy where there are very special circumstances that outweigh the harm to the Green Belt. The lack of suitable alternative sites to meet an identified need can be put forward as part of a case of very special circumstances but these are rarely successful. Warwick District Council has previously been successful at appeal in defending a Green Belt site from development as a permanent site for Gypsies and Travellers. Green Belt sites may have to be considered however if there are no alternative sites made available for this use.

Q: How will a site be set-up and funded?

A: There are a number of options for this. A site could be provided and funded by Gypsies and Travellers themselves, and this is the preferred management approach. Housing Associations are now also providing sites, for rent, as these are defined as affordable housing. The Council could provide a site and rent out pitches, or employ a management company to run the site on its behalf, but the Council does not have the financial capability to do this currently and would not wish to pursue this approach. The Government sometimes provides grants for the establishment of new sites and the improvement/extension of existing sites.

Q: Will the Council compulsory purchase land for this purpose?

A: Whilst the Council does have compulsory purchase powers to bring land forward to meet identified development needs, it has not used them to date. The Council prefers to negotiate with landowners to ensure that sites are brought forward, however, it may use its CPO powers if this becomes necessary.

Q: If you can compulsory purchase land for Gypsy provision why can't you do it for other members of the community?

A: The Council can but has not needed to. This is very much a last resort option.

Q: Could you compulsorily purchase land to build a Gypsy site having previously refused the landowner planning permission on Green Belt development grounds?

A: The Council could only compulsory purchase land when a site is identified as suitable for development and the landowner refuses to release the land by negotiation. In allocating sites for development the Council will wish to ensure that the site will be made available and it will allocate sites when the landowner accepts the allocation of the site for development or, alternatively, use its CPO powers to ensure the need is met as a last resort.

Q: What consideration will you give to the local infrastructure?

A: No decision has yet been made on the location of a site. Consideration would always be given to access to services such as schools and doctors. However, it must be recognised that compared to finding additional houses for the settled community, the potential level of pitches for Gypsies and Travellers is unlikely to place much strain on the local infrastructure. In identifying possible sites, the Government advises that "local planning authorities should first consider locations near existing settlements with access to local services e.g.shops, doctors and schools."

Q: Will schools be overwhelmed?

A: With such a small number of pitches to be provided, there is no evidence to suggest any school will be overwhelmed. A larger permanent site may have slightly more impact, but this is envisaged as being negligible.

Q: What about the traffic impact?

A: In assessing any potential sites, the Council will consider the impact of any additional traffic generated on the local highway network and will ensure that any access into and out of the site meets the requirements of the Highway Authority (Warwickshire County Council).

Q: Will there be compensation to existing local residents for any loss in housing value?

A: This is not a planning issue. There is however, no evidence regarding the effect of permanent or transit sites on property prices. Experiences in other areas do not evidence a reduction in property values near to sites once operating well. Every Gypsy and Traveller site is different in respect of its locality and surroundings with regard to this issue however.

Q: Will Council Tax increase to fund additional police/schooling/rubbish collection etc?

A: No. Gypsies and Travellers on authorised sites pay council tax to help fund local services.

Q: Would a site locally have an impact on local business?

A: Residents on a site would need to follow a code of conduct and would be subject to a tenancy agreement. The code of conduct would include behaviour in the local area and if businesses experienced any problems, they could raise them with the site manager. In serious, proven cases, this could lead to eviction from the site.

Q: How would a site be designed?

A: Sites should be designed to meet the good practice advice in the Department of Communities and Local Government's "Designing Gypsy and Traveller Sites – Good Practice Guide (May 2008)" and minimise the impact on its neighbours. Careful landscaping, if not already existing, would need to be included in the design of the site to provide a pleasant outlook and to screen certain aspects of the site (waste collection areas for example).

Q: What will the next steps be?

A: After this consultation, the Council will need to consider responses with the aim of identifying a suitable, sustainable and available site. It will be confirmed by allocation in the Local Plan.

Finding sites: If you have land that you would like us to consider for suitability as a transit or permanent site for Gypsies and Travellers, or if you know of a suitable, available and deliverable site, please let us know.

Comments and feedback

If you have any comments, write to:

**Development Policy Manager, Development Services,
Warwick District Council, Riverside House, Milverton Hill,
Royal Leamington Spa, CV32 5QH**

or email:

newlocalplan@warwickdc.gov.uk

Where possible, information can be made available in other formats, including large print, CD and other languages if required. To obtain one of these alternatives, please contact 01926 410410

