



**AN ASSESSMENT OF THE ACCOMMODATION
NEEDS OF GYPSIES AND TRAVELLERS IN
SOUTH AND WEST HERTFORDSHIRE**

**CENTRE FOR URBAN AND REGIONAL STUDIES
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GLOSSARY

The following abbreviations, words and phrases are used in this report and may need some explanation.

Amenity unit : On most residential Gypsy/Traveller **sites** basic plumbing amenities (bath/shower, WC and sink) are provided at the rate of one per **plot** in small permanent buildings.

Caravans : Mobile living vehicles used by Gypsies and Travellers. Also referred to as **trailers**.

CJ&POA : Criminal Justice and Public Order Act 1994. Includes powers for local authorities and police to act against **unauthorised encampments**.

CRE : Commission for Racial Equality.

CURS : Centre for Urban and Regional Studies at the University of Birmingham.

DoE : Department of the Environment – central government department with responsibility for Gypsy sites policy before **ODPM**.

GSRG : Gypsy Sites Refurbishment Grant. A challenge fund available between 2001/2 and 2005/6 providing financial help to refurbish local authority Gypsy sites, and since 2003/4 to provide **transit sites**.

Gypsy : Member of one of the main groups of Gypsies and Travellers in England. Romany Gypsies trace their ethnic origin back to migrations, probably from India, taking place at intervals since before 1500. Gypsies were recognised as an ethnic group in 1989.

HCC : Hertfordshire County Council.

Hotline : The Encampment Hotline service run by **HCC** to record and monitor **unauthorised encampments** in the county.

HRA : Human Rights Act 1998.

Irish Traveller : Member of one of the main groups of Gypsies and Travellers in England. Irish Travellers have a distinct indigenous origin in Ireland and have been in England since the mid nineteenth century. They were recognised as an ethnic group in 2000.

ISO 9000/9001 : Internationally recognised and accredited standard concerned with quality management in an organisation. It covers what an organisation does to fulfil the customer's quality requirements and applicable regulatory requirements while aiming to enhance customer satisfaction and achieve continual improvement of its performance in pursuit of these objectives.

LDDs : Local Development Documents which are to be produced by Local Planning Authorities under the provisions of the Town Planning and Compulsory Purchase Act 2004.

LPAs : Local Planning Authorities.

Mobile home : Legally a ‘caravan’ but not usually capable of being moved by towing.

ODPM : Office of the Deputy Prime Minister, the central government department with responsibility for housing, planning and Gypsy site provision.

Partners : The local authorities who commissioned this study: Hertfordshire County Council, Dacorum Borough Council, Hertsmere Borough Council, St Albans City and District Council and Three Rivers District Council.

Pitch : See **plot**.

Plot : Area of land on a Gypsy/Traveller site occupied by one resident family. Sometimes referred to as a **pitch**.

QUIGS : Quality Improvement Groups run by **HCC**.

Residential site : A Gypsy **site** intended for long-term or permanent occupation by residents.

Roadside : Term used here to indicate families on **unauthorised encampments**, whether literally on the roadside or on other locations such as fields, car parks or other open spaces.

Roma : Members of Gypsy/Traveller ethnic groups in continental Europe.

RPG : Regional Planning Guidance.

RRA : Race Relations Act 1976 as amended by Race Relations (Amendment) Act 2000.

RSL : Registered social landlord, mainly housing associations, registered with and regulated by the Housing Corporation.

Site : An area of land laid out and used for Gypsy/Traveller caravans. An authorised site will have planning permission. An unauthorised site lacks planning permission.

TCPA : Town and Country Planning Act 1990.

Trailers : Term used for mobile living vehicles used by Gypsies and Travellers. Also referred to as **caravans**.

Transit site : A Gypsy site intended for short-term use while in transit. The site is usually permanent, but there is a limit on the length of time residents can stay.

Unauthorised encampment : Land where Gypsies or Travellers reside in vehicles or tents without permission. Unauthorised encampments can occur in a variety of locations (roadside, car parks, parks etc) and constitute trespass.

Unauthorised development : Establishment of Gypsy **sites** without planning permission, usually on land owned by those establishing the site. Unauthorised development may involve groundworks for roadways and hardstandings.

1. INTRODUCTION

1.01 This report presents the findings of an assessment of accommodation needs of Gypsies and Travellers in South and West Hertfordshire carried out by researchers at the Centre for Urban and Regional Studies, University of Birmingham. The study was commissioned by the 'Partners': Hertsmere Borough Council, Dacorum Borough Council, St Albans City Council, Three Rivers District Council and Hertfordshire County Council, and the prime study area is that covered by the named district authorities.

The Brief

1.02 The needs assessment was commissioned as part of a review of local and strategic planning policies in Local Plans and in the Hertfordshire County Council Structure Plan following criticism of these policies by the Planning Inspectorate and Office of the Deputy Prime Minister in recent appeal decisions. Policies were criticised for failing to undertake a robust assessment of need for Gypsy/Traveller accommodation as advised by Circular 1/94 and PPG3. The research is intended to inform strategic planning over at least the next five years and is to be a material consideration in the future development and review of a wide range of policies, plans and strategies including Local Development Documents, Housing Strategies, Housing Investment Programmes, Homelessness Strategies, BME Strategies and Community Plans.

1.03 The brief for the research set out the main issues to be covered. Broadly it requires the researchers to:

- Indicate whether or not, in their opinion, there is a need for additional sites/housing in the study area. Should accommodation/housing need be identified then the research should indicate:
 - the type of accommodation needed (eg public/private site provision, transit sites or stopping places, permanent housing)
 - the level of accommodation needed
 - the broad location of where additional sites should be located
- Analyse existing planning and housing policies to assess whether or not, in their opinion, the current policy framework is able to accommodate, plan for and respond to any need identified through the study. If the existing policy framework is deemed inadequate, advice should be offered on alternative or new policy approaches with examples of good practice from elsewhere.
- Demonstrate how the matter of Human Rights has been taken into account in reaching any conclusions.

Research Methods and Survey Response

1.04 The research methodology adopted has five main elements. Each is described in turn. The topic guides and questionnaires developed and used in the study are available in a separate volume of appendices.

Analysis of Secondary Data

1.05 Copies of policy documents were assembled from Partners and analysed. Hertfordshire County Council Gypsy Section also provided for analysis:

- Details of licensees on their Gypsy sites in the study area including details of household members, ethnicity, relationships, special health needs, main occupations, travelling patterns and tenancy start date. This information was compiled by Site Managers.
- Details of the site waiting lists (including transfers) with details of number of children, number of caravans and application date. In some cases current location and/or contact address was provided.
- Details of all unauthorised encampments in the study area recorded on the Encampment Hotline since 1997. This records the location encamped, the start and end date of the encampment, the number of caravans and (sometimes) family name and action taken.

1.06 In addition, information from the ODPM Count of Gypsy Caravans was extracted and analysed to provide contextual material.

Interviews with Key Stakeholders in Partner Authorities

1.07 A series of face-to-face interviews was carried out with council officers responsible for Gypsy and Traveller matters in each of the Partner authorities. Wherever possible officers able to provide information on planning, housing and managing unauthorised camping were interviewed. At County level, interviews were conducted with members of the Gypsy Section, Planning Department and Traveller Education Project. Elected members were interviewed by request in Hertfordshire County Council and Three Rivers District Council. Interviews were also conducted with representatives from the St Albans and Harpenden Primary Care Trust (Traveller Health Visitor), Hertfordshire Constabulary and the Berkhamsted and District Gypsy Traveller Support Group. Numbers of stakeholders interviewed are summarised below in Table 1.1.

Table 1.1 : Numbers of Stakeholders Interviewed

Council	Officers	Elected members
Hertfordshire CC	5	1
Hertsmere	6	
Dacorum	4	
St Albans	7	
Three Rivers	3	1
Other bodies		
PCT (health visitor)	1	
Hertfordshire Constabulary	1	
Gypsy/Traveller Support Group	3	

1.08 Topic guides used in these interviews are provided in the Appendices 1 (borough and district personnel) and 2 (county council and other personnel). Interviews were noted and written up in summary form.

Written Consultation with Other Individuals and Authorities

1.09 A much wider range of stakeholders was contacted and consulted by post and e-mail. Consultees fell into three different categories:

- i. Chief planning and housing officers (Gypsy/Traveller Liaison Officers rather than housing officers in county councils) in:
 - o Hertfordshire districts outside the study area
 - o Other district councils directly adjoining the study area
 - o County Councils adjoining Hertfordshire
 - o North London Boroughs adjoining/near to the study area

In all, 42 letters were sent out enclosing a list of topics on which information was sought. The letter and topic list is included at Appendix 3. A reminder was sent to London Boroughs which had not responded by the date requested. The main purposes of the consultation were to inform consultees about the research and to seek information on Gypsies and Travellers, and on local policies affecting Gypsies and Travellers.

- ii. Selected elected members in the Partner districts. In all, 11 members (those with planning/housing/Gypsy and Traveller responsibilities and/or party group leaders) were contacted. In addition one elected member responded having heard of the consultation indirectly. A short questionnaire was used (see Appendix 4) which sought to discover perceptions of local attitudes towards Gypsies and Travellers and their housing needs.
- iii. Selected parish and town councils in the study area. In all 19 local councils were contacted on the suggestion of Partner contacts. The short questionnaire was used again (see Appendix 4).

1.10 Fewer than half of those consulted replied (see Table 1.2). In all instances the information sought was qualitative rather than quantitative. Comments made to

this consultation have been incorporated at various points within this report rather than reported separately.

Table 1.2 : Response to Written Consultation

Category of consultee	Number of responses received
Other Hertfordshire councils	1
Other adjoining district councils	1
Nearby county councils	2
London Boroughs	4
Partner authority elected members	5
Parish and town councils	7

Interviews with Local Gypsies and Travellers

1.11 The core of the research was a series of interviews with Gypsies and Travellers in a variety of accommodation within the study area. The following sub-sections describe the sample, the questionnaires used, fieldwork procedures and response rates achieved.

1.12 **Sample** : The objective in selecting the sample was to include all types of site within the practicalities of fieldwork resources. One practical constraint was identifying people able to introduce members of the research team to site residents.

- Three of the six HCC residential sites in the study area were selected, one in each of the three Partner authority areas with HCC sites: Three Cherry Trees (Dacorum), Sandy Lane (Hertsmere) and Watling Street (St Albans). The sites were selected so as to include both more and less popular sites. Access was successfully negotiated via the HCC Gypsy Section and all three sites were included in the survey.
- South Mimms site was selected as the sole example of an HCC transit site in the study area. Again, access was successfully negotiated and interviews carried out.
- The initial intention was to include four private authorised sites (out of seven), again covering all Partner authorities with such sites: The Pylon site (Hertsmere), Little Orchard Cottage and The Paddocks (St Albans) and Oaklands (Three Rivers); the last site was thought particularly interesting because the planning permission allows both residential and transit use. Access was successful at The Pylons and Oaklands. Access was initially agreed at The Paddocks, residents then changed their minds about being interviewed face-to-face but agreed to be contacted by telephone; the research team was unable to follow this up.
- There were eight unauthorised private sites at the time of the survey, including two separate sites at Ridge (1 and 2) and unauthorised caravans at The Paddocks site. The intention was to select four sites, at least one in each area with such a site: Ridge and One Acre (Hertsmere), Tullochside (St Albans)

and Dawes Lane, Sarratt (Three Rivers); there were no unauthorised private sites in Dacorum at the time. In the event, following advice from people working with Gypsies and Travellers and able to introduce us onto sites, interviews were planned on the Ridge 1, One Acre and Tullochside sites, and at Nuckey Farm and Dawes Lane. Residents at One Acre said they did not want to be interviewed when the researchers arrived. The owner of Dawes Lane was interviewed in depth, not using the questionnaire.

- Housed Gypsies and Travellers were selected on the advice of officers from the Traveller Education Project. The number selected reflected the number of their contacts thought willing to talk to us and the overall time constraint of two researcher days for these interviews. Three housed Travellers were interviewed.
- The intention was to interview any roadside Gypsies and Travellers present in the study area during the fieldwork period. Interviews were carried out at one roadside encampment.

1.13 Once on a site, researchers interviewed as many residents as were present and willing to be interviewed. No particular selection criteria were applied. The aim was to achieve as even a gender split as possible among interviewees. However, as will be seen below, the majority of interviews were with women; men were mostly either not present or unwilling to be interviewed.

1.14 Two lessons emerged for other similar research with Gypsies and Travellers:

- An introduction from someone Gypsies and Travellers know and trust is essential in gaining access. Staff from the HCC Gypsy Section, Traveller Education Project, Hertsmere Borough Council and a Traveller Health Visitor were extremely helpful in negotiating access for the researchers.
- Once on a site, we normally found little difficulty in encouraging people to be interviewed. However, perhaps to a greater degree than is usual in social surveys, the sample of interviewees is a self-selecting 'volunteer' sample. We do not believe that more formal selection procedures would have worked well with this client group. Since the sample was not random selected, it follows that it is inappropriate to apply any measures of statistical 'confidence' to the results.

1.15 Four **questionnaires** were developed for the survey for Gypsies and Travellers on:

- Residential sites, HCC and private authorised sites (Appendix 5)
- Unauthorised private sites (Appendix 6)
- Roadside and South Mimms transit site (Appendix 7)
- Housed Gypsies and Travellers (Appendix 8)

1.16 Each questionnaire was designed to reflect the different accommodation circumstances to ensure all questions were relevant to the respondent's current situation. Many questions appear in all questionnaires.

- 1.17 The questionnaires were developed by the researchers in consultation with the Partners, following the topics set out in the Research Brief. Income questions were omitted since earlier experience of research with Gypsies and Travellers¹ suggested they would not produce useful information. The questionnaires developed included a mix of tick-box closed questions and more open questions where researchers encouraged respondents to expand their answers. All answers were noted rather than taped. In general the interviews worked well.
- 1.18 **Fieldwork procedures** : Researchers visited all sites in pairs although the interviews were conducted singly. It proved quite hard to plan fieldwork efficiently for a number of reasons which could apply to other similar research:
- The researchers were based in Birmingham, several hours away from the study area. This meant that it was hard to respond quickly to changes and put a premium on planning several interviews on the same day in order to maximise the use of visits to the study area.
 - The need to be introduced by people already working with residents meant there needed to be careful planning with busy people's diaries. Again this reduced ability to be flexible or reactive, for example it was not possible to move onto another site before the planned time if an earlier engagement took less long than expected.
- 1.19 Given the above factors, there were some inevitable frustrations when planned arrangements fell through at the last minute – for example a visit to one site had to be cancelled and re-arranged, residents at two sites changed their minds about participating when the researchers arrived, and two housed Gypsies/ Travellers could not be interviewed as initially planned.
- 1.20 While it is important to note these problems, it is also important to stress that most contact arrangements and interviews worked well and provided good information.
- 1.21 The **survey response rate** achieved is shown in Table 1.3. Overall, responses represent about 30% of known Gypsy and Traveller families in the study area (excluding those in housing whose number is unknown) at the time of the research, on just under half of known sites (on eleven out of 23²). Representation is relatively poor for authorised private sites in terms of proportions of both sites (29%) and families (14%) covered. The small proportion of total families interviewed on authorised private sites is partly because several families were absent from the sites during our fieldwork visits.

¹ Pat Niner, *Local Authority Gypsy/Traveller Sites in England*, ODPM, 2003

² The figure of 23 includes Ridge 2, the status and occupancy of which was unclear at the time of the fieldwork. It also includes the single roadside encampment in the study area during the survey period.

Table 1.3 : Survey Response

Type of site	Total number of sites	Sites in survey		Estimated total number of families	Families in survey	
		No.	%		No.	%
HCC residential sites	6	3	50	103	30	29
HCC transit site	1	1	100	15 (plots)	6	40
Private authorised sites	7	2	29	36	5	14
Unauthorised private sites	8	4	50	37	14	38
Housed	NA	NA	NA	Unknown	3	NA
Roadside	1 in survey period	1 in survey period	100	2 in survey period	2 in survey period	100
Total	23*	11*	48*	193*	60	30**

* Excludes housed Gypsies and Travellers

** Percentage excluding housed Gypsies and Travellers (ie 57 interviews/193 total families)

1.22 Table 1.4 (next page) shows how many interviews were achieved on each site included in the sample. It also shows the total number of families on the site and the gender of interviewees. In total and on all types of sites, the majority of interviewees were women. Fifty one of the 60 interviews were with women (men were sometimes present but did not take part), four were with men and five were with couples. Men were often not present on site when researchers visited or, if present, were less willing than women to be interviewed.

Table 1.4 : Survey Response Site Details

Site/accommodation	Estimated no. families	Interviews achieved	Comments
HCC residential sites			
Three Cherry Trees	30	14 10F, 1M, 3C	
Sandy Lane	27	10 9F, 1M	Men present at some interviews with women
Watling Street	7	6 6F	
HCC transit site			
South Mimms	15 plots	6 5F, 1M	Includes interview with warden
Private authorised sites			
The Pylons	14	2 2F	Site occupied by 3 extended families; fewer than half of families present at time of survey
Oaklands	10	3 3F	Site occupied by 1 extended family + renters; not all present at time of survey
Unauthorised private sites			
Ridge 1	11	11 10F, 1M	Site occupied by 1 extended family; men present at some interviews with women
Tullochside	10	1 1C	
Nuckey Farm	4	1 1C	Site occupied by 1 extended family
Dawes Lane	1	1 1F	
Housed			
3 addresses	Unknown	3 3F	
Roadside			
1 encampment during survey period	1	2 2F	

Note : F = female, M = male, C = couple

1.23 Survey reliability : Survey-based assessments of housing need based on random household samples in the settled community often express the reliability of findings in terms of the confidence interval around any quoted statistic. This measure of reliability is not appropriate here because of the small sample size (reflecting the small target population group) and the non-random method of sample selection (see paragraph 1.14 above). In addition, the questionnaires were designed to collect qualitative as well as quantitative information.

1.24 We believe that the survey results are reliable and representative of Gypsy and Traveller accommodation needs in South and West Hertfordshire subject to two basic caveats:

- The survey itself shows that each site is unique in terms of conditions and occupancy. However, it is also clear that general attitudes expressed show a lot of common ground regardless of current accommodation.
- The survey is essentially of Gypsy/Traveller women. In so far as there are gender differences – and these are likely – the findings will give a partial picture. However, women are those mainly responsible for the home and child care and are particularly well placed to comment on accommodation issues.

Analysis and Reporting

1.25 The final element in the research was analysis and reporting. This mainly involved bringing together material from all the sources described to produce this report.

Outline of the Report

1.26 Chapter 2 sets the policy context for the research, and considers the Gypsy and Traveller population at local, defined regional and national levels. Chapter 3 describes some characteristics of the local Gypsy and Traveller population based on the research findings. It also reports on local settled community attitudes to Gypsies and Travellers as evident from the consultation and key stakeholder interviews.

1.27 Chapter 4 presents the main survey findings on indications of need for accommodation from a number of sources including stakeholder interviews, HCC site records and the Gypsy and Traveller survey. It concludes that there is outstanding accommodation need from Gypsy and Traveller families in the study area. Chapter 5 complements this by looking at the likely supply of accommodation. This chapter introduces a discussion of current policies of the Partners affecting accommodation provision and their adequacy. It concludes that current policies will not meet the need identified.

1.28 Chapter 6 briefly notes the implications of the research for aspects of policy other than accommodation provision, namely overall strategies, inter-agency working, Traveller education and consultation and engagement.

1.29 Chapter 7 summarises the main research findings and brings together research material on the need for and likely supply of Gypsy/Traveller accommodation in the study area. The indications are that need and demand will outstrip supply in the future given a continuation of current trends and policies. The chapter comments on the type, level and broad location of accommodation needed and discusses key issues raised by the research of needs versus demand, ‘local’ need and nomadism and settlement in the context of the legal definition of a ‘gypsy’.

1.30 Chapter 8 sets out some options and recommendations based on the research for future work on site provision, social housing policy and other policy areas, notably the development of an accommodation strategy for Gypsies and Travellers in South and West Hertfordshire.

2. THE CONTEXT AND BACKGROUND

2.01 This chapter has two sections. First it looks at the policy context for Gypsy/Traveller accommodation at national, regional and local level. Local policies within the study area are referred to briefly, but are examined in greater detail in Chapter 5. Second, it describes the Gypsy and Traveller population in the study area in the wider national and regional context. This is mostly background information with detail being presented elsewhere in the report.

The Policy Context

2.02 The national policy context for Gypsy and Traveller accommodation is currently under review by the Office of the Deputy Prime Minister (ODPM), with a report to Ministers due in summer 2004. It is not yet clear what will come out of the Review. Any proposed changes to legislation, regulation or guidance will require full consultation and could not, therefore, be introduced for several years. The paragraphs which follow sketch in some of the most significant elements in the policy context as it is now, with comments on how it might change. The use of the term 'regional' includes reference to known policies in nearby local authorities³. This material comes from the internet and consultation responses, but may not be comprehensive. There are sub-sections on site provision; site provision and land use planning; unauthorised camping; housing; and race relations and human rights.

Site Provision

2.03 At **national** level there is no duty on local authorities to provide sites for Gypsies and Travellers. The former duty (Caravan Sites Act 1968) placed on County Councils and London Boroughs to provide adequate accommodation for Gypsies residing in or resorting to their areas was repealed in 1994. Local authorities (counties and districts) still have powers to provide caravan sites, including sites specifically for Gypsies and Travellers, under the Caravan Sites and Control of Development Act 1960 s24. DoE Circular 18/94 *Gypsy Sites Policy and Unauthorised Camping* makes clear that authorities should maintain their existing Gypsy caravan sites, and should continue to consider whether it is appropriate to provide further permanent caravan sites for Gypsies in their areas (Box 2.1).

³ These are Bedfordshire, Buckinghamshire, Cambridgeshire and Essex County Councils and the London Boroughs of Barnet, Brent, Enfield, Harrow and Hillingdon.

Box 2.1 : Extract from Circular 18/94 *Gypsy Sites Policy and Unauthorised Camping*

21. The Secretaries of State consider it important that authorities should maintain their existing gypsy caravan sites, or should make suitable arrangements for their maintenance by leasing them to other persons who are willing and able to maintain them.

22. The Secretaries of State also expect authorities to continue to consider whether it is appropriate to provide further permanent caravan sites for gypsies in their areas. Section 24 of the 1960 Act enables county councils, district councils and London borough councils to establish and manage sites or to lease them to another person and, as amended by section 80(2) of the 1994 Act, to provide working space on gypsy caravan sites.

2.04 In 2001/2 the Gypsy Sites Refurbishment Grant (GSRG) challenge fund was introduced to help local authorities to improve and refurbish existing Gypsy sites. GSRG was initially introduced for three years, but has been extended for a further two years to 2005/6. From 2003/4 onwards GSRG has also been available for the provision of transit sites and stopping places, but not for residential sites. Successful GSRG bids receive 75% of approved costs for site refurbishment and 100% of approved costs for transit site provision. There are constraints on authorities seeking to make use of GSRG funding:

- GSRG is only available on and for local authority sites.
- Where works require planning permission, this must be secured in advance of application for funding.
- Some authorities have found it difficult or impossible to find contractors willing to do the work at approved cost levels.
- Authorities must find 25% of approved costs for site refurbishment from their own resources.

2.05 Site provision, especially transit site/stopping place provision, has been explicitly linked in Government statements and guidance to reducing/managing unauthorised camping. This is most explicit in new police powers for tackling unauthorised camping by Gypsies and Travellers, see paragraph 2.19 below.

2.06 Research commissioned by ODPM⁴ suggests that there is currently a significant national shortfall in supply of both residential and transit site accommodation for Gypsies and Travellers. Over the period to 2007 the report notes a requirement for between about 1,000 and 2,000 additional residential pitches and between about 2,000 and 2,500 transit/mobility pitches. These estimates, which are based on Gypsy Caravan Count information and seek to take account

⁴ Pat Niner, *Local Authority Gypsy/Traveller Sites in England*, ODPM, 2003

of new family formation, site overcrowding, suppressed movement from housing and unauthorised camping, are likely to be under- rather than over-estimates. Government seems to have implicitly accepted these figures. There has been no attempt to break figures down to regional level.

- 2.07 Some commentators⁵ argue strongly that local authorities are unlikely to provide sites without being required to do so by a statutory duty and generous subsidy for developing and running sites. The ODPM Select Committee in its Tenth Report on the Housing Bill (2003) recommended that a statutory duty to make or facilitate the provision of sites for Gypsies should be introduced as soon as possible. A late amendment to the Housing Bill (October 2004) proposes a duty on district authorities to assess accommodation needs of Gypsies and Travellers in their area and to produce a strategy detailing how needs can be met. The current ODPM Review will be examining issues around funding site provision. A possible option is the extension of the permissible purposes of Registered Social Landlords (RSLs) to include the provision as well as the management of Gypsy sites which would allow RSLs to receive funds from the Housing Corporation for this purpose⁶.
- 2.08 It is already clear that Government wants the accommodation needs of Gypsies and Travellers to be 'mainstreamed' within both housing and planning strategies. Key to this is assessment of need for accommodation to be fed into both Regional Housing Strategies and the new regional planning system⁷. Indications of how this will work have been given in the ODPM Memorandum to the ODPM Select Committee currently looking at Gypsy and Traveller Sites, and in guidance on Regional Housing Strategies (see Box 2.2 over page).
- 2.09 At present there is no **regional** policy on Gypsy site provision affecting the study area. The East of England *Regional Housing Strategy 2003 to 2006* makes no specific reference to Gypsies and Travellers (regional planning guidance is referred to in paragraph 2.15 below). County Councils adjoining Hertfordshire all provided sites under the 1968 Act and appear to have policies to keep these sites in use, sometimes on a leased basis. Some, including Buckinghamshire and Essex, are considering (and encouraging) the provision of transit sites or stopping places in conjunction with district councils. A Traveller accommodation needs assessment has recently been completed in Bedfordshire, and studies are being commissioned in Cambridgeshire and Essex. In the five neighbouring London Boroughs local authority site provision has decreased: Barnet has never had a site, sites in Enfield and Harrow have been closed (Harrow now has a single plot site) and Hillingdon's site has been reduced in size from 35 to 20 plots while Brent has a site with 31 plots. None have plans to

⁵ For example, the All Party Parliamentary Group on Traveller Law Reform and the Local Government Association in their Written Evidence to the Select Committee on Office of the Deputy Prime Minister considering Gypsy and Traveller Sites (GTS 33 and 38), June 2004

⁶ ODPM Memorandum to the Select Committee on Office of the Deputy Prime Minister considering Gypsy and Traveller Sites HC 633-11(GTS 01), June 2004, paragraph 7.8

⁷ Government is currently consulting on the future of housing and planning in the Regions and in future Regional Housing Boards and Regional Planning Bodies may be merged allowing closer integration between housing and planning strategies

increase the number of sites and do not appear to have carried out any special needs assessments.

Box 2.2 : Extracts from Recent Government Documents on Gypsy and Traveller Accommodation Strategy

Regional Housing Strategies (RHSs) should cover all tenures; ‘non-traditional housing such as Gypsy and Traveller sites should also be covered’ (para 5).

‘The unique accommodation needs of Gypsies and Travellers must be recognised. These needs are frequently unmet at the moment. Regional Housing Boards should therefore ensure that the need for Gypsy and Traveller sites is considered in preparing the RHSs’ (para 21).
ODPM guidance on *Regional Housing Strategies and recommendations for housing capital allocations* (2004)

‘From 2005, local authorities will be required to carry out housing needs assessments which include Gypsies and Travellers, whether on sites, encampments or in housing, just as they do for the rest of the community. Guidance on housing needs assessment is currently being revised, and will set out a baseline of things which should be considered in regard to the Gypsy and Traveller community, as well as methodologies for carrying out the assessment. Under the new planning system, the collected data will feed through into the regional planning system, and will result in a much clearer understanding of local site needs and the responsibility of each local authority to meet them.’ Memorandum by the Office of the Deputy Prime Minister (GTS 01) to ODPM: Housing, Planning, Local Government and the Regions Committee *Gypsy and Traveller Sites*, Written Evidence HC 633-11, June 2004

2.10 There are six residential Gypsy sites provided by Hertfordshire County Council in the **study area**, and one transit site at South Mimms. There are no plans for future local authority site provision, pending consideration of the current accommodation needs assessment (see also Chapter 4). HCC has been successful in drawing down £1.54 million from GSRG since 2001, of which £651,871 has been spent in the study area at Barley Mow (inter-pitch fencing and street lighting); Ver Meadow (inter-pitch fencing and street lighting); Three Cherry Trees (replacement water main); Watling Street (inter-pitch fencing and street lighting); and South Mimms (supply of waste, water and electricity to all fifteen plots and street lighting, connection of sewer to mains, and extra plot for resident gate-keeper).

Site Provision and Land Use Planning

2.11 The use of land as a Gypsy site is controlled through planning legislation. **National** policy is currently set out in DoE Circular 1/94 *Gypsy Sites and Planning*. This Circular seeks to place Gypsies and Travellers on the same footing as others in relation to the planning system whilst recognising their special accommodation needs and the desire of many Gypsies and Travellers to develop their own sites. In formulating their development plans, local authorities are encouraged to assess need for Gypsy sites and to discuss accommodation needs with the Gypsies and Travellers themselves. Wherever possible, local authorities are urged to identify suitable locations for Gypsy and Traveller sites in plans. Where this is not possible they should set out clear, realistic criteria for suitable locations as a basis of site provision policies. The Circular makes clear that Gypsy and Traveller sites are not among land uses which are normally appropriate in Green Belts, areas of special scientific interest or areas of open land where development is severely restricted. In such

areas, the onus is on the applicant to prove very special circumstances which overcome the harm caused by development by reason of inappropriateness.

- 2.12 In principle, planning applications for site development from Gypsies and Travellers are dealt with through normal development control procedures. In practice, very few Gypsies and Travellers submit planning applications before buying and moving onto land (in the expectation that consent will be refused); this is referred to in ODPM publications as ‘unauthorised development’. Often the land acquired is in open countryside where land prices are lower and/or a Green Belt where such development would normally be inappropriate. Local planning authorities then become involved in planning enforcement actions making use of the powers afforded by the Town and Country Planning Act 1990 (TCPA) as amended. These include: enforcement notices (s172), stop notices (ss183-184), and injunctions (s187B). If appropriate, direct action (s178) or compulsory purchase powers (s226(1)(b)) are also available. With the possibility of retrospective planning applications, appeals and public inquiries, enforcement action can take several years, and has been heavily criticised. Case law has developed over the years, often considering the definition of ‘Gypsies’ for planning purposes.
- 2.13 The planning system is about to undergo a fundamental change as a result of the requirements and duties set out in the Planning and Compulsory Purchase Act 2004 which received Royal assent in May. This changes the development plan process. Regional Spatial Strategies (Spatial Development Strategy in London) will form part of the development plan. Structure plans are to be abolished and local plans and unitary development plans replaced by Local Development Frameworks whereby all local planning authorities (LPAs) must produce a Local Development Scheme setting out what Local Development Documents (LDDs) will be prepared. LDDs can be thematic (an LDD could, for example, deal with Gypsy/Traveller matters), and may be prepared jointly with one or several other LPAs. As the quotation in Box 2.3 shows, Gypsy and Traveller accommodation is to be incorporated into the new planning system through local authority needs assessments and regional strategies. This has not yet been fully articulated in guidance. Circular 1/94 is to be revised as part of the wider ODPM Review. The ODPM will be consulting on the revised draft circular later this year and expect the new Circular to come into effect in 2005.
- 2.14 The Planning and Compulsory Purchase Act 2004 also includes provisions for temporary stop notices (to become s171E of the TCPA 1990) which can be issued independently of an enforcement notice immediately LPAs detect a breach of planning control. A temporary stop notice can last up to 28 days. Temporary stop notices cannot be used to prohibit the use of a building as a dwelling house. There is provision in the Act for the Secretary of State to make regulations to exclude other activities from the effect of a temporary stop notice. ODPM will consult on such regulations before the power comes into force in early 2005, and strong arguments will probably be put forward that caravans used as dwellings should also be excluded (signalled by Lord Avebury in the House of Lords debate on these clauses).

- 2.15 At present, there is little reference to Gypsy/Traveller matters in **regional** guidance. *Regional Planning Guidance for the South East (RPG9)* makes no specific reference to Gypsy and Traveller accommodation needs. *Regional Planning Guidance for the East of England Draft Strategy (RPG14)* makes no specific reference to the needs of Gypsies and Travellers; Gypsy site and caravan policies are listed as saved Structure Plan policies in this document. The *London Plan* published in 2004 refers to Gypsies and Travellers in Policy 3A 11 and notes that Boroughs should still continue to have regard to the accommodation needs of Gypsies and Travellers and formulate policies to assess the suitability of new sites.
- 2.16 An examination of neighbouring county structure plans shows that these typically require local plans to indicate how future site provision will be made. Looking at the local plans and unitary development plans of the various authorities adjoining the study area suggests that policies on provision of Gypsy sites are criteria based and relatively restrictive as a result of the extent of the Metropolitan Green Belt and other planning designations restricting development. Box 2.3 (next page) gives examples of county, district and borough plans. Those authorities which replied to the consultation carried out as part of this research often identified a relatively strong approach to enforcement against inappropriate site development – evidenced by the extent of high profile cases coming from the general area. One consultee made the point – likely to be relevant much more widely – that Gypsies and Travellers are competing in a highly competitive market for development land with significant demand from many other uses, including housing, for any development sites. Consultees frequently expressed strong dissatisfaction with the adequacy of guidance offered in Circular 1/94. Another perceived issue raised by consultees is the apparent inconsistency of appeal decisions reached by Planning Inspectors and ODPM.
- 2.17 Local development plan policies affecting the **study area** are described in Chapter 5.

Box 2.3 : Examples of Gypsy Sites Planning Policies

Bedfordshire & Luton Structure Plan 2016 Deposit Draft : Policy 26 Type of Housing

The type of housing provided will be expected to reflect the requirements of the local community. Joint studies between the local and strategic planning authorities will be undertaken to establish the composition of such requirement. It will take into account such factors as the need for affordable accommodation (including that for key workers), tenure variety, specialist accommodation, self-build, gypsy and traveller requirements and low impact housing.

Targets to match housing provision to the requirements of the local community will be set in local plans.

Box 2.3 : Examples of Gypsy Sites Planning Policies (continued)

Buckinghamshire County Structure Plan 2001-2016 Deposit Draft : Policy 13 Gypsies

Local Development Documents will indicate how provision is to be made for any new gypsy sites that may be required in the County, on the basis of up-to-date assessments of local needs, which will be carried out by the local planning authorities with input from the County Council.

Insofar as there may be a need for new sites, regard will be paid to the locational criteria set out in Circular 1/94

**Essex & Southend-on-Sea Replacement Structure Plan April 2001 : Policy H6
Accommodation for Gypsies**

Existing Gypsy site provision will be maintained and further site provision for Gypsies residing in or resorting to the Plan area will be made, where appropriate, in adopted local plans. In determining the level and type of site provision, local plans should identify the extent of need within their area and set out site-specific proposals to meet that need, wherever possible. Only where this is not possible should local plans set out clear, realistic criteria for suitable locations as a basis of site provision policies.

**East Herts Council Local Plan – Second Review (Deposit Version) : HSG 16
Accommodation for Gypsies**

(I) Proposals for the use of land and other associated development for gypsy accommodation will be considered, in the light of the normal policies of strict development restraint within the Green Belt and Rural Area beyond the Green belt, and having regard to the following criteria:

- a. the capability of the proposal to be visually assimilated into the surrounding landscape;*
- b. the suitability of the site in terms of vehicular access, parking, turning and servicing arrangements and road safety;*
- c. the effect of the proposed use on residential amenity;*
- d. the accessibility of the site to shops, social, education and health services and potential sources of employment;*
- e. other factors including the level of noise and disturbance that may result.*

(II) Proposals will be expected to be accompanied by comprehensive landscaping and planting schemes, to delineate site boundaries and enable sites to blend with their surroundings.

**Brent Replacement Unitary Development Plan – Revised Deposit 2001 : H31
Gypsy/Traveller Sites**

Applications for gypsy/travellers sites, and travelling showpeople's sites should:

- (a) meet a need for such accommodation which is not being met in the Borough or elsewhere in London, whilst avoiding over-concentration of such facilities in Brent in comparison to other Boroughs;*
 - (b) have acceptable road and pedestrian access and be accessible to local services and public transport;*
 - (c) be located away from existing residential areas;*
 - (d) be suitably screened and landscaped; and*
 - (e) be on a site environmentally acceptable for residential development (policy STR19)*
- Mixed business/residential sites will be permitted in suitable locations.'*

Unauthorised Camping

- 2.18 The term ‘unauthorised camping’ as used in *Guidance on Managing Unauthorised Camping* issued by ODPM and the Home Office in February 2004 is a form of trespass and refers to Gypsies and Travellers camping on land which they do not own. There is no specific legislative duty placed on local authorities to deal with unauthorised encampments. Local authorities can take action on their own land as landowners through civil actions against trespass or can use the Criminal Justice and Public Order 1994 (CJ&POA) to direct campers to leave (s77). If a direction to leave is ignored, the local authority can apply to a Magistrates’ Court for an Order for removal of persons and vehicles under s78 of the CJ&POA. These powers are available to both county and district councils. Local authorities have other powers for dealing with unauthorised encampments on highways land, or on educational land. Bye-laws which specifically prohibit camping/residence on car parks or parks can be used. Local authorities, like other landowners can use the common law to recover land from trespassers using ‘reasonable force’ although this is discouraged by good practice guidance.
- 2.19 The police also have powers granted by s61 of the CJ&PO Act. This gives the Police powers to direct trespassers to leave if reasonable steps have been taken by or on behalf of the occupier to ask them to leave **and** there are two or more people intending to reside on the land **and** they are using threatening behaviour **and/or** have caused damage to the land or property **and/or** have six or more vehicles including caravans. The Anti-social Behaviour Act 2003 introduced new police powers, now ss62A to 63E of the CJ&PO Act 1994, to remove Gypsies and Travellers from unauthorised encampments with greater speed. This power can only be used if the police have established, through consultation with local authorities, that a suitable pitch is available on an authorised local authority site. In a county area, this pitch could be located anywhere within the county area.
- 2.20 Guidance is offered to local authorities and the police in DoE Circular 18/94 *Gypsy Sites Policy and Unauthorised Camping*, guidance issued by Association of Chief Police Officers and in updated guidance on managing unauthorised camping issued by the ODPM and the Home Office and published on the ODPM website in February 2004⁸. Hard copies of the guidance will be published when draft guidance on the use of the new police powers has been reviewed and incorporated following a recent consultation.
- 2.21 Case law (starting with the judgement in 1995 of Sedley J in *R v Wealden District Council ex parte Wales*) has developed and clarified the courts’ expectations of the welfare enquiries and decision-making processes local authorities should adopt in making evictions under 1994 Act and other powers. The courts expect local authorities to consider the needs and welfare of Gypsies and Travellers when making any decision to evict, whatever powers are used. The courts have also determined that the police should take humanitarian considerations into account when deciding to use s61, but this requirement is

⁸ http://www.odpm.gov.uk/stellent/groups/odpm_housing/documents/page/odpm_house_027535.hcsp

likely to be less onerous than that placed on local authorities which have welfare responsibilities. All decisions must comply with human rights legislation (see 2.25 below).

- 2.22 Decisions on approaches to dealing with unauthorised encampments are individual to each local authority. There is no **regional** perspective. Responses to our consultation suggested that many authorities near the study area take a robust approach to encampments. Local approaches by Partner authorities are described in Chapter 5.

Housing

- 2.23 Many Gypsies and Travellers nationally, probably more than half, live in permanent housing⁹. Gypsies and Travellers are not specifically referred to in **national** housing policies although it is the ODPM's intention that their needs will be increasingly recognised in mainstream policies and should be included in Regional Housing Strategies (see paragraph 2.08 and Box 2.2 above). Under homelessness legislation (Housing Act 1996 Part VII) and associated guidance¹⁰ anyone who lives in a caravan and has nowhere legal to put it is homeless. Few authorities nationally specifically refer to Gypsies and Travellers in their homelessness strategies¹¹. An important issue, where case law seems to be developing, is what constitutes 'suitable' accommodation for a Gypsy in discharging homelessness responsibilities – whether this must be a place on a site rather than a house. The courts seem to recognise that some Gypsies and Travellers have 'a deep cultural aversion to bricks and mortar accommodation'¹² but judgements do not always seem consistent¹³ and the implications for local housing authorities are not yet clear.

- 2.24 We have no comprehensive information on housing policies of adjoining authorities. London Borough of Enfield specifically refers to Gypsies and Travellers in its homelessness strategy, but this seems to be an exception to more usual practice.

Race Relations and Human Rights Legislation

- 2.25 The **Human Rights Act 1998** (HRA) incorporates the European Convention on Human Rights into British law. Several Convention rights are relevant in dealing with Gypsies and Travellers in connection with planning decisions and managing unauthorised camping. The main relevant rights are:

⁹ ODPM Memorandum to the Select Committee on Office of the Deputy Prime Minister considering Gypsy and Traveller Sites HC 633-11(GTS 01), June 2004, paragraph 3.5

¹⁰ ODPM and Department of Health, *Homelessness Code of Guidance for Local Authorities*, July 2002

¹¹ Unpublished research carried out by Lord Avebury, 2003. Available at <http://www.travellerslaw.org.uk/homeless.pdf>

¹² *Price v Carmarthenshire County Council*, 2003

¹³ For example, in *Codona v Mid-Bedfordshire District Council* [EWCA Civ 925] the Court of Appeal, in dismissing an appeal to the effect that bed and breakfast accommodation is unsuitable accommodation for a Gypsy with a cultural aversion to bricks and mortar housing, seems to be saying that such accommodation is 'suitable' where there is no site or pitch available. There is a hint that it might not be suitable for more than a short stay (transcript paragraph 60).

Article 8 : Right to respect for private and family life

1. *Everyone has the right to respect for his private and family life, his home and his correspondence.*
2. *There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.*

Case law has established that, while neither eviction action against trespassers nor planning enforcement is incompatible with HRA, either could potentially breach Article 8 rights if not properly used. All public authorities, including local authorities and the police, must be able to demonstrate that all eviction and enforcement decisions have taken account of human rights considerations and are ‘proportionate’ in weighing individual harm (in the loss of ‘home’ for the Gypsy or Traveller) against the wider public interest (for example, permitting inappropriate development in a Green Belt). Potential challenge under the HRA means that all decision-making must be fully recorded and evidenced to withstand scrutiny. A recent Court of Appeal case¹⁴, finding in favour of the Gypsies and Travellers, illustrates the balancing procedures between human rights considerations and planning control (this site had been developed on land not covered by Green Belt or other specific designation).

Article 14 : Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property birth or other status.

While Article 14 rights are potentially engaged in any action concerning Gypsies and Travellers (as ethnic groups and national minorities), the Article can only be successfully argued if another Article is found to be breached. Where a claim under Article 8 is rejected, it follows that any claim under Article 14 also falls.

2.26 **First Protocol, Article 1 (Protection of property) and First Protocol, Article 2 (Right to education)** might potentially be relevant, for example in arguing that the settled community have rights to quiet enjoyment of their property which is being harmed by unauthorised Gypsy/Traveller encampment, or in arguing that evictions deny education to Gypsy/Traveller children. However there appears to be no relevant case law to date.

2.27 The impact of the Human Rights Act seems pervasive rather than specific in effect. Robert Home argues¹⁵ that Human Rights arguments have enjoyed very limited success – although they have led to many challenges (not always successful) and have clearly profoundly affected the language if not the means of reaching planning and eviction decisions. Gypsy identity, traditional lifestyle

¹⁴ *Chichester District Council v First Secretary of State and others*, [2004] EWCA Civ 1248, 29 September 2004

¹⁵ Dr Robert Home in his evidence to the Select Committee on Office of the Deputy Prime Minister considering Gypsy and Traveller Sites (GTS 37), June 2004

and freedom to follow that lifestyle have been overtly recognised as a material consideration in decisions.

- 2.28 The **Race Relations Act 1976 (RRA)** as amended by the **Race Relations (Amendment) Act 2000** gives public authorities – including the ODPM, the Home Office, local authorities and the police – a general duty to eliminate unlawful discrimination, and to promote equality of opportunity and good race relations in carrying out their functions. It also gives listed public bodies specific duties including one to create and publish a Race Equality Scheme which details how they will meet the general duty. In developing new policies or strategies, public authorities must assess their impact on different racial groups, and they must consult. If the impact is negative and disproportionate to the aim of the policy, the policy must be changed. Once implemented, policies must be monitored for their effect on different racial groups. Authorities must publish the results of monitoring and consultation.
- 2.29 Both Gypsies and Irish Travellers are recognised as ethnic minorities. Policies for planning, site provision and management, and for managing unauthorised camping are all likely to affect Gypsies and Travellers significantly. The RRA means that local authorities and police must assess the impact of proposed policies on Gypsies and Irish Travellers and must consult on them. If the policies are likely to have a disproportionately negative impact on Gypsies and Irish Travellers, authorities must ensure that this impact is not disproportionate to the aims and importance of the policies. If it is, it is important to take measures to reduce this adverse impact or consider other ways to achieve the aims which would mitigate its negative effect.
- 2.30 The Commission for Racial Equality (CRE) has recently taken a much higher profile on Gypsy and Traveller matters, publishing a Strategy in which site provision is seen as centrally important. Following anecdotal evidence that many authorities have not yet taken their race relations duties towards Gypsies and Irish Travellers seriously, CRE is undertaking a scrutiny exercise into local authority compliance with the race equality duty in relation to Gypsies and Travellers.
- 2.31 An internet examination of Race Equality Schemes of authorities neighbouring the study area shows that not all explicitly refer to Gypsies or Travellers; the most common reference is in the context of Traveller education¹⁶. References to Gypsies and Travellers in Race Equality Schemes by study area authorities are dealt with in Chapter 6.

The Gypsy and Traveller Population

- 2.32 No-one knows how many Gypsies and Travellers there are in Britain. Partly this is a question of definition – ethnic and legal definitions and self-ascription would all give different numbers. More fundamentally it is because there are no

¹⁶ Lack of a mention in published Race Equality Schemes does not mean that Gypsies and Travellers are ignored when policies are cascaded to individual functions. Such detailed information was not collected.

records of the number of Gypsies and Travellers living in permanent houses and flats since Gypsies and Travellers are not identified within the national Census. National estimates for the total number of ethnic Gypsies and Travellers vary between about 100,000 and 300,000.

- 2.33 The only national information on Gypsies and Travellers comes from the twice yearly Gypsy Caravan Counts carried out on behalf of the ODPM by local authorities in England. There are criticisms of the accuracy of the Count which suggest figures should be seen as minima. The best information is on numbers of caravans, counted according to the type of site they are on. Count information is used here to put the study area into its national and regional context in terms of Gypsy caravan numbers.

Gypsy Caravan Numbers

- 2.34 At the first Count in January 1979 there were 8,358 Gypsy caravans in England. By January 2004 the figure was 14,309, an increase of 71% over 25 years. In 1979, 50% of the caravans were on unauthorised sites, 36% on council sites and 14% on authorised private sites. By 2004 the proportions were 27% (unauthorised), 41% (council) and 32% (private authorised). While the proportion of caravans on unauthorised sites has fallen sharply over the decade, absolute numbers have fallen by only about 500.
- 2.35 The spread of Gypsy caravans is uneven across England, reflecting traditional areas of settlement and economic opportunities. The study area is at the heart of the broad region which accounts for half of all Gypsy caravans (Eastern, South East and Greater London regions). The Eastern region, within which Hertfordshire is located, alone accounted for 25% of all Gypsy caravans in England in January 2004.
- 2.36 For the purposes of this research a 'region' has been devised around the study area which includes adjacent counties and north London Boroughs: Hertfordshire outside the study area, Bedfordshire, Buckinghamshire, Cambridgeshire and Essex (together with the unitary authorities within these county boundaries), and the London Boroughs of Barnet, Brent, Enfield, Harrow and Hillingdon. This 'region' makes more sense in terms of Gypsy/Traveller movement patterns than the Eastern Region, which includes Norfolk and Suffolk and which excludes Buckinghamshire and north London. Our survey shows that most Gypsies and Travellers interviewed within the study area had previously travelled or lived within this broad 'region'.
- 2.37 Table 2.1 sets the study area in its 'regional' and national context over the shorter period since January 1994 (the period since the repeal of the site provision duty).

Table 2.1 : Gypsy Caravans in the Study Area, Region and England : January 1994 and January 2004

	Study area	'Region'	England
All caravans			
January 1994	182	2,196	13,021
January 2004	274	3,145	14,309
Change 1994-2004	+51%	+43%	+10%
Unauthorised sites			
January 1994	31	466	3,838
January 2004	65	1,027	3,571
Change 1994-2004	+110%	+120%	-7%
Local authority sites			
January 1994	138	1,035	5,912
January 2004	183	936	5,848
Change 1994-2004	+33%	-10%	-5%
Private authorised sites			
January 1994	13	695	3,271
January 2004	26*	1,179	4,890
Change 1994-2004	+100%	+70%	+49%

Source : Gypsy Caravan Counts

* This figure appears to exclude the Oaklands private authorised site in Three Rivers recently granted planning permission

2.38 As can be seen, overall caravan numbers have risen more rapidly in the 'region' than in England as a whole (by 43% and 10% respectively) and still more rapidly in the study area (by +51%). On unauthorised sites the number of caravans has decreased slightly in England (-7%) but has more than doubled in both the 'region' (+120%) and the study area (+110%). On local authority sites, the number of caravans in the study area has risen by a third in contrast to decreases in both England (-5%) and the 'region' (-10%). The number of caravans on authorised private sites has risen more rapidly in the 'region' (+70%) than in England (+49%) and still more rapidly – albeit from a very small base – in the study area (+100%). Broadly these figures suggest that the study area is at the heart of an area within which the number of Gypsy caravans has increased strongly over the decade, suggesting pressure for growth. The study area has fully shared in these trends.

2.39 The importance of the 'region' for Gypsies and Travellers can be further demonstrated. Mid year estimates suggest that the 'region' had about 11% of the total English population in 2002. In January 2004 it had 22% of all Gypsy caravans in England, reflecting the attractiveness of the 'region' to Gypsies and Travellers for historical and economic reasons. The study area accounted for 8.0% of the 'regional' total population in 2002, and for 8.7% of 'regional' Gypsy caravans on all forms of sites in January 2004 – broadly in line with its share of 'regional' population. The study area's share of 'regional' caravans is particularly high for caravans on council sites (20%) and particularly low for caravans on private authorised sites (2.2%).

- 2.40 A major change occurring at national level in recent years is the growth of unauthorised development, that is caravans counted on unauthorised sites on land owned by Gypsies and Travellers. These are included in ‘unauthorised sites’ in the figures in Table 2.1 along with unauthorised encampments, and they have not been separately identified over the whole period. Between July 1998 and January 2004 the number of caravans counted on unauthorised developments in England rose from 749 to 1,977 (+164%). In the ‘region’ the number of caravans on unauthorised developments rose from 200 to 903 (+352%). The study area has shared in the growth of unauthorised development, the number of caravans rising from 3 to 61 – an increase of almost 2000%. The national and ‘regional’ figures suggest that the study area might expect to continue to experience pressure from this form of development.
- 2.41 Stripping out unauthorised development figures from the unauthorised sites figures above shows that unauthorised camping in the study area has fallen in recent years. This is discussed further in Chapter 4.

3. SURVEY FINDINGS : SOME CHARACTERISTICS OF THE GYSPY AND TRAVELLER POPULATION AND LOCAL ATTITUDES

3.01 The previous chapter drew on ODPM Gypsy Caravan Count figures to show the number of Gypsy caravans and trends in the study area, and to set these within a ‘regional’ and national context. This chapter starts to look at findings from our research. There are two main sections. The first looks at some characteristics of local Gypsies and Travellers, the second identifies attitudes among the settled community towards Gypsies and Travellers revealed through the consultation with elected members and local councils, and stakeholder interviews in the study area authorities.

Characteristics of Local Gypsies and Travellers

3.02 This section looks first at demographic and socio-economic characteristics of the study area Gypsy/Traveller population. Next it looks at their housing histories and at travelling patterns.

Study Area Gypsies and Travellers : Demographic and Socio-economic Characteristics

3.03 Our estimate of the number of families living on sites of different types was presented in Table 1.3 above, and can be summarised:

	Number of families
Local authority site	118
Private authorised site	36
Unauthorised private sites	37
Unauthorised encampment	2
Total	193

3.04 The average household size, from the survey, is about 3.8 persons which gives an estimate for the population living on sites and encampments of around 730 persons. Housing officers and officers in the Traveller Education Project and HCC Gypsy Section are all aware of some housed families, but no-one was able to give us an estimate – or even a ‘feel’ – for the number of Gypsies and Travellers living in houses in the study area.

3.05 Information about household size and type is presented in Chapter 4 where it is used to gauge the extent of overcrowding on sites and the likely rate of new household formation. Here it is sufficient to say that local Gypsy/Traveller families are on average significantly larger than found in the population as a whole, and that our survey revealed smaller proportions of childless and older households than in the population as a whole. This accords with research findings from elsewhere¹⁷.

3.06 The Gypsy/Traveller population in the study area includes both English or Romany Gypsies and Irish Travellers. Non-traditional New Travellers are said

¹⁷ For example, Pat Niner, *Local Authority Gypsy/Traveller Sites in England*, ODPM, 2003

to visit the area rarely. There are no known Roma families in the area. HCC sites cater for both English and Irish Traveller groups: Sandy Lane, Barley Mow and Long Marston residents are predominantly English Travellers (48 plots), while Three Cherry Trees and Ver Meadow residents are predominantly Irish Travellers (45 plots). Watling Street is mixed English and Irish at present. Most of the families interviewed at South Mimms described themselves as Irish Travellers (one described herself as a half-Traveller). Most of the families interviewed on private authorised and unauthorised sites, in houses and on the roadside described themselves as Gypsies/Romanies or English Travellers. The exception was the Ridge unauthorised site where several families described themselves as Irish or had Irish connections. We have no information on the ethnicity of residents on the private sites not included in the survey.

- 3.07 The survey asked several questions about local Gypsy/Traveller occupations starting with a general question about the sort of work done by Gypsies and Travellers in the area. Answers included: tarmac laying, paving, painting and decorating, roofing, groundwork, tree work, hedging and gardening, scrap, rubbish clearing, agricultural work and dealing. Traditional elements of self-employment and flexibility of employment were apparent in some answers, for example *'any work'*, *'bits and bobs'* or *'jack of all trades'*. Some mentioned that women usually did not take paid work but looked after the family. Some said that younger girls were working as teaching assistants or in cafes, one was training to be a nurse.
- 3.08 When asked whether the sort of work had changed from that done in the past some noted the decline of agricultural work, hawking, scrap, lace making, tin-smithing, feathers, fortune telling and horse dealing – all traditional Gypsy occupations.
- 3.09 A large proportion of respondents proved unwilling (or unable) to say whether their own family did the sort of work they had described. Many said they did not know – one said she did not know and did not want to know. Several said their family did not work at present. Groundwork, gardening, tree work and carpet selling were the occupations most frequently mentioned by those who gave an answer.
- 3.10 Interviewees were then asked what sort of work they would like their children to do. Several said that it was up to their children to choose when they had completed their education. While some mentioned traditional Gypsy/Traveller trades, many more referred to 'proper' jobs and gave examples from the professions, non-manual work, computers and, for girls, hairdressing and beautician work. Most of the interviewees were women, and many clearly had aspirations for their children to be better educated than they were and able to pick the sort of stable jobs commonly available to the settled community. At the same time respondents commented that it was common for older boys to work with their fathers, thus perpetuating the traditional Gypsy/Traveller way of life. There were also stories of younger people gaining qualifications in traditional trades, for example qualifying in horticulture or as a tree surgeon – seen as offering the *'best of both worlds'*.

Study Area Gypsies and Travellers : Housing Histories

3.11 The survey asked what sort of accommodation respondents had had before their current home, where it had been and why they left it. Roadside/South Mimms respondents were not asked these questions (they were asked whether they had previously lived in housing or on a residential site). Answers given illustrate three broad points:

- Previous accommodation varied with current accommodation. On the HCC residential sites, the most common previous accommodation was another local authority site and the roadside, followed by a house or flat. A couple of respondents had previously been on the South Mimms site and one on a private residential site. On private authorised sites there was an even split between local authority residential sites and the roadside as previous accommodation. All those interviewed on unauthorised private sites had previously been on the roadside. Two of the three housed Travellers interviewed had previously lived in a house, the other on an HCC residential site. Across the sample as a whole, roadside was the most frequent previous accommodation (half of respondents), followed by a local authority residential site (about three in ten respondents). This suggests a distinct trend towards settlement on sites from active, permanent travelling.
- The great majority of respondents across all types of accommodation came from previous locations either within or quite close to the study area. Only five of the families interviewed had previously come from outside the area of Hertfordshire, Bedfordshire, Buckinghamshire, Essex and north or central London. To this extent, most had a broadly 'local connection' if not with the study area itself.
- All those interviewed on private authorised and unauthorised sites had moved in order to live on that site. This option was seen as better than previous accommodation, and particularly better than the uncertainties and hardships of the roadside. Families interviewed on HCC sites had more varied reasons for leaving previous accommodation and moving to the site. As with those on private sites, pre-existing family links with the site emerge as important in generating awareness of the site and making it attractive (this also probably reflects allocation policies, see Chapter 4). Where families had previously been on the roadside, schooling was an important factor in the decision to come to a site in addition to general difficulties in travelling now. Reasons given were generally positive – only on Three Cherry Trees were there indications that some were there because of lack of alternative rather than positive choice.

Study Area Gypsies and Travellers : Travelling Patterns

- 3.12 Those interviewed on the roadside and the South Mimms site had no base and travelled throughout the year, staying as long as they could at any location. Almost all wanted to be more settled and to have a stable base (see Chapter 4).
- 3.13 Of the 30 families interviewed on HCC residential sites, 22 said that they had not travelled at all in the past year; six had travelled for short periods in summer and two had previously travelled throughout the year and had only come to the site within the past six months. Out of 18 interviewees on private sites (authorised and unauthorised) 14 had not travelled in the past year and four had travelled for short periods in spring and summer. None of the housed Gypsy Travellers had travelled in the previous year (although children had sometimes gone travelling with other family members).
- 3.14 A number of points emerged from interview responses about travelling and its possible future:
- The great majority of interviewees who had been on the roadside before coming to their present accommodation (and those still on the road or the South Mimms site) spoke of the problems of finding safe places to stop when travelling permanently. They spoke of being moved on very frequently and of feeling harassed and unsafe. Finding water is an increasing problem as filling stations and other sources become less willing to provide water and/or charge for it. Very few of those interviewed appeared to want to continue a lifestyle of continuous travelling. Many felt that the travelling lifestyle is dying and would be virtually gone after another generation or so.
 - Apart from the general problems of finding places to stop, the main factor mentioned was the importance of getting education for the children and ‘settling’ so that children could attend school. The perceived importance of children getting an education has increased – see Chapter 6. A few respondents thought that they might travel more (but not continuously) when the children had grown up and finished school.
 - Those who travelled seasonally mentioned visiting family and the major Gypsy/Traveller fairs (Barnet, Epsom, Appleby, Leicester, Stowe and Doncaster races were mentioned). These were prized as opportunities to meet with friends and relations, and for young people to meet prospective partners. No-one reported any difficulty in finding accommodation on these occasions, either with family or in accommodation arranged as part of the event. Some mentioned travelling for holidays and staying at holiday caravan sites, again mostly without any problems. Some of those not currently travelling would like to travel more in these ways in future.
 - An important reason given for wanting to travel for a short period a few times a year was to keep the Gypsy/Traveller culture alive, and to introduce children to their heritage for a short time. It was our impression that almost all of those we spoke to were proud of their cultural identity and heritage and wanted to retain it in the best ways they could.

- Most of the people we spoke to were women. It is our distinct impression that women are much more likely than Gypsy/Traveller men to want to settle – indeed a number said that they had only started a travelling life on marriage to a Traveller. This factor may exaggerate the apparent trend towards settlement. In addition, we learnt relatively little in the interviews about the men in some families, and it may be that they were still travelling to a greater extent while the women and children stayed on the site.
- 3.15 It is evident from these findings that the legal definition of a ‘gypsy’ for planning and site provision purposes as someone with a nomadic lifestyle is probably at variance with the reality of the lives of many of those we interviewed. This is an issue likely to assume greater significance as the problems of travel increase.

Local Attitudes to Gypsies and Travellers

- 3.16 Impressions of local attitudes to Gypsies and Travellers were sought in the consultation undertaken as part of this research with elected members of partner authorities and local councils, and in key stakeholder interviews in Partner authorities. Respondents were asked what they thought attracted Gypsies and Travellers to the local area and how they thought that Gypsies and Travellers are perceived locally.

Attractions to the Study Area

- 3.17 There have been Gypsies and Travellers in the study area for centuries. An officer interviewed in St Albans described that town as a ‘*Gypsy capital*’. Other factors thought to attract Gypsies and Travellers to the study area were:
- Employment opportunities in Hertfordshire and North London (opportunities from jobbing/casual work, relatively affluent residents)
 - Easy access to road and motorway networks
 - Open spaces and fields ‘*off the beaten track*’
 - Lack of policing in villages
- 3.18 There was general agreement that the area is attractive to Gypsies and Travellers. Broadly the features of the area identified combine the possibility of making a living and finding space to stop. Open spaces, rolling countryside may be attractive yet set up a paradox noted by one local council respondent: ‘*Yet this very desirability is partly reflected in the Green Belt status and hence the inappropriateness for such settlements.*’

Local Perceptions of Gypsies and Travellers

3.19 Findings here are fairly easily summed up since most views expressed about Gypsies and Travellers were negative – as one consultee put it at the extreme *‘they are thought to be illiterate, dishonest, lawless, threatening and thieving’*. Such stereotyped views lead to a *‘general reluctance on the part of the settled community to accommodate Gypsy Traveller development (authorised and unauthorised) for reasons of the perceived risk of increased noise, disturbance, physical deterioration in the environment and fear of crime’*. Again (from a local councillor) *‘They have a very bad image locally. As soon as they occupy a site – illegally – the local residents become very concerned to get them evicted. There are fears that they will destroy the amenity value of a site by causing untidiness and other more permanent environmental damage and that crime rates will increase.’* A county councillor identified intolerance of other lifestyles as one factor in the poor image of Gypsies and Travellers among the settled community: *‘People don’t like to see any lifestyle other than their own or one they approve of’*. There was a general feeling that Gypsies and Travellers excluded themselves by their behaviour and *‘disregard for their social obligations’*.

3.20 Two general points were seen to reinforce the poor image of Gypsies and Travellers: problematic unauthorised encampments associated with fly-tipping and other anti-social behaviour, and unauthorised development of Gypsy sites which are perceived as a blatant flouting of planning control and especially of Green Belt policy in a way which would not be countenanced from the settled community. The two quotations below illustrate these points:

‘In the Town Council’s experience, travellers who park illegally on the common decimate the area they inhabit, leaving behind debris, human faeces, damage and devastation. Luckily the TC have byelaws to control the situation, however, we would oppose any permanent site in the area.’

‘Ever since the field was bought – over 10 years ago – the village has simmered with resentment. The encampment is an eyesore; it goes against Green Belt legislation; and so on. But above all people feel cheated. The rule is that you don’t put up your building, extension etc until you get approval – they have simply and flagrantly ignored this fundamental rule.’

3.21 However, not all views reported were negative. Within the study area there are several examples of some local individuals and communities supporting Gypsies and Travellers in their attempts to get planning permission for sites (for example at the Pylon site in Hertsmere). At this level the size, location and nature of the site and the behaviour of the occupants is likely to influence views although some individuals may remain hostile.

3.22 Gypsies and Travellers are fully aware of the attitudes of members of the settled community towards them. Several of the people we interviewed in the survey spontaneously referred to the discrimination and harassment that they regularly face. Several said they felt Gypsies and Travellers had no rights, and contrasted

their situation unfavourably with other ethnic minorities in terms of overt discrimination. These points were strongly made and deeply felt.

4. INDICATIONS OF NEED FOR ACCOMMODATION

- 4.01 Those consulted in the course of the research (elected members and other key stakeholders in Partner authorities, and local and parish councils) were asked about their perceptions of the need for Gypsy and Traveller accommodation in the study area. Perceptions differed according to their experiences. Some consultees felt that the study area is already well provided with sites and does not need any more. In some cases the ‘no further need’ perceptions were explicitly linked to recent lower levels of unauthorised camping. Others felt that the growth in unauthorised development of private sites evidenced need; such views were expressed especially in Hertsmere. Some of those directly involved in managing unauthorised camping felt there is need for some form of transit accommodation despite falling numbers of encampments. Some made the point that ‘need’ and ‘demand’ are not the same thing – usually expressed along the lines that while Gypsies and Travellers might like to live in the area, but that their need to do so is more questionable.
- 4.02 This chapter aims to explore the need for accommodation for Gypsies and Travellers in the study area as objectively as possible. It looks at need from several different perspectives and assembles a range of evidence. Information is drawn from a number of sources including stakeholder interviews, HCC site records and our survey of Gypsies and Travellers (referred to as the CURS survey below). There are nine sub-sections: occupancy rates and over-crowding; demographic growth and household formation; health and special accommodation needs; amenity provision and site conditions; registered demand for HCC sites (waiting and transfer lists); movement intentions; unauthorised camping; unauthorised development; and, last but by no means least important, Gypsy and Traveller accommodation aspirations. Taken as a whole, the findings provide indications of the general extent and nature of accommodation needs.

Occupancy Rates and Over-Crowding

- 4.03 Concepts of occupancy of accommodation and over-crowding are sometimes different among Gypsies and Travellers and the settled community. Traditionally, Gypsies and Travellers living in trailers have had much less floor space per person than is common among the housed population, with the area around the trailer also acting as living space. As families grow and children get older, the traditional Gypsy/Traveller response is to acquire further trailers to provide segregated sleeping/living accommodation according to age and sex. On residential sites, having a large trailer, mobile home or ‘chalet’ and one or more touring caravan also gives freedom to travel off-site for a period while the main home remains on-site. In this context, ‘over-crowding’ could mean too small or too few trailers, too small an amenity building, too small a plot to accommodate the desired number of trailers, or indeed an ‘over-occupation’ of the site itself. The survey asked people on residential sites how many living units (mobile homes and trailers) they had and whether this gave enough space for their family’s needs, and whether their plot was too big, too small or about right for their family’s needs. Interviewees on unauthorised sites and in houses

were also asked about perceptions of space in their accommodation. Table 4.1 summarises the findings.

Table 4.1 : Units and Accommodation and Views on Space Available

Units of accommodation	HCC sites	Private sites	Unauth. sites	Mimms/ roadside	Housed
Touring caravan	5	1	5	6	NA
Mobile home	17	3	4	-	NA
MH + 1	5	-	1	1 (warden)	NA
2 touring caravans	1	-	-	-	NA
More than 2 units	2	1	2	1	NA
Other	-	-	1	-	NA
Enough space for your family's needs?					
Yes	17	3	6	NA	1
No	13	2	7	NA	2
Plot space right for family's needs?					
Too small	15	2	NA	NA	NA
About right	15	3	NA	NA	NA
Too big	-	-	NA	NA	NA
Sample size	30	5	13	8	3

Source : CURS survey

4.04 The table shows that a minority of households across all types of site has more than one unit of accommodation. It also shows that almost half (47% overall) say that their accommodation is not enough for their family's needs (among the HCC sites, just half of families on Three Cherry Trees say they do not have enough space). On residential sites just over half say that their plot is too small for their family's needs (among HCC sites, especially on Sandy Lane and Three Cherry Trees), which presumably precludes increasing accommodation by acquiring additional trailers even if this were affordable – this is despite the fact that all HCC sites provide 'double' plots. We have no reason to think that households not included in the survey would have very different views on this.

4.05 Another indication of the potential for over-crowding on HCC sites comes from household size information provided by HCC. Twenty three out of 101 households on site at the time include six or more persons, and a further 16 families include five persons. Large families are a particular feature of Three Cherry Trees and Ver Meadows. Large adult families are a particular feature of Sandy Lane which may account for the relatively large number of residents in our survey saying that their plot is too small for their family's needs. Table 4.2 shows the family size and type¹⁸ structure on HCC sites (further comments on this table in the following section).

¹⁸ Household type definitions are: 'single' = 1 adult; 'couple' = 2 adults, no children under 16; 'small family' = 1 or 2 adults and 1 or 2 children under 16; 'large family' = 1 or more adults and at least 3 children under 16; 'large adult' = at least 3 adults, not more than 1 child under 16.

Table 4.2 : Size and Type of Families on HCC Sites

Family size	Sandy Lane	Barley Mow	3 Cherry Trees	Long Marston	Watling Street	Ver Meadows	Total
1 person	5	3	6	-	-	-	14
2	7	3	8	3	4	3	28
3	-	3	1	1	-	3	8
4	5	-	5	1	1	-	12
5	8	3	1	-	3	1	16
6	2	1	4	1	2	3	13
7	-	2	-	-	-	2	4
8	-	-	3	-	-	1	4
9	-	-	1	-	-	1	2
Average size	3.37	3.87	3.70	3.17	3.90	4.93	3.74
Household type							
Single	5	3	6	-	-	-	14
Couple	7	3	5	3	3	3	24
Small family	3	1	8	0	1	3	16
Large family	7	6	9	1	5	8	36
Large adult	5	2	1	2	1	-	11

Source : HCC records

4.06 Two of the three housed families interviewed wanted more bedrooms to be able to segregate children of different sex as they got older.

4.07 Together these indications suggest that up to half of local Gypsy and Traveller families living on sites feel that they have too little space for their needs. It is likely that similar proportions would be considered as over-crowded by any objective measure as applied in housing. In housing, over-crowding can often be relieved through movement within the stock to larger accommodation; given the finite number of plots for local Gypsies and Travellers in the short term and the lack of larger plots, over-crowding cannot easily be relieved through movement.

Demographic Growth and Household Formation

4.08 The population characteristics of local Gypsies and Travellers living on sites are significantly different from those of the housed community. Some of the main differences are:

- Average household size is significantly larger among Gypsies and Travellers. The 2001 Census showed an average household size across Hertfordshire of 2.42 persons. Table 4.2 above shows the average size across HCC sites in the study area is 3.74 persons, and our survey shows average household sizes of

between 3.36 persons (excluding men who may not be resident on site all the time) and 4.4 persons on private sites surveyed.

- There are proportionately many fewer one and two person households among the Gypsy and Traveller population – 42% of households on HCC sites compared with 62% of all county Census households.
- Only just over three in ten Hertfordshire households included dependent children at the 2001 Census, compared with just over half of families on HCC sites and almost all families on private sites.
- The ‘child density’ on sites is greatly in excess of the average for the housed population. Just over a fifth of county population were children under 16 in 2001, compared with 41% of HCC site residents and similar or higher proportions of private site residents.

4.09 These characteristics obviously contribute to the high site occupancy rates noted above. They also imply significant levels of potential population and family growth in the future. Indications of possible levels of growth are set out below.

HCC Sites

4.10 HCC provided information on the number of older ‘children’ (aged over 16) on their sites. The survey asked whether there was anyone in the household (eg sons or daughters) who were likely to want their own independent accommodation in the next five years.

4.11 HCC records show a total of 24 older boys and 20 older girls on sites in the study area. The survey revealed nine people from HCC sites likely to need independent accommodation from the 30 families interviewed. Assuming that families not interviewed are broadly similar to those included in the survey suggests that up to 33 site household members might want independent accommodation during the next five years; older boys in particular are often likely to need accommodation. All sites potentially generate need in this way, but particularly Sandy Lane, Three Cherry Trees and Ver Meadows. Interviewees were unsure what sort of accommodation might be available for the potential new households. On both Sandy Lane and Three Cherry Trees several families hoped that the new households could stay on the site with their wider family, where they felt safe. No-one spontaneously said that the new household might be looking for a house.

4.12 It is clear from the site population age structure that household growth will continue after five years.

Private Sites

4.13 It is much less easy to quantify new household growth on private sites since we interviewed a lower proportion of residents. However, three of the five families interviewed included members who might want independent accommodation in the next five years. If other families on private sites have similar needs, this

would imply some 20+ new households requiring accommodation. Two of the three families interviewed hoped that their son/daughter could have a separate plot on the site, but realised that this could cause problems with planning permissions.

Unauthorised Sites

4.14 It is also hard to estimate family growth on unauthorised sites. Additional accommodation was needed at Tullochside and Ridge 1 sites although most of the latter residents were families with young children. In both cases, families hoped that additional plots could be found once planning permission was gained.

Housed

4.15 In two of the three housed families interviewed, the elder son was likely to require independent accommodation within five years (if he married) and would be looking to live in a trailer. While it is impossible to generalise from this finding, it acts as a reminder that a move to housing in one generation does not necessarily remove demand for trailers and sites in the next, particularly among boys.

Overall Comments

4.16 Household formation through demographic growth is clearly a significant factor in need over the next five years. The indications are that 50+ new households could form from a base of about 175 families¹⁹, which represents a rapid rate of increase (around 30% over five years). This possible rate of increase is only slightly higher than the 51% rate of growth in Gypsy caravan numbers in the study area in the decade since 1994 (see Table 2.1 above) and therefore seems credible. While families are understandably uncertain of how the household increase is to be accommodated, there is some stated desire for extended families to keep together suggesting a desire for needs to be met very locally. Several of the private sites (authorised and unauthorised) illustrate the 'family' site pattern in which all or most site residents are related to one another, with apparently fairly flexible 'nuclear' family groupings within the wider community. However, even extended family sites still have a limit on family growth often because of planning conditions.

Health and Special Accommodation Needs

4.17 Identifying households where members have health needs for special or adapted accommodation is a regular part of orthodox housing need surveys. Since studies²⁰ consistently show that Gypsies and Travellers suffer higher levels of health problems and accidents, and have lower life expectancy than the

¹⁹ One factor in this calculation is the extent to which young people will marry others living on the sites; no information is available on this.

²⁰ For example, Patrice van Cleemput and Glenys Parry 'Health status of Gypsy Travellers', *Journal of Public Health* 23/2, 2001, pp 129-134

population as a whole, it might be assumed that health needs of local Gypsies and Travellers will impact on their accommodation needs.

- 4.18 HCC indicated that they were aware of a number of site residents with special health needs. They identified five families (three on Sandy Lane, one each on Three Cherry Trees and Watling Street). The survey asked a more general question ‘does anyone in your household have a disability or serious long-term illness’. Answers to this question suggest much higher levels of health needs than the HCC estimate since 11 of the 30 families interviewed on HCC sites (37%) said that there is someone in their household with a disability or illness. On private sites (authorised and unauthorised) the proportion of families suffering ill health was higher – half of those interviewed. One of the three housed families reported a health problem. The 2001 Census found that 27.5% households in Hertfordshire included one or more person with a limiting long-term illness. Our survey suggests that incidence among the local Gypsy/Traveller population may be rather higher.
- 4.19 The survey was not able to explore in any detail the implications of ill health and disability for accommodation needs but did throw up some indications, often from incidental comments or answers to other questions.
- Ill health is a spur to ‘settlement’. Some interviewees who had previously been ‘on the road’ travelling full-time identified either specific health problems or a more general desire to be handy for hospitals or doctors as a reason for ‘settling’ on a residential site. One of the households interviewed on the South Mimms transit site specifically mentioned proximity to hospital and doctor as a reason for being there (and they wanted to stay in the area long-term). The older woman interviewed in a house referred to her health as a reason for not wanting to go back to trailer/site living and having to go outside for bathroom and toilet.
 - There were few references to specific health needs requiring any form of adaptation to living accommodation. One family included a child, in hospital at the time of the interview, who would have to use a wheelchair requiring a specially adapted trailer. A family on an unauthorised site had adapted (without planning permission) an agricultural building to provide accessible living space for a disabled daughter. Another family on an unauthorised site wanted ramps for wheelchair access, and a woman with poor mobility on an authorised site wanted handrails fitted.
- 4.20 These indications suggest the health needs are a significant factor in accommodation need, and especially in affecting decisions to ‘settle’ on sites or in houses. Requirements for adaptations will arise on an ad hoc basis and suggest the need for health, social services and HCC site managers to be aware of issues that can arise and willing to give support to Gypsies and Travellers as to members of the housed community.

Amenity Provision and Site Conditions

4.21 Information on amenity provision and site conditions comes solely from residents' replies to the CURS survey; interviewers did not make any assessment of sites when they visited. It is apparent that conditions, and peoples' attitudes to them, differ with the sort of site. Sub-sections below look at HCC sites, private sites (with planning permission) and unauthorised sites. Information from the two families interviewed at roadside unauthorised encampments is presented later in a separate section.

HCC Sites

4.22 All residents on HCC sites have basic amenities – water and electricity supply and an amenity building including bath, WC and a sink; two interviewees on Three Cherry Trees said they had no heating in the amenity building. All had some provision for cooking and laundry, and space for eating and drinking. In most instances the amenity buildings are small and cooking and eating are carried out in a trailer, although a washing machine may be located in the amenity building. All have provision for rubbish storage and collection. Resident reactions to these facilities were reflected in suggestions for improvement to the plot.

4.23 The main improvements wanted were better/bigger kitchen and/or bathroom facilities in the amenity buildings. This was mentioned by about half of those interviewed on each site. Other commonly mentioned improvements are listed below from the most to least frequently mentioned. The survey did not ask residents to amplify their suggestions and the list should be taken as an indication of possible areas for attention rather than a prescription of what needs to be done.

- Having bigger plots (all sites, but especially Three Cherry Trees)
- More outside lighting to plots (Sandy Lane) and to site and plots (Three Cherry Trees)
- Better fencing (all sites, but especially Three Cherry Trees)
- Provision of a play area for children or garden areas (all sites, but especially Three Cherry Trees)
- Better plot surfaces and drainage (Sandy Lane)
- Speed bumps (Three Cherry Trees and Sandy Lane)
- Have own electricity meter (Sandy Lane and Three Cherry Trees)
- Reduce parking congestion (Sandy Lane and Watling Street)
- Improve heating in amenity building (Three Cherry Trees)

4.24 These suggested improvements match those already included in upgrading schemes on other HCC sites. An upgrade of Three Cherry Trees is being planned which will involve the upgrade of 21 amenity units, street lighting and considerable groundwork. Future site improvements may include installation of electricity card meters, play areas, improved heating and insulation of amenity units. There already are speed bumps on all sites.

4.25 The survey showed that satisfaction among residents with their site was significantly lower at Three Cherry Trees than at the other sites. This chimes

with our own observations. Sandy Lane and Watling Street appeared well cared for and well maintained and clean. Many Sandy Lane residents have created gardens in their plots. In contrast Three Cherry Trees looked less well cared for, with fencing in obvious disrepair and amenity buildings in some disrepair. Table 4.3 shows residents' ratings of the three sites.

Table 4.3 : Residents' Satisfaction with HCC Sites

Satisfaction	Sandy Lane	Three Cherry Trees	Watling Street
Very satisfied	3	1	3
Satisfied	7	1	1
Neutral	-	6	2
Dissatisfied	-	6	-

Source : CURS survey

- 4.26 Sandy Lane residents were all satisfied with the site. The main reasons given were the opportunity to live with other family members, the cleanliness of the site and the proximity to facilities. There were some criticisms of the management of the site rather than the condition of the site *per se*. These related to the high water charges (£10 per week) and the way that electricity was charged and controlled by the warden. Residents thought that the weekly plot charge at £76.80 was far too high compared with a council house rent (plot charges are discussed in more detail and compared with council house rents in paragraph 5.14 et seq below). Three respondents would like to have the chance to buy their plot.
- 4.27 The Watling Street site was described by several interviewees as 'peaceful' but close to local amenities. However, one respondent interpreted this peaceful location as hidden away as *'they [the local authorities] always hide Travellers'*. The residents felt that a smaller site meant that people were more likely to get on with each other.
- 4.28 Only two respondents were satisfied with the Three Cherry Trees site. Positive aspects of the site were its location, especially the proximity to the shops. However, dissatisfaction was extensive and stemmed from physical problems (reflected in suggested improvements above) intertwined with social problems. For example, the lack of a play area was thought to contribute to children 'running wild' on the main roadway of the site or climbing through the fencing onto the fields surrounding the site; the lack of speed bumps contributed to cars speeding through the site. One resident described Three Cherry Trees as *'the worst site I have lived on'*.
- 4.29 Respondents were asked specifically whether they had any concerns about health and safety on the site. One Watling Street resident mentioned rats and mice from the adjoining fields. Concerns were more common on both Sandy Lane and Three Cherry Trees (where there are plans to upgrade the site, see 4.24 above). The main factors mentioned by more than one resident were:

Sandy Lane

No fire hoses
 Lighting needed for plots
 Dogs
 Cars parked on the road obstructing emergency vehicles and causing hazards for children
 Need an entry gate to stop people wandering into the site and dumping

Three Cherry Trees

Lack of street lighting
 Disrepair of amenity buildings
 Rats, especially at the bottom of the site
 Need for speed bumps

- 4.30 All families interviewed on the South Mimms transit site have electricity, water, WC and rubbish collection provision. Of the six people interviewed, two rated it as a good stopping place and four were neutral in their assessment.
- 4.31 The main positive factors mentioned for the transit site were the proximity of the site to the M25 and to local facilities, especially schools and hospitals. Whilst there is a nearby village, one respondent noted that the only place to get bread, milk and other essentials is the service station (by implication overpriced). The warden was praised as being effective, ensuring the site is kept clean and making sure there is no hassle from other residents. Interviewees seemed to be making comparisons with roadside camping places and appreciated having water and electricity supply. However, four identified a need for showers on site – they currently use the service station facilities. There were some health and safety concerns to do with security and access control and better fencing to increase security for children. Respondents also mentioned the proximity of electricity masts and bad smells.

Private Sites

- 4.32 Provision of amenities at the two authorised private sites included in the survey was harder to assess than on the HCC sites. The Pylon site has mains water and electricity, WC and showers, but not individual amenity buildings for each family (these are currently being developed). Pipe-work is on the surface and can freeze in winter, and there are plans for under-grounding. The Oaklands site has neither mains water nor electricity with supply from a large tank and generators. Suggested improvements included extensions to plots and provision of amenity buildings. At both these sites, the owner is working with local authority officers to agree site licence conditions following the grant of planning permission.
- 4.33 While objectively perhaps less well provided for than on the HCC sites, resident satisfaction is very high – all interviewees said that they are very satisfied with the site. There seem to be two rather different factors operating here:
- Families interviewed had previously been on the roadside, so even restricted amenities are seen as an improvement.

- Social advantages of having a site and living with family far outweigh any physical shortcomings.
- 4.34 At the Pylon site the main positive factors mentioned were being able to keep the (extended) family together, and to be able to settle so children can go to school and access health care. Interviewees had some concerns about traffic and the proximity of the pylon itself, and would like a more permanent and tidier electricity supply. However, these concerns seem not very serious. As one respondent commented, they have big families and never have much peace and quiet! One discounted any danger at the site on the grounds that there are dangers everywhere you go today, especially on the roadside.
- 4.35 The Oaklands permanent residents identified being able to live with family as an important factor for rating the site highly, as well as proximity to shops and facilities, and the feeling of safety on the site. This was compared to roadside travelling which was described as dangerous with problems of drugs and robbery. The one Oaklands transit resident interviewed had been on site for four months during the previous year and thought it was well run, clean and friendly and *'a lovely place to come for summer'*.
- 4.36 A Pylon site resident made an important point, commenting that the need to find court costs to fight to get planning permission had swallowed up money which would otherwise have been available for site development and improvement.

Unauthorised Sites

- 4.37 Unauthorised sites proved very variable. While provision has been made for electricity, water and WCs, this need not be mains supply and the facilities available may depend on what is provided within the trailer. At the Ridge 1 site, for example, electricity is supplied by generators and chemical toilets are used. Major investment in the site without planning permission would obviously be unwise although some site works had been carried out.
- 4.38 All interviewees thought their site either very good (nine) or good (four). Respondents at Tullochside and Nuckey Farm highlighted the good condition and cleanliness of their sites. They also said the sites were in good locations for local schools and facilities. Both respondents compared their sites to the local authority sites close by which they thought were badly run. They felt that Travellers from these sites behaved in such a way as to antagonise the local community.
- 4.39 The overwhelming reason for rating the Ridge 1 site highly was the presence of friends and family creating *'a real community'*. Residents also emphasised the site's proximity to local services and facilities, including doctors, and the friendliness of local service providers, such as the schools taxi and laundry men, and local residents. Access to schools and educational progress made by children was mentioned frequently.

Comments

4.40 These survey findings show that there is resident demand for site improvements on HCC sites, especially at Three Cherry Trees. The private sites show that physical conditions can be secondary in importance to security, living with the wider family and just having a site to live on. Residents on authorised sites aspire to improve their sites. Residents on unauthorised sites would like to upgrade the sites, but require planning permission first. Money needed to achieve permission can make subsequent site development investment problematic.

Registered Demand for HCC Sites

4.41 Hertfordshire County Council provided information about the waiting list for plots on HCC residential sites in the study area on 30 March 2004. In total there were 73 applicants for plots – 14 applicants were existing licensees seeking a transfer to a case study site and 59 were new applicants seeking a plot. Of the new applicants, 40 were registered for one case study site only, 11 were registered for two, four for three, one each for three and four, and two for all six case study sites. Table 4.4 shows new and transfer applications for each site. Waiting list applicants are required to re-register each year, so the list should be up-to-date and reflect actual current demand. Transfer applicants are not required to re-register and some needs/demands may have changed.

Table 4.4 : Waiting and Transfer List Applications by Site

Site	New application	Transfer application	All application	Applications as % plots
Sandy Lane	24	3	27	100
Barley Mow	16	6	22	147
Three Cherry Trees	9	1	10	33
Long Marston	11	1	12	200
Watling Street	22	4	26	260
Ver Meadow	14	1	15	100
All case study sites	59	14	73	71

Source : HCC records

4.42 All sites have a waiting list (there were two vacant plots only at the time of the survey). The table shows the longest lists on Sandy Lane and Watling Street, with Barley Mow attracting most transfer applications. In terms of applications as a percentage of total plots, the list is relatively 'longest' for Watling Street, Long Marston and Barley Mow where the number of applicants registered exceeds the total number of plots. Three Cherry Trees demonstrates least demand on both measures. The figures are related to likely future vacancies in Chapter 5.

4.43 Of the 59 new applicants for case study sites, 19 (32%) have a contacting address on or 'care of' one of the six residential sites – most will be children or

other close relatives of existing licensees; some may be on site as squatters or guests. Most will probably figure amongst the estimated 33 household members likely to want independent accommodation over the next few years (see para 3.10 above); Most want to stay on the same site. There is some indication of current location/address of a further 19 applicants:

- 4 have a contacting address on an HCC residential site outside the study area
- 4 have a contacting address which is apparently a house/flat in Hertfordshire
- 6 have a contacting address somewhere in London
- 5 have a contacting address outside Hertfordshire and London (Luton (3), Chelmsford and Market Harborough)

HCC officers report that the remaining 21 applicants for whom an address is not given are unlikely to have known links with local sites; many will be actively travelling and may be anywhere in the country.

4.44 Most new applicants for plots on case study residential sites already have families. Table 4.5 shows the number of children in applicant families. This suggests that large family size and high child densities are likely to be perpetuated through re-housing from site waiting lists.

Table 4.5 : Number of Children in Applicant Families

Number of children	Number	% of all applications
None	18	31
One	14	24
Two	10	17
Three	6	10
Four	4	7
Five	3	5
Six	2	3
Seven	1	1
Ten	1	1

Source : HCC records

4.45 As a whole this analysis suggests that there is significant registered demand for plots in the case study area. The demand comes from families of existing licensees, from elsewhere in the county, from London and from elsewhere. Most demand comes from families with children.

Movement Intentions

4.46 In the survey, people on residential sites (HCC and private authorised) were asked whether they thought that they would move from the site within one, three or five years. Where movement was thought likely, reasons, future accommodation and location were probed.

4.47 On authorised private sites, none of the permanent residents interviewed thought that they would move. The Oaklands transit resident thought they would move on within the year – because it was a transit site – probably to join up with family elsewhere.

4.48 On HCC sites there were also relatively low levels of anticipated movement.

- None of those interviewed on Sandy Lane thought they would move within five years.
- None of those interviewed on Watling Street thought they would move within five years (one no answer).
- On Three Cherry Trees, nine of the 14 residents interviewed thought that they would not move within five years. One interviewee wanted to move within one year, ideally to a site in north west London; this resident did not like Three Cherry Trees, thinking it too big and too rough. The four remaining interviewees thought that they might move within three or five years; of these:
 - three thought they might go to a house, one wanted another site – all were very aware of site capacity constraints
 - three wanted to remain in the same area (one did not know)
 - three said that a move would be conditional upon increased over-crowding or deterioration of the site; one specifically said they would stay if the site were to be improved.

4.49 The generally low level of possible future movement probably reflects lack of alternatives and choice available to HCC site residents as well as levels of satisfaction. The survey showed that people were generally aware of how few sites there are and the difficulties of getting a plot. Differences in possible future movement levels between sites reflects resident satisfaction levels with the different sites as reported above. The comments from Three Cherry Trees residents show how demand for movement is related to perceived physical and social conditions – which can change.

4.50 The survey findings imply that, on the relatively stable and popular residential sites, little need/demand will be generated by existing residents seeking to move away; outward mobility is unlikely to create plot vacancies. On the less stable sites (Three Cherry Trees and perhaps Ver Meadow), more residents may seek to move and more vacancies may be created if these movement desires are realised – residents interviewed were aware of constrained options and did not want to go back onto the roadside.

Unauthorised Camping

4.51 At national level, the extent of unauthorised camping – that is Gypsy/Traveller caravans on the roadside or other non-Gypsy/Traveller owned land without consent – has been taken as an indication of need for further accommodation on residential and/or transit sites and stopping places to allow Gypsies and

Travellers to travel and to stop on authorised places²¹. We have drawn upon three sources of information to gauge the level of need from unauthorised camping in the study area: the ODPM Gypsy Caravan Counts, the HCC Encampment Hotline and the CURS survey. Each is described in turn.

Unauthorised Camping : Gypsy Caravan Counts

4.52 The twice yearly Gypsy Caravan Counts (January and July) provide time series information on unauthorised camping; this was discussed above (para 2.34 et seq). The Count is, of course, a snapshot of caravans on a single day and as such is of limited value in this context. Prior to 1997 it is not possible to distinguish between caravans on unauthorised land owned by Gypsies (unauthorised development of sites) and on other land (unauthorised camping) – however, it is clear that the big increase of unauthorised development of sites on Gypsy owned land took place in the study area after 1997 (paragraph 2.40 above). Bearing these limitations in mind, examination of the Count for the study area since 1994 – and distinguishing unauthorised encampments wherever possible – shows:

- Numbers of caravans on unauthorised encampments vary greatly from count to count, in a way which seems largely unpredictable.
- There is no clear seasonality in the figures – sometimes the higher figures are recorded in January, sometimes in July.
- The highest counts were recorded for January 1997 (72 caravans, mostly in St Albans) and July 1995 (61 caravans, mostly in Three Rivers). (These figures are likely to include around 3 caravans on unauthorised private sites as well as unauthorised encampments.)
- Generally, levels of unauthorised encampment (excluding unauthorised development of private sites) seem to have fallen – the July average 1994-1998 was about 15 caravans, while the average since was about 8 caravans.
- Within the study area, the location of unauthorised encampments may have shifted over time. In the 1990s, highest caravan numbers were recorded in St Albans and Three Rivers, more recently highest numbers were recorded in Dacorum. Only Hertsmere never shows a count total over 15 caravans on unauthorised encampments.

4.53 It might be assumed that the figures would have been higher if the South Mimms transit site had not existed. This may account for the relatively low level of unauthorised encampments recorded in Hertsmere.

HCC Encampment Hotline

4.54 HCC Gypsy Section provides an Encampment Hotline service which co-ordinates information on unauthorised encampments across the county. The

²¹ For example, Pat Niner *Local Authority Gypsy/Traveller Sites in England*, ODPM, 2003, pp 189-191

service was established in 1997 with the aim of providing better, more consistent information about unauthorised encampments as a means of sharing intelligence between district and county authorities. The Hotline records information in an Excel spreadsheet. It is particularly valuable because it records the location, size and duration of individual encampments and thus provides a continuous picture rather than snapshots. It is often possible to identify names and families involved.

- 4.55 The Gypsy Section directly input information about all encampments of which they are aware. District councils are encouraged to notify the Gypsy Section of all encampments they know about (either at the time or afterwards). Our stakeholder interviews suggest that there may be some encampments on district council-owned land which are not notified but that most are likely to be picked up by the Hotline. Given a possible element of under-reporting, the Hotline data analysed below obviously provides a minimum estimate of unauthorised camping.
- 4.56 HCC provided us with print-out from the Encampment Hotline for the case study area local authorities. This covered the period (part) 1997 to first quarter 2004. In addition we were provided with a county-wide analysis of unauthorised encampments covering the period 1997 to 2003.
- 4.57 Unauthorised camping figures as revealed by the Hotline cannot simply be taken as evidence of ‘demand’ from Gypsies and Travellers to be in the area. They must be seen in the context of policies towards encampments adopted by local authorities and police. Where authorities have tightened their approach towards encampments and/or target-hardened vulnerable sites this may be reflected in lower encampment figures – Gypsies and Travellers who might otherwise have visited the area may have been deterred or ‘steered’ towards other locations where they might expect to be able to stop longer. Many stakeholder respondents noted the increase in use of police powers in the county after the appointment of a new Chief Constable, and felt that this harder line contributed to lower encampment figures. Local approaches towards unauthorised camping are described in Chapter 5 (paragraph 5.25 et seq). Here it is important to note that the Hotline figures for unauthorised camping reflect ‘demand’ given local policy approaches adopted. It follows that if local policies were to change and, particularly, if more opportunities were to be provided for authorised transit accommodation, Gypsy/Traveller numbers might well change in response.

Number of encampments and caravans

- 4.58 HCC’s analysis of the Hotline information shows that the study area experienced 44% of all encampments county-wide over the period 1997-2003. Since the study area included 43% of the county population in 2002 (mid year estimates) it might be regarded as experiencing broadly its ‘share’ of county encampments.
- 4.59 Table 4.6 shows the number of encampments and caravans recorded each year in each study area authority since 1998. Unauthorised sites, that is involving Gypsy-owned land without planning permission, have been excluded.

Table 4.6 : Number of Encampments and Caravans : Study Area 1998 to 2004

Calendar year	Dacorum		Hertsmere		St Albans		Three Rivers		Total	
	Enc.	Car.	Enc.	Car.	Enc.	Car.	Enc.	Car.	Enc.	Car.
1998	19	94	8	30	11	223	3	19	41	366
1999	23	306	11	98	20	290	12	115	66	809
2000	27	260	20	195	11	86	4	78	62	619
2001	5	37	15	161	18	231	2	12	40	441
2002	13	94	7	75	10	65	0	0	30	234
2003	12	72	4	28	7	49	1	15	24	164
2004 Q1	4	22	1	11	2	5	0	0	7	38
Total	103	885	66	598	79	949	22	239	270	2671

Source : CURS analysis of HCC Hotline data

4.60 It must be stressed that the figures in Table 4.6 show encampments and caravans, they do not identify individual families. The same families appear several times in these figures as they move around the area and/or leave the area and return to it (see 4.61). Each encampment at a separate location is counted separately here. Bearing this in mind, the table shows:

- The number of both encampments and caravans peaked in 1999/2000 and have declined steadily since. First quarter figures for 2004 suggest a possible similar full-year position to 2003. There were only 24 encampments throughout the study area recorded in 2003.
- Within the study area, Dacorum experienced the highest number of encampments over the period as a whole (38%), followed by St Albans (29%), Hertsmere (24%) and Three Rivers (8%). In terms of caravans the picture is slightly different with St Albans having the largest number (36%), followed by Dacorum (33%), Hertsmere (22%) and Three Rivers (9%). Average encampment size (not shown in the table) is larger in St Albans (12) and Three Rivers (11) than in Dacorum and Hertsmere (both 9 caravans). The average encampment size for the county as a whole was 10 caravans.
- Looking at average encampment size in terms of caravans shows a decrease from 10-12 in 1999-2001 to 5 in first quarter 2004. This means that not only are encampments fewer now, they are also on average smaller.

4.61 HCC analysis of the Hotline data has related encampments to particular family groups. Six different families appear in the analyses for study area authorities. Table 4.7 shows the number of encampments by each of these families (designated A, B, C etc) in each area.

Table 4.7 : Encampments by Specific Family Groupings within the Study Area

Families:	Number of encampments by family (1997-2003) in:			
	Dacorum	Hertsmere	St Albans	Three Rivers
Family A	22	2	9	1
Family B	5	4	1	-
Family C	6	3	3	-
Family D	1	2	3	2
Family E	-	1	2	-
Family F	-	-	3	-
Total families A-F				
	34	12	21	3
% of total encampments in period accounted for by families A-F				
	34%	17%	25%	12%

Source: HCC analysis of Hotline data

- 4.62 As can be seen, these six families made a significant contribution to encampment numbers, especially in Dacorum and St Albans. The figures (and the county-wide analysis by HCC) suggest that particular families had particular travelling patterns and tended to stay in some authorities more than others. Almost all the encampments attributed to these families took place before 2001. Their ‘disappearance’ contributes to the fall in unauthorised encampments observed in the study area.
- 4.63 Having said this, it is still not clear why unauthorised encampments should have declined since 2001 to the extent they have. It might reflect stricter policy responses on the part of local authorities and police which displace encampments to other areas. Equally it might reflect the growth of unauthorised sites either directly (families who would previously have been on the roadside have now bought their own land) or indirectly (visitors to the area find informal transit accommodation on unauthorised (and perhaps authorised) private sites). Our survey (see below) suggests that there may simply be less travelling because of the difficulties involved.

Duration of encampments

- 4.64 Table 4.8 shows the average duration of encampments for each authority (total days stayed divided by total number of encampments). This table is taken from the HCC analysis and includes a few unauthorised sites as well as encampments.

Table 4.8 : Duration of Unauthorised Encampments 1997-2003

Area	Encampments	Days stayed	Average duration Days/encampments
Dacorum	100	1504	15
Hertsmere	70	1214	17
St Albans	85	572	7
Three Rivers	26	83	3
Total			
	281	3373	12
Hertfordshire			
	637	8009	13

Source : HCC analysis of Hotline data

4.65 As can be seen, the study area average duration is near to the Hertfordshire average, but conceals quite significant differences between Dacorum and Hertsmere, and St Albans and Three Rivers. It is not clear from the analyses themselves whether the duration depends on demand to stay in the area or local policy approaches on eviction. It is clear from the data that a family's total stay in the area is longer than the duration of any single encampment as they move from one location to another to avoid (or in response to) enforcement action.

Towards an estimate of need from unauthorised camping

4.66 The Hotline data can be analysed to show how many encampments and caravans were present on unauthorised encampments across the study area every day. For example, it shows that the largest number of caravans (114) were present for a single day in 1999 when there were seven separate encampments in the area; the largest single encampment recorded was of 85 caravans in 1999 and it lasted eight days. This analysis can be used to build a crude estimate of possible need for authorised transit or stopping place accommodation to significantly reduce unauthorised encampment.

4.67 The analysis shows:

- On 1998-2001 encampment rates there were an average of 58 days in a year (365 days) when there were more than 30 caravans in the study area, and 95 when there were more than 20 caravans. There were no caravans at all present on 80 days.
- Because encampment rates have decreased sharply, using 2002 and 2003 encampment rates shows that there were an average of 7 days in a year (365 days) when there were more than 30 caravans in the study area, and 15 days when there were more than 20 caravans. There were no caravans at all present on 234 days.
- There have very rarely been more than three separate encampments in the study area at the same time. During 2002 and 2003 there have been more than three separate encampments only on four days over the whole two year period.

- Over the full period 1998 to 2003 almost seven out of ten encampments comprised ten caravans or fewer.
 - Over the two years 2002 and 2003, almost nine out of ten encampments comprised ten caravans or fewer.
- 4.68 These figures suggest that, had three additional transit sites or stopping places been provided in the study area each providing about ten plots, the majority of unauthorised encampments could have been accommodated. At encampment rates experienced in the last two years, almost all encampments could have been accommodated. Such provision would not cater for unusually large encampments. On most recent rates of unauthorised encampment, transit/stopping place provision might have been vacant in total or in part at times.
- 4.69 This equation between unauthorised camping figures and transit sites/stopping places is, of course, a gross simplification. For example, it assumes that all plots provided would be filled, that all Gypsies and Travellers would be prepared to occupy authorised plots rather than unauthorised encampments, that there would be no problems with incompatible families, and that everyone currently on unauthorised encampments actually ‘needs’ transit or short stay accommodation. It also ignores the effect on ‘need’ that would result from allowing stays on authorised sites which are longer than the current duration of encampments. It also ignores any increase in numbers generated by the very existence of sites. In reality, it is unlikely that all these assumptions would be realised by the very nature of the phenomenon of unauthorised camping and the families/groups involved.
- 4.70 However, the calculations do give some indication of the scale of transit site or stopping place provision which might be necessary to accommodate past encampment numbers. It says nothing about Gypsy and Traveller desires and motivations. The following sub-section looks at material from our survey.

Our Survey and Unauthorised Camping

- 4.71 We interviewed both the families known to be camping on the roadside during the fieldwork period; these families were travelling together. We also interviewed five families staying on the South Mimms site (and the warden) and one ‘transit’ family staying for a short period on a private authorised site. If the transit facilities did not exist, these last families might also have been on the roadside and it is appropriate to examine their circumstances as well in this context.
- 4.72 Four points emerge from analysis of survey answers from the eight families:
- Local policies for dealing with unauthorised encampments were seen as very tough. It was thought to be very difficult to stop for more than a few hours locally (and apparently in the wider area as well). Interviewees spoke of being moved on frequently and rapidly, and of the stress, distress, helplessness and

resentment this could cause. Travelling using roadside, casual stopping places was thought to be increasingly less feasible and unattractive locally.

- On any measure, the families interviewed on the roadside were in extreme need. Water was only available at a distance (a cousin in Chesham in one instance, a church in the other). They had no WC and used the hedgerow. They had no electricity and rubbish had to be taken to a layby for collection. One family rated the location as a very poor stopping place, the other as ‘manageable’. The transit accommodation provided represents a significant improvement in terms of service and facility provision although, as noted in paragraph 4.31 above, several families thought that showers should be provided at the South Mimms site and toilet provision improved.
- Only two of the families were in any real sense ‘in transit’ (one on South Mimms and one on the private site). The other six families were in the area for work or family reasons and really wanted to stay as long as possible. Both roadside families were local to the area, had children in a local school and wanted housing (or a residential site for their families alone). Four of the families on South Mimms ideally would like a place on a residential site somewhere in the Hertfordshire/North London area. All interviewees here were women who gave the impression that they would prefer to be more stable, and who tended to define ‘travelling’ as a negative consequence of having nowhere to go and being moved on all the time rather than a positive lifestyle choice. South Mimms was appreciated because it was there for a stay of a few months but, in the absence of a national or regional network of such sites, it is hard to move on because there is nowhere legitimate to move on to. The remaining two families expected to move on out of the area for work or to family elsewhere in the country although they might return to Hertfordshire at some future date.
- There are hints in the interviews of some of the complexities of making accommodation provision. South Mimms was not attractive to the two roadside families because it was too far from the school their children were attending (although convenient for other schools) and because it would mean mixing with other families. The same factors applied to their consideration of a residential site. Both geographical and social factors will affect the attractiveness of a site and the willingness of families to go there, and these will vary between families.

Comments

- 4.73 The indications of need from unauthorised camping are somewhat mixed. From the settled community viewpoint, as evident in stakeholder interviews and consultation, unauthorised camping at the current level is perceived as a major issue only by those with recent direct experience of an encampment. Local policies are probably having a deterrent effect on encampment numbers. However, when Gypsies and Travellers do need to be in the area, conditions and services are limited and inadequate on the roadside.

4.74 While it is possible to use HCC Hotline information to calculate a crude estimate of the level of transit site or stopping place provision which would potentially significantly decrease levels of unauthorised encampment (say three or four sites offering around 30 plots in total), there are two important caveats:

- Our survey suggests that most families currently on the roadside and in authorised transit accommodation are actually seeking longer-term or permanent accommodation rather than short stay accommodation from which they will have to move after a few weeks or months. If there were a network of transit accommodation, short stay provision might be more attractive, but in its absence there is nowhere for people to move on to.
- This area of Hertfordshire is an inherently attractive location for Gypsies and Travellers given its motorway links, work opportunities, proximity to London and the lack/shortage of Gypsy/Traveller accommodation in adjacent London Boroughs. Providing more short-stay accommodation might simply change the current forbidding image the area appears to have (as suggested by survey respondents who had been moved on frequently and rapidly) and encourage further movement to the study area thus increasing apparent need/demand for accommodation. The issue of need versus demand is discussed in Chapter 7.

4.75 While the CURS survey evidence from roadside and South Mimms families suggests need for long-stay permanent site accommodation, it is impossible to estimate accurately the overall level of such need from what is effectively a snapshot of a flow as different families move into the area on the roadside or transit site.

Unauthorised Private Sites

4.76 As noted in para 2.40 above, the extent of unauthorised development of private sites without planning permission in the study area has increased sharply since 2001, as it has in the surrounding area and especially in Essex and Cambridgeshire. The phenomenon of Gypsies and Travellers buying their own land and moving onto and ‘developing’ it without planning permission can be seen in very different ways depending on the viewpoint.

- For the Gypsies and Travellers concerned it may seem a totally rational response to their own accommodation needs. It is self-help. It reflects aspirations for a site of their own along with others of their family or community. It reflects lack of any perceived alternative since there are too few legal sites with vacant plots and no land zoned for development as a Gypsy site to purchase. Planning consent is very unlikely to be given for a site if applied for in advance of purchase and development – so there is little merit in doing things ‘properly’. To date, planning enforcement action normally takes years during which time the Gypsies and Travellers involved have accommodation, albeit uncertain. Legal costs of contesting enforcement action etc may take funds otherwise available for site development and improvement.

- For the settled community unauthorised development emerges as a major issue for those living nearby. There are fears that property prices will be depressed. The flouting of planning policies and Green Belt constraints is deeply resented. Planning enforcement action is costly and time consuming, and the outcome is perceived to be uncertain as different Planning Inspectors are seen to come to different conclusions after Inquiries.

4.77 Any residents displaced by enforcement action or eviction from unauthorised sites would be without somewhere to stay in the study area or elsewhere. In this sense they should be considered to be in need for legal accommodation – whether through the grant of planning consent at the site developed or some other form of accommodation.

4.78 The January 2004 Gypsy Caravan Count return showed 61 caravans on unauthorised sites owned by Gypsies and Travellers in the study area:

Dacorum	0
Hertsmere	21
St Albans	31
Three Rivers	9

4.79 The caravans were counted on eight sites (Ridge 1 and 2, and One Acre in Hertsmere; Chequer Lane, Tullochside, Nuckey Farm and The Paddocks (unauthorised extension of an authorised site) in St Albans; and Dawes Lane, Sarratt in Three Rivers). Chequer Lane, a small unobtrusive site housing two families, was ‘tolerated’ at the time of the fieldwork and no enforcement was contemplated. Some form of enforcement was in progress, likely or possible at all other unauthorised sites. Residents were interviewed in the CURS survey at Ridge 1, Tullochside and Nuckey Farm. Bringing together information from local authorities and our survey, suggests that some 35 ‘nuclear’ families were living on unauthorised sites (possibly) subject to enforcement. Two of the unauthorised sites included in the CURS survey were occupied by large extended families comprising several ‘nuclear’ units – one of the perceived attractions for residents was being able to live with other family members.

4.80 All the families interviewed on unauthorised development sites had previously been living on the roadside, and were attracted to the site because of increasing difficulties in finding safe places to stop for more than a few days as well as the attractions of being more settled and able to access health and education services more easily. If evicted they had nowhere else to go and did not want to have to resume a permanent travelling lifestyle. Most had a ‘local connection’ with the area from previous travelling in the Hertfordshire or London area – three of the Ridge 1 residents had previously been from more distant parts who came to join other family members who were more ‘local’. While on the unauthorised sites they have accessed local schools and used local services. All wanted to stay on their site.

4.81 Because they are living in the study area and have no obvious alternative legal accommodation in the study area or elsewhere, all families on unauthorised sites are included in the accommodation ‘need’ figures here.

Gypsy and Traveller Accommodation Aspirations

4.82 In the CURS survey, respondents were asked to describe their ideal type of accommodation. A later question asked them to say which of several specified accommodation options they thought most and least attractive. The alternatives were:

- A private Gypsy caravan site owned by you and your family
- A site owned by the local council
- A site owned by another Gypsy or Traveller
- A house or bungalow rented from the local council
- A house of bungalow that you own yourself

Slightly different questions were asked according to their current accommodation.

HCC Sites

4.83 Out of the 30 people interviewed on the HCC residential sites, four spontaneously identified a house as their *ideal type* of accommodation, usually to give them more space. Three of the four were young families with small children living on Three Cherry Trees. Other respondents all identified trailers, mobile homes or chalets as their ideal accommodation – again some wanted more space. One respondent on Sandy Lane said their current situation was also their ideal – *'my way of life'* and would like to have her children on the site too if they marry (other respondents on Sandy Lane also wanted to stay there as their ideal, but would ideally like a bigger/better trailer or chalet). All who expressed an opinion wanted to stay either on the same site or somewhere in the same area.

4.84 Opinion was split about the *most attractive* accommodation option: nine respondents identified a private Gypsy site owned by the family; nine identified an owner-occupied house or bungalow; seven a residential site owned by the local council; and two a house or bungalow rented from the local council (three gave no answer). Some answers implicitly recognised that owner-occupied houses or sites were unaffordable. Space, freedom and proximity to family featured in some answers. By implication these may reflect shortcomings of their current site and management.

Family site most attractive *'where the family is always there and you can have bonfires'* and *'where you can do what you want on the plot and take pride in it'*.

Owner-occupied house most attractive *'if I won the lottery I would buy a yard with big space to have all the family around. I'd build a house if I had the money.'*

4.85 Opinion on the *least attractive* option was perhaps surprisingly consistent with 22 of the 30 interviewees identifying a site owned by a Gypsy or Traveller to whom they were unrelated. Two identified a council owned site as the least

attractive and two a house rented from a council (four gave no answer). The perceived drawbacks of a site owned by a non-related Gypsy or Traveller were to do with mixing of incompatible families and rules:

'You'd have to know them. Not going to mix if different cultures.'

'The Traveller community has its own rules and you have to accept them.'

'There'd be rows and arguments, things not run properly and you'd have to follow rules or get chucked out.'

Private Sites

4.86 The aspirations of those living on private sites are easily summed up. The **ideal** of all the permanent residents was to remain on their current site, with some upgrading of the site and/or trailer or mobile home. For all the **most attractive** accommodation option was a family-owned private Gypsy site. There was more difference of opinion over the **least attractive** option with council houses, local authority sites and sites owned by non-related Gypsies/Travellers all being referred to. Some of the comments made illustrate perceptions of the options:

Ideal accommodation *'a chalet – gives enough space, but still feel a Traveller.'*

Current site ideal *'gives a base where won't be hassled. Can travel to fairs. Gives peace of mind.'*

Local authority site unattractive *'have the council telling you what to do.'*

Site owned by a non-related Gypsy or Traveller unattractive *'usually all put together and there will be rows.'*

House unattractive *'children get mistreated and bullied by other kids.'* and *'feel claustrophobic, no space to put vans.'*

Unauthorised Sites

4.87 People on unauthorised sites were not asked about their ideal accommodation, but were asked about most/least attractive options. Perhaps unsurprisingly, all said that the **most attractive** option for Traveller accommodation is a family owned site. Houses were identified as the **least attractive** option by five respondents, a local authority site by three and a site owned by a non-related Gypsy or Traveller by one. Despite these views, one respondent thought that there was an increasing trend towards settlement and housing, and that his grandchildren would end up in houses. Some of the worries expressed about particular options were:

Houses : not used to living in houses; don't feel comfortable in a house; too closed in; worry about rent; neighbour harassment; cannot choose neighbours; cannot mix with other Travellers.

Local authority sites : built in bad locations; people don't mix well; extended family would not be housed together; don't know who neighbours are going to be, *'families can move in and terrorise you and bully your children'*; can be very rough.

Sites owned by a non-related Gypsy or Traveller : *'all Gypsies are not the same, and I'd worry about the children getting beaten up.'*

Housed Travellers

4.88 The housed Travellers interviewed tended to distinguish, when thinking about their *ideals*, between their current or other circumstances. All three felt that a house suited them best in their current circumstances (although two wanted a larger house and one wanted a bungalow all in the present area), but both the younger women felt that they might prefer to live in a trailer, especially on a family owned site, if they were still living permanently with a partner. Trailer living was seen to be inherently linked with identity.

'I'd like to go back into a trailer to give the kids their heritage.'

Roadside and South Mimms

4.89 People interviewed on the roadside and the South Mimms transit site were asked different questions. They were asked first whether they were interested in moving to a *long-stay residential site* in this area. All said that they were – and indeed this was their general preference. The two roadside families would prefer a council owned site, but did not want to share with any non-related families. Two of the Mimms families would prefer a family owned site, while ownership did not matter to the others. The roadside and Mimms families all preferred smaller sites (up to ten families), in the broad Hertfordshire, M25, London area.

4.90 The next question asked whether respondents were interested in a *short-stay site* in the area – the length of stay was not specified and may have been interpreted differently by respondents. All but one roadside respondent and the Mimms site manager said that they were. The roadside family who would like a short-stay site would prefer council ownership and no other non-related family on the site. Ownership was not a major issue for the Mimms families. Again smaller sites were preferred with up to 15 families. The question about service provision preferred at a short-stay site did not work very well since all respondents tended to say that they wanted everything – which would include water, electricity and individual toilet provision. One spontaneously said that showers should be provided. This probably reflects an underlying desire to have a plot on a residential site with all services provided and to stay in the area as long as possible. Overall, the impression given was that respondents would be interested in a short-stay site because they had nowhere else to go – however it seemed to be a second best option after a residential site.

Opinions about Permanent Housing

4.91 The ‘aspiration’ questions reported above came at the end of the interview. At an earlier point all respondents were asked whether they had ever lived in a house and whether they would consider moving (back) to a house. Table 4.9 summarises answers according to current accommodation.

Table 4.9 : Previous History of Living in a House and Whether a House might be Considered

	HCC sites	Private sites	Unauthorised site	Roadside/ South Mimms
Ever lived in a house	18	4	12	6
Never lived in a house	12	1	1	2
Would consider a house	13	3	1	3
Would not consider a house	15	1	11 ¹	4
Don't know	2	1	1	1

Source : CURS survey

¹ This includes all Ridge 1 residents despite the fact that all are registered for housing as a safeguard against eviction

4.92 A striking feature of this table is that a majority of respondents across the sample had some experience of living in a house. A number had been brought up in a house. Some had moved to a house because of their own or parental ill health. Some had moved to a house while the children were at school. Some commented that they had taken a house because there was nowhere else to go. Main reasons for leaving the home were marriage to a Traveller, movement from Ireland and an inability to really settle in the house. People mentioned feeling ‘closed in’ or claustrophobic or isolated from their community, some mentioned feeling afraid of upper storeys of the house.

4.93 More respondents said that they might consider moving to a house than identified a house as their ideal or most attractive accommodation option. Positive reasons for living in a house were only offered by Three Cherry Trees residents who mentioned greater comfort and stability for the children – these views seem linked to perceived condition problems on this site. Reasons given for not considering a house included feeling isolated or cooped up or *‘like being in jail’*. Several cited their tradition of travelling and ethnic roots as reasons for not living in houses. From these answers it appears that a significant number (probably a majority) of respondents have a cultural aversion to living in bricks and mortar housing.

Comments

- 4.94 The survey reveals a significant desire to continue living in trailers/mobile homes or chalets on sites among those interviewed. A small minority would prefer to live in a house although a higher proportion would be prepared to live in a house if there were no alternative. Perhaps not surprisingly, family owned private sites emerge as by far the most attractive accommodation option among those currently resident on private sites (authorised and unauthorised) and HCC sites. Owner-occupied housing and a council owned site were also picked out by smaller numbers of respondents on HCC sites. It is likely that many HCC site residents who found a family site or owner-occupied housing attractive would be unable to afford them. Only HCC residential site residents identified a council owned site as the most attractive option (the roadside families also favoured this option). Sites owned by non-related Gypsies and Travellers emerged as the least attractive option, followed by council housing and council owned sites.
- 4.95 This suggests that, to meet Gypsy and Traveller accommodation aspirations, new provision should favour small family-owned sites for those able to afford them. There is 'demand' for local authority sites among existing site residents and roadside or South Mimms residents effectively unable to afford the private option (also evidenced by the site waiting lists, see Table 4.4 above). There is no demand for sites run on a commercial basis by Gypsies or Travellers unrelated to their residents.

A Summary of Indications of Need

- 4.96 Table 4.10 brings together the various indications of need discussed in this chapter. Where it is possible to put an approximate quantitative value, this is included; all measures are families.

Table 4.10 : Summary Indicators of Accommodation Need : Next Five Years

Indicator of need	Families	Comments
Overcrowding on residential sites	Up to 50% of families	Includes too little space in trailers and plots. Re-housing newly forming households from among existing site families would reduce overcrowding.
New households on residential sites	50+, inc. 30+ on HCC sites	Could be reduced if some older ‘children’ marry others included in the estimate.
Health	Not quantified	Ad hoc response appropriate? Some movement to housing possible.
Site conditions	Not quantified	Improvements to Three Cherry Trees site required + further investment on private sites.
HCC sites waiting list	59	Could be double counting with new households to a maximum of 19.
Movement intentions	Not quantified	Little movement likely from residential sites, especially if Three Cherry Trees improved.
Unauthorised camping	30 transit plots?	About 30 additional transit plots might cope with most unauthorised encampments at current rates. BUT current demand seems to be for long-stay accommodation. Impossible to predict scale of this demand because no information on the ‘flow’ of new families not covered in the survey – at least 7 from current families. Provision of transit accommodation might increase movement of Gypsies and Travellers to the area.
Unauthorised development	Up to 35	Up to 35 families displaced if eviction were to take place. Families seeking a permanent base.
Aspirations		Most ‘need’ to be catered from by site provision. Preference for family sites.

4.97 Simple addition of all categories gives a total of about 130 families in need. Given that there is currently authorised site provision for about 130 families (plus the 15 plots on the South Mimms transit site) in the study area, the scale of need revealed is highly significant – indeed it implies a doubling of provision of authorised residential site accommodation is needed as well as increased transit plots and stopping places.

4.98 It must be stressed that some of the elements in Table 4.10 are highly speculative, especially those relating to unauthorised camping. However, the new household formation estimates have a sound demographic basis, and the sites waiting list is a ‘fact’. How these needs might be dealt with is discussed further in Chapters 7 and 8.

5. SUPPLY OF ACCOMMODATION FOR GYPSIES AND TRAVELLERS

- 5.01 This chapter looks at the supply of accommodation for Gypsies and Travellers in the study area: HCC residential sites, transit sites, private sites and housing. Potential supply is described in the context of current policies which directly affect it – namely site provision policies, approaches to managing unauthorised camping, planning policies and social housing allocations. These policies are discussed in turn for the sake of clarity – it does not mean that we think that different policy areas can or should operate *'in silos'*. Chapter 6 looks at other relevant policy areas less directly affecting accommodation supply.
- 5.02 It is appropriate to set the scene by saying that the supply of **all** accommodation in the study area is tight. This is an attractive area of small towns, villages and open countryside immediately adjacent to Greater London. It scores low on deprivation indices and is relatively affluent. Precisely the same characteristics which make the area attractive for Gypsies and Travellers – good transport links and proximity to the metropolis – also make it attractive to London commuters in the settled community. Its location and the nature of the area mean that almost all of the non-developed land is designated as Green Belt or Area of Outstanding Natural Beauty. This is an area under great pressure from the settled community which places a premium on any land with development potential.

HCC Residential Sites : Supply

- 5.03 All the local authority owned residential sites in the study area are owned and managed by HCC. None of the district councils have plans to develop a residential site.
- 5.04 There are six HCC residential sites in the study area together providing 103 plots. These sites are to be retained. Currently there are no plans to increase the number of HCC sites. Stakeholder interviews only really raised issues around Three Cherry Trees site:
- The HCC Gypsy Section acknowledged that conditions on Three Cherry Trees are poor. Plans for refurbishment are seen to be dependent on the site becoming more stable. The CURS survey suggests that these two factors may be closely inter-related since some families may be encouraged to move off unless the site is improved, thus increasing instability.
 - Suggestions have been made to provide some transit pitches at Three Cherry Trees, with a separate access. This would potentially satisfy transit need and reduce plot numbers on what some residents and others see as too large a residential site. However, Three Cherry Trees was almost fully occupied at the time of the fieldwork (one vacant plot) and any proposals to reduce the number of residential plots would displace families.
 - The Dacorum Local Plan identifies open fields near to Three Cherry Trees as suitable for housing and employment development. Such development would

obviously affect the site and might, if experience from elsewhere is repeated, lead to questioning as to the site's future (especially for transit use) and put added pressure on site management. We have no information about whether adjacent development would make the site more or less attractive for Gypsies and Travellers.

- 5.05 In the short term, the two main factors affecting 'supply' of plots on HCC sites are turnover and likely plot vacancies, and HCC policies for allocating plots. Charges for plots and services are also relevant. Each is considered in turn.

Turnover on HCC Residential Sites

- 5.06 Residential site residents may travel for a period of time during a year while retaining their tenancy. Plot vacancies occur when a tenancy is terminated and the resident leaves permanently – this leads to plot 'turnover', not temporary absence for travelling by residents. Gypsy site managers well know that some sites are very stable with few plot vacancies arising while others have a much higher turnover. They also know that things can change very rapidly with a previously stable site emptying within a few months in response to trouble on the site. Equally a previously unstable site can 'settle' over time. Achieving and maintaining site stability is an important objective of many plot allocation policies, both for ease of management and residents' quality of life. Against this background, future plot vacancies are hard to predict.
- 5.07 Table 5.1 (next page) shows length of tenancies on the HCC residential sites in the study area. In terms of average length of tenancy some of the sites are remarkably stable – Sandy Lane and Barley Mow would compare with many permanent housing estates. Three Cherry Trees, Ver Meadow and Watling Street are much less stable on this measure.
- 5.08 The final rows of Table 5.1 show plot turnover (plots vacated as a percentage of all plots on the site). It is clear that there were significant variations between sites in the year 2003/04. Many more plots became available on some sites than others. There are ethnic implications from this. Vacancies in the year occurred:

13 on predominantly Irish sites (Three Cherry Trees and Ver Meadow)
4 on mixed sites (Watling Street)
2 on predominantly English Traveller sites (Sandy Lane, Barley Mow and Long Marston)

It is not clear if turnover is directly related to resident ethnicity but, given that ethnicity of existing residents is likely to be a consideration both in applicant preferences and allocation decisions, it does have an effect on plot opportunities for the different groups.

Table 4.1 : Length of Tenancies and Turnover on HCC Residential Sites

Length of tenancy	Sandy Lane	Barley Mow	Cherry Trees	Long Marston	Watling Street	Ver Meadow	Total
Up to 6 months	1	0	4	0	4	1	10
>6 up to 12 mths	0	0	10	2	0	0	12
>1 to 2 years	1	0	5	0	0	2	8
>2 to 5 years	3	2	7	2	3	8	25
>5 to 10 years	3	4	3	0	2	3	15
>10 to 20 years	11	5	0	0	1	0	17
Over 20 years	8	4	0	2	0	0	14
Average tenancy	14.7 years	14.5 years	2.0 years	9.8 years	3.7 years	3.5 years	8.1 years
Plots void at survey	0	0	1	0	0	1	2
Plots vacated 2003/04	1	0	9	1	4	4	19
Turnover (plots vacated as % all plots)	4	0	30	17	40	27	18

Source : HCC site records

5.09 Table 5.2 compares turnover and length of site waiting list (from Table 4.4). Very crudely, the figure in the final column might be interpreted as the length of time (in years) it would take to satisfy currently registered demand for the site given a rate of turnover based on the past year. This makes no allowance for new applications in future years and is therefore hypothetical. However, it indicates that, unless vacancy rates change significantly, current registered demand is unlikely to met at Barley Mow and Sandy Lane, and would, other things being equal, require a wait of some years at Long Marston, Watling Street and Ver Meadow. Only on Three Cherry Trees could registered demand be met, on paper, within about a year if vacancies were to continue at their previous rate. Only vacancies at Three Cherry Trees, and to a lesser extent Ver Meadow, bring down the all sites average to a 'wait' of just under four years.

Table 5.2 : Site Turnover and Waiting Lists

Site	Waiting list	Turnover	Waiting list/turnover
Sandy Lane	27	1	27.0
Barley Mow	22	0	∞
Three Cherry Trees	10	9	1.11
Long Marston	12	1	12.0
Watling Street	26	4	6.5
Ver Meadow	15	4	3.75
All sites	73	19	3.84

Source : HCC site and waiting list records

5.10 An interviewee from the HCC Gypsy Section reported that a small number of tenants have bought land elsewhere and are holding on to their HCC plot as a safeguard against planning permission being refused and their being evicted. If these tenants give up (or are required to give up) their plots, vacancy rates might increase in future. This illustrates the way in which accommodation options are inter-related and how an increase in private sites might free spaces on local authority sites for families who cannot afford or do not want private sites.

Allocation Policies on HCC Residential Sites

5.11 Plot allocations are the responsibility of the Head of the Gypsy Section. One of the Gypsy Section Practice Standards is to ensure that *'tenancies are let promptly and appropriately'*. There is a formal allocations policy and procedure which takes account of need for accommodation and allows competing claims to be weighed against each other. Waiting lists and site occupancy are monitored for ethnicity.

5.12 In practice it is clear that allocations are made with a view to maintaining/increasing stability on sites – *'the Gypsy Section want settled communities on sites'*. This means selecting new tenants who will get on with existing residents and will build communities naturally, and it is seen as very hard to do. Turnover is expensive in terms of rent lost and the need to repair/decorate the plot and amenity unit between tenancies, especially if there has been vandalism or damage created by the outgoing tenant. Settled sites provide better quality of life for residents and provide rents to fund other sites and services.

5.13 For would-be tenants this concern means that they are more likely to be successful if related to existing residents or already known to the Gypsy Section. They are less likely to be successful if regarded as 'incompatible' or are known to have caused trouble on another site or on the roadside. Former rent arrears have to be cleared before a plot will be offered. It is these intangible factors – vital to sound site management – which make it so hard to translate from a paper exercise of calculating apparent demand and supply to real-life accommodation opportunities.

Charges for HCC Residential Sites

5.14 The HCC Gypsy service is self-financing in that income from site rents pay for site management, routine repairs and maintenance (but not major repairs or upgradings), the Encampment Hotline service and Gypsy Section activities in managing unauthorised camping. Rent levels are therefore important.

5.15 From April 2004, residential site rents are £78.60 a week. This is made up of three elements:

- A core rent of £43.00
- A charge of £25.60 which pays for services to support residents to retain their tenancy. The charge is for general counselling and support and is based on 1.5 hours support per tenant per week at an hourly rate of £15.54. Box 5.1 (next page) shows the support services provided.
- A standard charge of £10.00 for water. Water used on all sites is metered and paid for by HCC. The weekly charge to residents aims to recoup these costs and is reviewed each year to ensure it covers costs.

Tenants not on housing benefit pay the full £78.60. Where tenants are eligible for housing benefit, the core rent is met by housing benefit and the support services charge is met from HCC Supporting People funding. Residents must pay the water charge from their own resources. Almost all (98%) of residents on study area sites are on full housing benefit.

5.16 Some Gypsy/Traveller respondents in the survey thought these charges were high. Limited benchmarking information is available from ODPM research²². The average rent charged on residential sites at the end of March 2002 was £44.82 for a double pitch; on a third of sites rents for a double pitch was over £50 a week. Taking into account likely increases for inflation since 2002 suggests that the HCC core rent is very reasonable, but that the core rent plus support services charge is relatively high for the minority who pay the full charge from their own resources. The ODPM research showed that authorities differed in the way water charges were levied – some had supply individually metered to pitches. An additional standard charge for water was made on about half sites; the average amount was just over £4.00. Against this benchmark the HCC £10 weekly looks high but, as already noted, this amount does not meet actual water costs.

²² Pat Niner *Local Authority Gypsy/Traveller Sites in England*, ODPM, 2003, p 151

Box 5.1 : Service Provided through Charge for Counselling and Support

Help with:

- Maintaining the safety of the site by arranging and attending on contractors and agencies (pest control, electrical testing, environmental officer, removal of squatters, advice of domestic equipment.
- Standard of conduct required by dealing with disputes with other tenants, dealing with neighbours, police, local shop-keepers and other forms of exclusion.
- Paying the site charges by assistance in claiming benefits, reading letters, completing forms, budgeting, debt counselling.
- Maintaining the tenancy in an appropriate condition by ensuring through advice and assistance that sinks and drains are not blocked and that the tenant keeps the site clean and tidy, and hygienic.
- Giving up the tenancy through assistance with housing applications, advice on planning, liaising with housing and other Gypsy and Traveller Sections and agencies.
- Contact with others to ensure tenants' welfare through liaison with education and schools, health visitors, GP, courts, the provision of information and telephone numbers re various forms of abuse and family violence, completion of passports.

5.17 Some survey respondents felt that site rents were high in comparison with council house rents. Actual comparison of rent levels suggest that HCC residential site rents excluding the water charge, that is £68.70, are within the range of rents charged by Partner councils (and housing associations)²³ for three and four bedroomed houses. Three bedroomed house rents range from £65.44 to £72.63 a week, four bedroomed house rents range from £72.38 to £80.86. The direct comparison, however, ignores the differences in what site and house tenants get for their money – a house might be seen as more substantial than a plot and amenity unit. It also ignores the different management arrangements and financial regimes involved.

5.18 There is no evidence that applicants for HCC residential sites are being deterred by rent levels, particularly those eligible for housing benefit.

Comments

5.19 Indications of demand for residential sites from family growth and from the waiting lists were described in Chapter 4 and might suggest a need for say 50-

²³ Dacorum, Hertsmere and St Albans are included in this analysis

70 places on HCC sites over the next five years, not taking into account requirements of families not currently in the area and not registered on the sites waiting list or future new applicants. Current plot turnover rates might seem able to match this, but only if 'excessive' turnover continues on the less settled sites. There would almost certainly be a mismatch between the ethnicity, family affiliations and preferences of those in need and the character of the plots becoming vacant.

- 5.20 Overall, the **indications** are that need/demand will not be met by existing policies and the resulting plot vacancies.

Transit Accommodation : Supply

- 5.21 Transit accommodation is formally provided by the HCC South Mimms site with 15 plots (Hertsmere). Planning consent for the Oaklands private site in Three Rivers allows for up to nine transit caravans (one transit family was included in the survey). It is understood that unauthorised transit accommodation is being provided at the Paddocks private site (St Albans) where there are more caravans than permitted by the planning consent. No action was being taken against the last site at the time of the fieldwork interviews. There are no firm plans for provision of additional transit accommodation.
- 5.22 In considering availability of transit accommodation it is important to consider both the 'snapshot' (ie how much can be available at any one time) and the 'flow' (ie how many transit users could be accommodated in the course of a year). The latter obviously depends on length of stay, site occupancy and any time needed between stays to repair or clean plots. The South Mimms site has a maximum stay of three months. Current public and private transit accommodation might legally accommodate up to 24 families at any one time, and maybe up to a maximum of 100 transit users in the course of a year.
- 5.23 If transit accommodation is to remain available – that is, not vandalised and damaged – managers must check the compatibility of families allowed on at the same time and have some check on known troublemakers. It follows that, whether in the public or private sector, admittance to a transit site is likely to be controlled; hearsay evidence suggests that private sites may be controlled more strictly than public sites and may cater particularly for family and friends and others willing to accept a strict management regime. The South Mimms transit site is currently managed on a three year agreement by a Gypsy (with support from the Gypsy Section). This arrangement seems to work well, in contrast to earlier direct management approaches which resulted in major and costly damage to the site.
- 5.24 The calculations in Chapter 4 of possible need for transit accommodation on the basis of the Encampment Hotline information implicitly took account of existing transit sites and therefore suggests that, while unauthorised camping continues, provision is insufficient.

Managing Unauthorised Camping

- 5.25 As noted in paragraph 4.57 above, apparent ‘need’ from unauthorised encampments is itself dependent on approaches adopted towards those encampments.
- 5.26 There is no county-wide agreement or protocol between the County Council and district authorities or the Hertfordshire Constabulary as has been developed in some other areas (for example, Kent). Hertfordshire County Council Gypsies and Travellers Policy 13 reads *‘The County Council will normally act to move unauthorised Gypsy and Traveller encampments from its land if one or more of the conditions below apply and will act in concert with District Councils’*. The conditions refer primarily to various kinds of nuisance or disruption which might be caused by an encampment, and the policy can be classed generally as quite ‘tolerant’ of unproblematic encampments. The Gypsy Section offer their services to district authorities and maintain the Encampment Hotline.
- 5.27 The Partner districts differ in their general stance towards unauthorised encampments on their own land. Very broadly, St Albans and Three Rivers aim to move unauthorised encampments on as quickly as possible unless there are clear welfare needs and have developed and use bye laws on appropriate council land to evict. This was reported to be a very quick process – potentially an encampment arriving at 8.30am could be evicted by 2.00pm. Where bye laws are inappropriate, these councils will use the Criminal Justice and Public Order Act (CJ&POA) 1994 ss77 and 78, or may ask the Police to use s61 of that Act. Three Rivers has carried out site protection to prevent encampments and has a Traveller Line and ‘Gypsy Watch’ service with local landowners in order to cascade information if an incursion is imminent.
- 5.28 Interviewees in Hertsmere described their stance as *‘middle of the road’*. Sites vulnerable to encampment are protected by bunds or barriers. During the initial contact with the unauthorised campers, the council officer asks why they are in the area and how long they expect to stay. If they are there for a specific event (wedding) a departure date may be agreed and the encampment may be ‘tolerated’ until then. Where agreement cannot be reached, or the due date passes, legal action may be taken using the CJ&POA; on occasions the Police may be asked to use s61.
- 5.29 Dacorum’s policy was under review at the time of the research interviews. Interviewees described their stance as relatively liberal. They are the only district to regularly use HCC staff to carry out welfare enquiries. Any necessary legal action would involve the CJ&POA.
- 5.30 The Hotline figures reported in Chapter 4 (Table 4.6) show an imperfect relationship with the approaches described above. There is a direct relationship with average duration of encampments which was significantly lower in St Albans and Three Rivers than in Dacorum and Hertsmere. However, St Albans experienced more encampments than Hertsmere, making clear that policy approach is not the only factor at work. Similarly, all areas shared in the recent big decrease in encampments regardless of their policy stance; this may be due

to the reported change in police action, and specifically their greater willingness to use s61.

- 5.31 Current policies on managing unauthorised camping across the study area suggest little scope for ‘toleration’ of encampments as an alternative to more formal transit provision, especially in the St Albans and Three Rivers areas.

Comment

- 5.32 Since summer 2003 there have been very few unauthorised encampments in the study area. However, numbers were significantly higher only a few years ago. Current provision of transit accommodation and approaches to managing unauthorised encampments would be inadequate were the rate of encampment to rise to former levels. The research has not succeeded in identifying why unauthorised encampments should have declined so greatly although it seems likely to be linked to the growth in authorised (and unauthorised) private site provision. Stricter enforcement of planning or site licence conditions affecting the accommodation of family and friends on private sites and/or stricter enforcement action against unauthorised site development could affect numbers again. Because of the relative mobility of the population concerned, these changes need not happen within the study area to have an effect there.
- 5.33 As reported in Chapter 4, our research showed that families on current transit accommodation and the roadside were mostly looking for permanent rather than temporary or transit accommodation. Once again this illustrates the fluidity and complexity of predicting need/demand for a particular type of accommodation.

Private Sites : Supply

- 5.34 As noted earlier in this report there were seven private authorised sites in the study area at the time of the fieldwork of which four were for a single family. Our survey suggests that other sites were also occupied primarily by an extended family. These sites are effectively owner-occupied and, except for the transit plots on Oaklands, not available to other Gypsies and Travellers. Sites in the Green Belt with planning consent granted on the grounds of ‘very special circumstances’ (such as the Pylon site in Hertsmere) are personal to the applicant and cannot be traded.
- 5.35 The main policies on new private site supply come from the planning system. Development plan policies in the study area and approaches to enforcement are described below.

Development Plan Policies

- 5.36 The Hertfordshire Structure Plan Review 1991-2011 adopted April 1998 Policy 12 relates to Gypsy Sites and provides a broad strategic framework for the preparation of detailed policies in local plans. It states:

Provision will be made for gypsies who reside in or resort to the County. This will be achieved through support for the development of permanent gypsy caravan and transit sites in satisfactory locations.

- 5.37 Policy 12 of the Hertfordshire Structure Plan Alterations 2001-2016 February 2003 Deposit Version (which has been overtaken by changes in the national planning system) is fuller and seeks to give additional guidance for local plans:
The county and district councils will work together to jointly assess the need for gypsy/traveller accommodation in their area. Where a need is identified that cannot be met by overall pitch capacity Local Plans should, wherever possible, identify suitable locations for gypsy/traveller sites, both local authority managed (permanent and transit) and privately owned by gypsies/travellers. Sites should not be identified in the Green Belt or on other areas of open land protected from development. Where it is not possible to identify suitable sites local plans should set out clear criteria for the identification of suitable locations.

Consideration should be given to accessibility to schools and other key services and facilities, to meeting the needs of gypsy traveller activities such as the keeping of animals and the movement and parking of large vehicles.

The loss of existing gypsy/traveller sites should be resisted.

- 5.38 Local Plans set the immediate context for planning control decisions. The Partner authorities are at different stages in their planning processes. Box 5.2 (next page) presents policies which refer directly to Gypsy sites.
- 5.39 All the districts have or propose a criteria-based approach to new site proposals. Stakeholder interviews disclosed that the main constraint on granting planning permission for Gypsy sites is the national policy, as set out in Circular 1/94, that Gypsy sites are not normally an appropriate land use in Green Belts, Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest and so on. In the study area, almost all land outside urban envelopes is Metropolitan Green Belt or has some other restrictive designation. Within envelopes and on land recognised for development, Gypsies would be in competition with other land uses and potential developers. As one interviewee put it:

‘There are no magic pockets of land that are sat there without development on it. If there was empty land or under-used land it would be worth a fortune.’

Box 5.2 : Local Plan Policies on Gypsy Sites

Dacorum

Dacorum Local Plan adopted April 2004, Policy 27

The existing sites at North East Hemel Hempstead and Long Marston Airfield are recognised as being important to meeting the existing need for gypsy accommodation in the Borough.

Planning permission will not be granted for alternative uses which would result in the loss of these sites unless satisfactory alternative provision is made or the planning authority is satisfied that the facility is no longer required.

New sites will not be permitted in the Green Belt or Chilterns Area of Outstanding Natural Beauty or on Sites of Special Scientific Interest.

Elsewhere new sites will be acceptable providing they:

- (i) are of an appropriate scale;*
- (ii) have safe access to the primary road network;*
- (iii) have access to shops, education, social and health facilities;*
- (iv) are effectively landscaped and designed to be sympathetic to the character of the surrounding area;*
- (v) do not have an adverse effect on local residential amenity.*

Hertsmere

Hertsmere Local Plan adopted 2003. Policy S9

The Council will, in association with the County Council, review the need for additional sites for gypsies and travellers in the Borough. Proposals for new sites should:

- (i) demonstrate clear evidence of the need for a site and the reasons for the particular location;*
- (ii) have access to shops, education and health services and to the major road network;*
- (iii) not detract from the visual amenity of the area; and*
- (iv) have no adverse impact on the amenity of adjoining residents.*

St Albans

St Albans District Local Plan Second Review Pre-deposit Consultation Document (September 2003) Issue 28

Is there a need for any additional gypsy sites? If so, what scale of provision is needed and what sites should be proposed?

Draft criteria for assessing applications have been drawn up:

- (i) clear local need*
- (ii) proximity to local services and facilities*
- (iii) safe access*
- (iv) extent of encroachment on important open areas*
- (v) visual impact*
- (vi) amenity of local residents and businesses*

Three Rivers

Three Rivers District Local Plan 1996-2011 Policy H16 Gypsy Sites

Proposals for the development of gypsy sites should:

- (i) not be located in the Metropolitan Green Belt.*
- (ii) have access to the major road network and to shops, social and health facilities.*
- (iii) be fully landscaped and be designed to blend into the local landscape.*
- (iv) not have an adverse effect on local residential amenity.*
- (v) be free of public rights of way.*

5.40 In this context, interviewees identified two possible routes:

- To adjust Green Belt boundaries around existing settlements so as to release land for Gypsy sites. This was felt to be difficult and probably publicly unacceptable to accommodate a particular (and generally unpopular) group. It would also probably bring Gypsy site and settled community into close proximity, perhaps making it harder to satisfy some of the Gypsy site criteria relating to local residential amenity, and again increasing local objections.
- To continue with the current system of considering applications for site development against the criteria and claims of very special circumstances as to why the development should be permitted despite Green Belt constraints. This was widely seen as very unsatisfactory, leading to costly and lengthy planning disputes with uncertain and (perceived) inconsistent outcomes. Case law is developing on what might constitute ‘very special circumstances’ bearing in mind human rights and other considerations; very superficially this seems to be tightening rather than easing the circumstances and needs which can be considered ‘very special’.

5.41 Two of the criteria-based policies set out in Box 5.1 (Hertsmere and St Albans) specify clear local need for the site development. Needs and needs assessment have been mentioned by Planning Inspectors in several of the recent enforcement cases in the study area – a factor lying behind the commissioning of the current research. However, recent Gypsy site cases have shown that it is very hard for a Gypsy family to prove that they ‘need’ to be in a particular area or on a particular site. This issue is discussed further in Chapter 7.

Approaches to Planning Enforcement

5.42 All the Partner districts had recent experience of taking enforcement action against Gypsy sites set up by Gypsies and Travellers without planning permission. Indeed, many of the current authorised private sites only received planning consent after successfully appealing an initial refusal of consent and/or enforcement action by the local planning authority. Enforcement action was being taken against several of the unauthorised sites at the time of the fieldwork. Officers and members interviewed deplored the amount of time and expense involved for the council but felt it important to take a firm line on enforcement and not to be seen as ‘*an authority that backs off*’. Justification for a firm stance reflected both local resentment at the way Gypsies and Travellers are seen to blatantly ‘flout’ planning and Green Belt regulations and the fear that any softer stance might encourage further unauthorised development. Most elected members and local councils responding to our consultation also strongly supported a firm line on enforcement against unauthorised sites set up in the Green Belt.

Land Prices

5.43 We collected a small amount of fairly impressionistic information about land prices. This illustrates two very simple points:

- The price of land is directly related to its development status. For example, a website²⁴ in April 2004 was advertising a 0.1 acre plot in St Albans in the Green Belt without planning permission at £18,500 and plot with outline planning permission for two dwellings also in St Albans in a residential cul de sac at £300,000.
- Development land prices are high. A Hertsmere interviewee quoted prices for an acre of residential land of between £1.8 million in Borehamwood and £3.7 million in Radlett.

5.44 Given these factors it is hardly surprising that Gypsies and Travellers buy Green Belt or other land without development status in the hopes of being able to get planning permission for their site. Survey interviews also suggested that extended families had pooled resources to be able to purchase land for their sites where a single ‘nuclear’ family might not have been able to afford it.

Comment

5.45 It is clear that current planning policies, both national and local, heavily constrain the possibility of developing new Gypsy sites in the study area. A continuation of current policies at all levels would make it very unlikely that need for sites on any significant scale will be met.

Housing : Supply

5.46 An unknown number of Gypsies and Travellers live in houses in the study area. As noted above, there is no source of information on housed Gypsies and Travellers either nationally or locally. Some estimate that at least half of all ethnic Gypsies and Travellers live in bricks and mortar housing. There is some debate about the extent to which this is a matter of choice or desperation, with the truth probably being a mixture of the two. Bricks and mortar housing can perhaps be viewed as a fall-back accommodation option which may be available when sites are not. This seems to be the position in several London Boroughs, including those adjacent to the study area with no sites, where all or most local Gypsies and Travellers live in housing.

5.47 This section looks first at accommodation opportunities in social housing in the study area, then very briefly at the private sector.

Social Housing

5.48 Hertfordshire County Councils’ Policy on Gypsies and Travellers says ‘4. *The Gypsy Section will assist those Gypsies from permanent sites and from the roadside who wish to make applications for housing and support their applications to the District/Borough Councils who are Housing Authorities. It will also guarantee to support those people who have been housed by District/Borough Councils or Housing Associations for a period of 6 months*’.

²⁴ www.uklanddirectory.org.uk/building-land-plots-sales-Herts.htm

During this period, help will be given as requested although some make no demands on the service at all.

- 5.49 Gypsies and Travellers are explicitly recognised in Housing and Homelessness Strategies only in Hertsmere. However, none of the housing authorities identify Gypsies and Travellers as specified minorities in ethnic record keeping. It follows that none are able to say with any certainty how many Gypsies and Travellers apply for, get allocated or live in social housing. Housing officers interviewed for the research thought that it was very few – for example the officer interviewed in Three Rivers was aware of none in two years experience; in Hertsmere checking on known local Gypsy names suggested maybe 25 applicants in three years; and in St Albans the interviewee estimated that, out of about 250 households joining the waiting list in 2003/04, only ‘*about four*’ were Gypsies or Travellers as were ‘*four or five*’ of the 112 households in homelessness accommodation. Demand was generally seen as very low²⁵.
- 5.50 However, officers reported that, when they did apply, Gypsy and Traveller families often had high priority because of insecure accommodation, overcrowding, poor health and, sometimes, domestic violence. Thus, within normal homelessness and other priority policies, Gypsy/Traveller applicants have as good a chance of being housed as others. Two other points were made:
- Gypsies and Travellers often have large families and need four bedroomed or larger homes which are in short supply and are not always suitably located.
 - Highest priority cases sometimes have least choice in the priority systems used so have less opportunity to refuse offers.
- 5.51 Dacorum is introducing a new choice-based letting system and St Albans will be considering such a scheme. Some RSL partners in Hertsmere operate choice based schemes. Experience from other parts of the country suggest that Gypsies and Travellers and other vulnerable groups or people with low literacy levels, may need advocacy support to take advantage of such a scheme.
- 5.52 Apart from support potentially available from the Gypsy Section and Traveller Education Project there is no special support for Gypsies and Travellers in establishing or maintaining tenancies. Housing officers were unaware of any particular concerns, although one (Hertsmere) referred to a couple of cases where Gypsy/Traveller tenants were harassed by their neighbours. More generally, parking of vehicles was mentioned as an issue. Housing officers were unaware of many Gypsy/Traveller tenancies failing. From his different perspective, the Gypsy Section interviewee thought that a fair proportion of tenancies did not last long as some people moved between houses and sites. He commented that families seemed to get tenancies fairly easily, but also left them easily. The housed tenants interviewed for the research were all well established as tenants and reported no problems from neighbours.

²⁵ During the research planning enforcement action was ongoing at the Ridge 1 site in Hertsmere. All residents applied to the local authority as homeless. The outcome of this is unknown.

5.53 Some of the Gypsies and Travellers interviewed reported harassment of Gypsy/Traveller tenants by other tenants. One of the roadside families had left social housing as a result of harassment, and had then been classed as intentionally homeless.

Private Housing

5.54 We collected no information on the private rented sector in the study area, and very little about owner-occupied housing. Hertfordshire County Council's assessment of house prices in the county in January 2004 gave a county average of £182,500 for a terraced house, £234,900 for a semi-detached and £408,300 for a detached house. Table 5.3 shows average house prices in the postcodes of the HCC residential sites as accessed from the upmystreet.com website on 21 May 2004.

Table 5.3 : House Prices near HCC Residential Sites : May 2004

Postcode	Detached	Semi-detached	Terraced
WD2 3 Sandy Lane	£404,785	£229,630	£235,669
AL4 0 Barley Mow	£345,531	£284,408	£227,999
HP2 7 Three Cherry Trees	£298,366	£182,277	£168,931
HP23 4 Long Marston	£358,928	£320,612	£173,327
AL2 2 Watling Street	£428,400	£231,900	NA

Source : upmystreet.com (21/05/04)

5.55 One stakeholder interviewee noted that, to buy the cheapest property in their area would need a minimum income of £45,000. The survey did not collect information on incomes of Gypsies and Travellers on the grounds that respondents were very unlikely to be willing/able to provide information – reluctance to answer apparently less sensitive questions about occupations (see paragraph 3.09 above) suggests that income or savings information would not have been provided. In the absence of hard information it is impossible to state categorically that Gypsy and Traveller families would be unable to afford local private housing, however the indications are that there would be significant affordability problems for most Gypsies and Travellers. As noted above, 98% of HCC residential site residents are on full housing benefit. Traditional patterns of self-employment found among Gypsies and Travellers are unlikely to satisfy mortgage lenders. While a few more affluent Gypsies and Travellers may be able to buy, this is unlikely to be a realistic option for the majority of families we interviewed.

Comment

5.56 We have little evidence of particular problems facing Gypsies and Travellers in accessing bricks and mortar housing in the study area over and above those faced by other members of the community. However, the local housing market is such that everyone faces constraints in accessing housing – either because of relatively small stocks of social housing or high house prices. For Gypsies and Travellers with large families these problems will be exacerbated with still more tight supply in the social sector, and still higher prices for larger dwellings. Retaining tenancies could be problematic if there is neighbour harassment, and leaving a tenancy ‘voluntarily’ might affect future housing opportunities.

6. OTHER SERVICES AND POLICIES

6.01 This chapter briefly looks at other policy and service areas which affect Gypsies and Travellers but which are not directly related to accommodation supply. These issues were covered in key stakeholder interviews in Partner authorities and arose in interviews with Gypsies and Travellers. There are four sections: Gypsies and Travellers and strategy; inter-agency working; Traveller education; and consultation and engagement with Gypsies and Travellers.

Gypsies and Travellers and Strategy

- 6.02 The Commission for Racial Equality (CRE) is calling for a ‘mainstreaming plus’ approach towards Gypsies and Travellers in public policies²⁶ – namely that Gypsies and Travellers should be recognised in mainstream community, housing and planning strategies and policies but with a ‘plus’ in the short term at least because mainstream approaches are unlikely to take full account of the special needs and circumstances of Gypsies and Travellers. Against this yardstick, our research suggests that some of the Partner authorities fall short.
- 6.03 Hertfordshire County Council has an approved *Policy for Gypsies and Travellers* which refers to education, housing, health, existing and proposed sites, private sites, planning policy, site management issues and managing unauthorised encampments. This was approved in 2000 and has not been reviewed. The Gypsy Section and service follows mainstream County Council policies as evident in ISO 9000/9001 accreditation, cascaded equalities targets and monitoring and Quality Improvement Groups. This can be seen as good practice, bearing favourable comparison with other English authorities.
- 6.04 As far as we are aware, Gypsies and Travellers are referred to specifically in corporate and general service strategies (for example, community strategies, social inclusion or cohesion strategies, race equality schemes, housing and homelessness strategies) in the Partner districts only in the Hertsmere Homelessness Strategy and (draft) Housing Strategy. None has an overall Gypsy/Traveller accommodation strategy or policy statement, although some have approved policies on managing unauthorised camping and all have Local Plan policies on Gypsy Sites as noted in Chapter 5 above. Stakeholder interviews showed that most respondents felt that Gypsies and Travellers are too few and raise too few special issues locally to require ‘special’ mention within general documents.
- 6.05 These findings are by no means unusual²⁷. However, they should be seen in the context of duties under the Race Relations (Amendment) Act 2000 which requires public bodies including local authorities, when developing new policies

²⁶ For example in their written evidence to the House of Commons Select Committee on Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions inquiry on Gypsy and Traveller Sites (GTS 29), June 2004

²⁷ For example, Box 2.1 page 43 of the report *Local Authority Gypsy/Traveller Sites in England* (Pat Niner, ODPM, 2003) shows that only 30% of English authorities had a written policy on Gypsy/Traveller accommodation provision.

and strategies, to assess their impact on different racial groups (see para 2.28 et seq). Gypsies and Irish Travellers are racial groups for the purposes of this duty. Authorities which fail to do this lay themselves open to challenge by the CRE.

Inter-Agency Working

6.06 One of the prime recommendations of the revised *Guidance on Managing Unauthorised Camping* (Home Office and ODPM²⁸) is the importance of inter-agency and partnership working to ensure efficiency and consistency of approach. The picture in the study area is mixed:

- The fact that the Partners have jointly commissioned this research is a positive indication of willingness to come together on issues which cross district boundaries. While not a reflection on the Partners, the absence of Watford Borough Council – geographically a logical part of the study area – from the consortium suggests that sub-regional working is not firmly established.
- There are no formal inter-authority policies or protocols for dealing with unauthorised camping or any other aspects of Gypsy/Traveller policy. However, day-to-day relationships between district council officers and the HCC Gypsy Section are reported to be good. Stakeholder interviews suggest that there are different expectations, for example on speed of dealing with encampments, both between districts and between districts and the County Council, which would make agreement on a specific policy stance difficult to reach. We have no direct evidence that closer or more formal joint working would improve service delivery although some stakeholders interviewed thought it would be an advantage.
- Stakeholder interviews did, however, suggest that greater clarity would be helpful in the relationship between local authorities and Hertfordshire Constabulary on unauthorised encampments. Again there is no protocol or agreement as is common in several areas now, and apparently no Constabulary approach to the use of s61 of the Criminal Justice and Public Order Act 1994. Local authority interviewees commented on inconsistencies and changes in policy on its use over time and between local commanders.
- Hertfordshire County Council's Quality Improvement Groups (QUIGs) are a formal attempt to involve stakeholders in the work of the Gypsy Section. There are QUIGs with the Police, Traveller Education Project, health visitors, Early Years, County Development Association and county councillors. QUIGs discuss any concerns, suggestions and ideas, and co-ordinate responses to changing legislation or policies. Representatives of the QUIGs and the Executive Member for Adult Services attend an annual meeting at which the Head of the Gypsy Section presents an annual report. So far as we know, there are no comparable mechanisms at district level.

²⁸ Available at http://www.odpm.gov.uk/stellent/groups/odpm_housing/documents/page/odpm_house_027535.hcsp

Traveller Education

6.07 Officers from the Hertfordshire Traveller Education Project (TEP) participated in this research and provided information on the local context and services provided. They also provided introductions to Gypsies and Travellers on some sites and in houses for the survey. The comments here are not to do with the service, which seems to be positively viewed, but are drawn from the CURS survey findings on Gypsy and Traveller attitudes to education.

6.08 Thirty six of the families interviewed had school age children. All of these except one said that their children attended school regularly, including those of the roadside or the South Mimms site. The only exception was one housed family where the school age son did not attend school, and might have been excluded. The great majority of interviewees thought that schooling is 'very important' for Gypsy/Traveller children today and the remaining two interviewees thought it 'important'.

6.09 Many respondents were themselves unable to read and write and appreciated that problems from illiteracy are serious and increasing:

'I have to ask is that the ladies' and men' toilet – have to make up excuses, not got my glasses. I can't read labels, feel stupid.'

'You can't get through life without papers now.'

'Want to see kids reading and writing – life ahead is much more difficult than in the past.'

6.10 Many made the point that education is needed now for jobs, and to be able to get on in life:

'It's important for all.'

'Young ones need education to get a job and to look forward to the future.'

'For future and jobs.'

'It's important for a job to be able to read and write. It's all computers now.'

6.11 Enabling children to attend school regularly was cited as an important reason for 'settling' on sites and was referred to as a constraint on the duration and timing of travelling.

6.12 Some implicitly accepted changes implied to traditional culture:

'Children need education. They can be proud of their background, but need education still.'

- 6.13 There were some references to home tuition where problems had been experienced (or were anticipated) from bullying in schools. There were also references to the help and support received from staff of the TEP. For example, the roadside families felt that, without the work and support of the TEP, it would have been very difficult for their children to attend school.
- 6.14 This recognition of the importance of education now and in the future chimes with Bhopal's findings of Gypsy Travellers' changing views on their children's education²⁹. However some of the comments in the survey suggest that views may not have changed entirely. Many answers apparently equated education with learning to read and write, and one respondent specifically commented that schooling was important for young children, but is less important at secondary age. There were also hints in some answers that gender differences are still there. For example, a few interviewees, in accordance with the traditional way of life, expected boys to work with their fathers and girls to 'stay at home' and look after the family. There may be some differences between mothers' and fathers' expectations of education.
- 6.15 These findings suggest a continuing role for the Traveller Education Project, and continuing tendencies towards greater 'settlement' on sites or in houses to facilitate school attendance. There is nothing in our findings to suggest that expressed interest in schooling and education is a ploy to gain advantage in planning appeals to be followed by non-attendance at school. Gypsy/Traveller mothers view education as genuinely important to improve their children's life chances.

Consultation and Engagement

- 6.16 HCC Gypsy Section routinely consults site residents. County Quality Management Officers consult site residents about their views on services received. Residents are consulted prior to and surveyed after GSRG works have been carried. The annual rent increase notification is followed up by a letter asking for ideas on how to spend money better; an alternative to a letter might be considered for a group where adults are known to have low levels of literacy. All these are linked to ISO 9000 procedures, and results are reported to the annual review meeting (see para 6.06 above). In future Gypsies and Travellers may be directly involved in QUIGS and the annual review meeting. There is pressure to increase site resident involvement generally but no easy answers to what is likely to be a resource-intensive process.
- 6.17 Despite this activity, a number of the Gypsies and Travellers interviewed on HCC sites commented on the lack of consultation. They wanted to be consulted more and perhaps in different ways on site provision and service provision (no specific suggestions were made for improvements). It might be appropriate to share the findings of this research with site residents and to take the opportunity of asking about the preferred methods of consultation for the future.

²⁹ K. Bhopal 'Gypsy Travellers and Education: Changing Needs and Changing Perceptions', *British Journal of Educational Studies* 52/1, March 2004, 47-64

- 6.18 There are no consultation mechanisms with Gypsies and Travellers at district level apart from those legally required within the planning system and welfare interviews with unauthorised campers. Gypsies and Travellers would be included in any more general consultations along with other members of the community and other minority groups.
- 6.19 The emphasis on consultation and involvement with Gypsies and Travellers is likely to increase rather than diminish in future both through the requirement to explicitly assess and plan for Gypsy and Traveller accommodation needs in the revised planning system, and under the Race Relations legislation which requires authorities to consult on impacts of new policies on racial groups, to monitor the effect of policies on different ethnic groups, and to publish the results of monitoring and consultation (see para 2.28 et seq). Partner districts may need to develop consultation mechanisms to engage Gypsies and Travellers who are generally seen as a hard-to-reach group.

7. SUMMARY AND DISCUSSION OF FINDINGS

7.01 This chapter summarises the key findings of the research with particular weight given to research material on need and supply in the study area as outlined in Chapters 4 and 5. All the indications are that need will outstrip supply in the future given a continuation of current trends and policies. The chapter then comments on the type, level and broad location of accommodation needed. Finally it raises some important issues to be addressed in considering what this all means for action in the study area. The following chapter presents options and recommendations.

Summary of Key Findings

Background

- 7.02 The study area comprises the area of South and West Hertfordshire covered by Dacorum, Hertsmere, St Albans and Three Rivers councils. The research was commissioned by these district and borough councils together with Hertfordshire County Council, and was carried out by the Centre for Urban and Regional Studies at the University of Birmingham during the first half of 2004. It involved 32 interviews with key policy stakeholders in the Partner authorities and a questionnaire survey of 60 Gypsies and Travellers on ten sites, in houses and on the roadside. Neighbouring local authorities were consulted, as were selected elected members of the Partner authorities and selected local and parish councils in the study area. Secondary data, including local policy documents, and information provided by Hertfordshire County Council Gypsy Section on Gypsy site residents and waiting list and on unauthorised encampments, was assembled and analysed.
- 7.03 The national policy framework relevant to Gypsy/Traveller accommodation is complex since it involves site provision, planning, housing and homelessness policies, and policies for managing unauthorised encampments. Local policies must be developed and implemented in the context of human rights and race relations legislation which generally mean that all decisions must be proportionate in weighing the interests and rights of the Travelling and settled communities. ODPM policy on site provision and planning is currently under review with a report to Ministers due late summer 2004.
- 7.04 The study area is located in a part of England which has a relatively high Gypsy and Traveller population (evidence from the bi-annual ODPM Gypsy Caravan Count), and which has experienced above average growth in that population over the past decade. While the scale of unauthorised camping (usually involving trespass) appears to have fallen nationally, regionally and locally over the past couple of years, this has been more than offset – nationally, regionally and locally – by the increase in the development of unauthorised sites on Gypsy-owned land without planning permission.
- 7.05 The study area itself has experienced rates of growth in the number of Gypsy caravans over the decade which are slightly higher than the region. It is

attractive by reason of excellent road links, affluence and proximity to employment opportunities in London and its northern suburbs. The study area is surrounded by local authorities which appear to take a robust stance on enforcement against unauthorised camping and unauthorised site development. In particular there are very few plots on Gypsy sites in the London Boroughs to the south and no plans evident to increase supply. In this context it is probable that demand for accommodation for Gypsies and Travellers in the study area will continue or even increase in the future. Indeed, as some consultees and stakeholders observed, demand in the study area may be seen as broadly unlimited.

- 7.06 Attitudes towards Gypsies and Travellers expressed in the consultation with policy stakeholders, councillors and local/parish councils were generally negative. Two factors reinforced the poor image of Gypsies and Travellers: problematic unauthorised encampments associated with fly-tipping and other anti-social behaviour, and unauthorised development of Gypsy sites which is perceived as a blatant flouting of planning control and especially of Green Belt policy in a way which would not be countenanced from the settled community. Gypsies and Travellers are fully aware of the attitudes of members of the settled community towards them and several interviewees spontaneously referred to the discrimination and harassment that they regularly face.

Local Gypsies and Travellers

- 7.07 The study area currently has just over 100 plots on six residential Gypsy sites owned and managed by Hertfordshire County Council; an HCC transit site at South Mimms with 15 plots; 36 plots on seven authorised private sites; and around 37 families living on unauthorised private sites without planning permission. Two families were on the roadside (one encampment) at the time of the survey. In all there were just under 200 Gypsy/Traveller families on sites or on the roadside at the time of the survey and an unknown number of families in housing. Average family size is around 3.8 persons, significantly larger than the average in the settled community. There are many fewer small and childless households.
- 7.08 Gypsy/Traveller respondents proved reluctant to talk about their work. Self employment is important, with groundwork, gardening, tree work and carpet selling most frequently mentioned. There may be a greater tendency among young people to consider 'orthodox' jobs and employment patterns more similar to those of the settled community. Almost all families are keen that their children should get a better education and be able to access better employment opportunities than were open to current adults.
- 7.09 Survey answers suggest a trend towards greater 'settlement' among local Gypsies and Travellers. About half of those interviewed on sites had previously been on the roadside, including all of those on unauthorised private sites. The majority of interviewees on sites had not 'travelled' during the past year; those who had travelled for a short period referred to Gypsy/Traveller fairs, visits to families and holidays as the main reasons for travelling. Travelling for short

periods in the year was thought important to retain cultural identity and to introduce children to their heritage. All respondents were proud of their cultural identity and heritage.

- 7.10 The great majority of survey respondents across all types of accommodation came from previous locations either within or quite close to the study area. Only five of the families interviewed were previously outside the area of Hertfordshire, Bedfordshire, Buckinghamshire, Essex and north and central London.
- 7.11 Other research suggests that Gypsies and Travellers nationally have higher levels of health problems than the settled community³⁰. The survey suggests that this is true of local Gypsies and Travellers too. Ill health is a spur to 'settlement' on sites or in houses for some who want to be able to access doctors or hospitals more easily.

Traveller Views on Accommodation

- 7.12 Three HCC residential sites were included in the survey. The majority of residents on Sandy Lane and Watling Street are satisfied with the site; the majority of residents of Three Cherry Trees are dissatisfied with the site or neutral. All residents of authorised private sites are very satisfied with their site. All residents on unauthorised private sites think their site is good or very good. Objectively private sites have fewer amenities than HCC residential sites, but resident attitudes are extremely positive, suggesting that physical conditions can be secondary in importance to security, living with the wider family and just having a site to live on. Residents on private sites aspire to improve their sites.
- 7.13 Very few residents on HCC or private sites wanted to move in the next five years. The only exception was Three Cherry Trees where desire to move seems to relate to the lower satisfaction levels there. It is apparent that Gypsies and Travellers have very little choice – movement from sites is constrained by perceived lack of places on other authorised sites. Site residents do not want to go back onto the roadside and resume continuous travelling. A few from Three Cherry Trees want to move into permanent housing.
- 7.14 People interviewed on the South Mimms transit site and the roadside travelled throughout the year, but most would like to be more settled and to have a stable base. The difficulty of finding safe places to stop on the road and the importance of getting children into schools were the main reasons given for wishing to 'settle' from a lifestyle of continuous travelling.
- 7.15 The survey revealed a significant desire among local Gypsies and Travellers to continue living in trailers, mobile homes or chalets on sites. A small minority would prefer to live in a house although a higher proportion would be prepared to live in a house if there were no alternative. Family-owned private sites are by far the most attractive 'ideal' accommodation option among those currently

³⁰ For example, Patrice van Cleemput and Glenys Parry 'Health status of Gypsy Travellers', *Journal of Public Health* 23/2, 2001, pp 129-134

resident on private sites (authorised and unauthorised). Family-owned private sites are also the most attractive 'ideal' option for a majority of HCC site residents, while some identified council owned sites or owner-occupied housing as their ideal. Only HCC residential site residents and roadside families identified a council owned site as the most attractive option. Sites owned by non-related Gypsies and Travellers emerged as the least attractive option among all respondents, followed by council housing and council owned sites. These views seem quite similar to those expressed by members of the settled community – owner-occupiers usually want to remain owner-occupiers and do not want a council tenancy; some council tenants see a council tenancy as ideal while others favour owner-occupation.

Unauthorised Camping

- 7.16 There were 66 unauthorised encampments (809 caravans) in the study area in 1999. The number decreased to 24 encampments (164 caravans) in 2003. Average size of encampment (numbers of caravans) also decreased over this period and was seven caravans in 2003. Over the period 1998 to first quarter 2004, Dacorum experienced the highest number of encampments (38%), followed by St Albans (29%), Hertsmere (24%) and Three Rivers (8%). The reasons for the recent decrease in encampment numbers are not known but may be related to families buying their own sites or finding transit accommodation on private sites (authorised and unauthorised). Enforcement policies adopted by local councils and the police are also likely to have an effect. Gypsy/Traveller interviewees thought that local policies are strict and mentioned being moved on several times in a day in some places. Given the attractions of the area, provision of further transit accommodation in the study area could have the effect of increasing the number of Gypsies and Travellers coming to the area since 'demand' is essentially restricted by lack of anywhere to stop.
- 7.17 The roadside families interviewed had very poor living conditions, lacking water, electricity and WC; they wanted to stay in the area and had been moved on several times. They were looking for houses or plots on a council owned site, but did not want to have to mix with other families.

Local Strategies and Policies

- 7.18 Hertfordshire County Council has a *Policy for Gypsies and Travellers* (approved in 2000) which refers to education, housing, health, existing and proposed sites, private sites, planning policy, site management issues and managing unauthorised encampments. The Gypsy Section and service follows mainstream County Council policies as evident in ISO 9000/9001 accreditation, cascaded equalities targets and monitoring, and Quality Improvement Groups. Partner district councils do not have overall strategies or policies relating to Gypsies and Travellers. Gypsies and Travellers are only referred to specifically in corporate and general service strategies (for example, community strategies, social inclusion or cohesion strategies, race equality schemes, housing and homelessness strategies) in the Hertsmere Homelessness Strategy and (draft) Housing Strategy. Local Plans include policies relating to Gypsy/ Traveller

sites, and some districts have approved policies on managing unauthorised camping.

- 7.19 The lack of strategic overview of Gypsy/Traveller issues means there is a danger that planning, site provision, housing and unauthorised camping policies are seen separately with each service operating in its own ‘silo’. This is serious because of the knock-on effects of action in one area for other policy areas. For example, an eviction decision has potential implications for homelessness and demand for housing; site provision policies must be totally integrated into planning. Because Gypsies and Travellers are a relatively mobile group, knock-on effects also occur across local government boundaries both within and outside the study area – thus site provision decisions in north London would potentially impact on demand in the study area as would evictions of unauthorised sites (or the grant of planning permissions) in Buckinghamshire or Essex.
- 7.20 While day-to-day working arrangements are reported to be good between the county and districts on Gypsy/Traveller matters, there is no formal protocol or policy statement of roles and responsibilities as has been developed in other parts of the country. Some stakeholders thought this would be advantageous. Stakeholders also thought that greater clarity would be helpful in the relationship between local authorities and Hertfordshire Constabulary on unauthorised encampments. Again there is no protocol or agreement, and apparently no Constabulary approach to the use of s61 of the Criminal Justice and Public Order Act 1994. More formal agreements on joint working are common in other areas and are recommended in good practice guidance³¹.
- 7.21 Apart from initiatives by HCC linked to quality management and ISO 9000, no special arrangements are made by Partner authorities to consult or involve Gypsies and Travellers on policies which affect them. The importance of consultation and involvement with Gypsies and Travellers is likely to increase rather than diminish in future both through the requirement to explicitly assess and plan for Gypsy and Traveller accommodation needs in the revised planning system, and under Race Relations legislation which requires authorities to consult on impacts of new policies on racial groups, to monitor the effect of policies on different ethnic groups, and to publish the results of monitoring and consultation. Gypsies and Irish Travellers are ethnic groups for the legislation. Authorities which fail to develop policies and strategies for Gypsies and Travellers or to assess the impact of new housing or planning policies on Gypsies and Travellers lay themselves open to challenge.

Accommodation Need and Supply

- 7.22 Nationally, there are no signs that growth in the Gypsy/Traveller population will slow significantly. Indeed population age characteristics make the formation of new households inevitable and some commentators³² think that Irish Traveller

³¹ *Guidance on Managing Unauthorised Camping*, ODPM and Home Office, February 2004

³² Comments made by participants at CURS workshops for local authority officers working with Gypsies and Travellers.

numbers may increase as a consequence of legislative change in the Republic of Ireland which may mean stronger enforcement action being taken against encampments; this could encourage some Irish Travellers to travel to the UK. There is no evidence that, if Roma families come to Britain from East or Central Europe, they will adopt a travelling lifestyle in Britain.

- 7.23 There is every indication that the study area will share in this growth since it is an attractive area for Gypsies and Travellers, convenient for employment opportunities and road and motorway links. Older children of Gypsy/Traveller families already in the area will want to form new households and will probably want to stay in the area.
- 7.24 More specifically, Chapter 4 looked at indications of ‘need’ against a number of factors, some of which are commonly used in housing need assessments (overcrowding, demographic growth, health needs, facilities and condition, waiting lists, movement intentions and aspirations) and some of which relate directly to the Gypsy/Traveller lifestyle (unauthorised camping and unauthorised private sites). Table 4.10 summarised these indicators and concluded that, in total, over the next five years about 130 families might be identified as ‘in need’. Chapter 5 looked at the likely supply of accommodation of different types given present trends and policies, and concluded that generally the supply seems less than the ‘need’ identified. Table 7.1 (over) attempts to summarise this material.
- 7.25 As can be seen, the main generators of need are new household formation, the HCC sites waiting list, unauthorised camping and potential displacement from unauthorised private sites without planning permission. The only existing source of supply for sites is plot vacancies on HCC residential sites in the study area since planning policies make the grant of planning permission for private sites very unlikely. This supply is insufficient to meet need from new household growth on HCC sites and waiting lists on all sites except Three Cherry Trees (if turnover continues at similar rates to 2003/4). If Three Cherry Trees stabilises as hoped by the Gypsy Section, this supply of vacancies will diminish. The desire for long-stay accommodation expressed by roadside and South Mimms families does not appear to be registered on the HCC sites waiting list at present, in part because of the families’ awareness of the shortage of plots (the roadside families had registered for housing).
- 7.26 In our view, this suggests a need for more accommodation for Gypsies and Travellers in the study area. The following section comments on some dimensions of that need.

Table 7.1 : A Summary of Need and Supply

Need	Comments
Overcrowding on residential sites (up to 50% of residents)	Re-housing of newly formed households from within existing resident families would reduce but not remove over-crowding. Larger plots could only be provided on existing sites by site extension or re-modelling to provide fewer, larger plots. This would displace families and lead to additional need. Re-modelling is a major exercise requiring significant investment.
New household formation on residential sites (50+ new families over 5 years; of which 30+ on HCC sites)	Perhaps 19 of these new households are registered on HCC site waiting lists. Not all these new households will want to live in the study area although some will. New households could be housed through plot vacancies at recent turnover rates (24pa across the study area), but the supply of vacancies would not meet likely ethnic needs or locational preferences. New household formation on private sites could be accommodated through site expansion, but this would require planning permission.
Health needs	Best considered on an ad hoc basis and met where possible through adaptations. Some movement to housing may be generated by health needs, but the scale cannot be estimated.
Site conditions	Information is only available on sites included in the CURS survey. On all HCC sites surveyed, residents identified improvements they would like, but the main problems were on Three Cherry Trees. GSRG-funded improvements might be appropriate, requiring match funding and an assurance of site sustainability to justify investment. On private sites, residents are working toward site improvements.
HCC site waiting lists (59 families, no estimate for new entrants)	Except on Three Cherry Trees, waiting list need could be met through plot vacancies at current turnover rates only over a period in excess of five years. Need, as expressed by the waiting list, will be unmet on five of the six study area sites. By definition, site waiting lists represent demand to stay/be in the area.
Movement intentions	On the basis of the CURS survey it appears that very few site residents (HCC and private) want to move over the next five years. Vacancies are likely to be created through mobility only on Three Cherry Trees and this might be reduced through site improvement. Residents are very aware of constraints on their movement options. Very few wanted to move away from the area.
Unauthorised camping (most current encampments could be accommodated by 30 additional transit plots)	Unauthorised camping has decreased significantly since 2002, making it very hard to predict need. The CURS survey showed that most roadside and South Mimms families wanted residential site accommodation or housing rather than short-stay accommodation. Most wanted to stay in the general area.
Unauthorised sites (up to 35 families could be displaced by enforcement, no estimate for new sites set up)	Families interviewed on unauthorised sites wanted to stay where they were. They preferred family-owned sites and wanted to stay in the area. They did not want to go back to active travelling and, by implication, would not want short-stay accommodation.

Type, Level and Location of Accommodation Needed

7.27 The brief requires the researchers to give their opinions as to the type, level and broad location of any accommodation thought to be required. This can be done at a general level.

Type of Accommodation Needed

7.28 The indications are that site accommodation is required rather than permanent housing. This is in line with preferences expressed in the CURS survey. Within this, the largest element of need is for residential, long-stay sites. On current levels of unauthorised camping, the need for additional transit accommodation is, perhaps surprisingly, less evident.

7.29 Looking first at **residential sites**, the research suggests:

- There is need/demand for both additional local authority and private, owner-occupied provision. Family-owned sites are the ‘ideal’ accommodation for the majority of our survey respondents although many of these may not have the resources to afford the option at present (as evidenced by the high level of benefit eligibility on HCC residential sites).
- There is no demand for sites owned by Gypsies/Travellers and let on a purely commercial basis although this might work within families.
- Sites should be small – no more than 15 plots and sometimes less. Ideally there should be some scope for extension to accommodate family growth. Single (nuclear) family private sites seem to work well (very few if any problems reported in stakeholder interviews).
- Gypsies and Travellers place great weight on living with other extended family members and/or other compatible families. The option might be considered of developing more ‘family’ sites in the public sector (some HCC sites are already occupied mostly by extended families).

7.30 While the need/demand for **transit** accommodation is less clear given the recent decline in unauthorised encampment and the expressed preferences of roadside and South Mimms families for long-stay accommodation, such accommodation might be considered to anticipate any future increase in Gypsy/Traveller numbers which would otherwise result in higher level of unauthorised camping. It is important to remember that the survey included very few Gypsies and Travellers actually ‘in transit’ or visiting the area for a short period, so their views and preferences are not really taken into account. Bearing this in mind, the research suggests:

- Small sites are preferred and should be easier to manage. A number of small sites could give greater flexibility to accommodate ethnic and other differences among Travellers.

- Preferences were expressed for well-equipped transit sites with individual facilities.
- The Oaklands private site has planning permission for nine residential and nine transit plots; it is too soon to see how well this works. Some stakeholder interviewees thought that this combined use would be a good way forward and would represent a cheap and effective way of providing transit plots. However, others (including some Gypsies and Travellers) were much less enthusiastic and thought the existence of transit plots would put site owners under unacceptable pressure from other Gypsies and Travellers to allow them onto the site. Private owners could face management problems with few resources to deal with them. In practice, in order to avoid problems, private owners are likely to cater only for extended family members and other known and trusted families.

7.31 A few of the families interviewed wanted to move into social **housing**. At present demand for housing seems quite low and is often generated by lack of other accommodation options. If further sites are provided, demand for housing might remain low, and could be dealt with within waiting list and homelessness procedures. While some aspire to owner-occupied housing, high local house prices suggest that a minority will be able to afford it.

Level of Accommodation Needed

7.32 It is not easy to assess the level of accommodation needed. The figures on need presented above suggest a need for some **80 additional plots** on local authority and private *residential sites* now. The 80 additional plots are made up as follows:

- 40 for site waiting list applicants unlikely to be accommodated through plot vacancies this year.
- 5 for families currently on the roadside or South Mimms who want a residential site.
- 35 for families on unauthorised private sites who could be displaced by enforcement action.

Over the next five years, household growth from families already on residential sites in the area could add requirements for **another 30 plots**, plus an unknown number of families not already resident on HCC sites who join the HCC sites waiting list, plus an unknown number of roadside and South Mimms families who would like to stay in the area long term. The only known supply of plots is through vacancies on HCC sites.

7.33 In terms of *transit and short-stay accommodation*, we calculated in Chapter 4 (para 4.68) that provision of about **30 additional transit plots** would, on paper, be sufficient to accommodate the great majority of unauthorised encampments if levels remain similar to those experienced over the past five years. At the

levels experienced since mid 2003, such provision would, on paper, be sufficient to accommodate all but very exceptional encampments. The new sites and resulting transit plot availability should make feasible the use of the new police powers in ss62A to 63E of the Criminal Justice and Public Order Act (see paragraph 2.19). It is possible that provision of additional transit sites would itself generate demand, particularly if such sites are not also available in nearby authorities. The survey evidence shows that residents on unauthorised sites established by Gypsies and Travellers on their own land without planning consent are looking for a stable base for a more 'settled' lifestyle. Provision of additional transit plots may not greatly affect the tendency to set up such sites since the main demand seems to be for family-owned residential sites.

- 7.34 A final obvious point to make is that calculations and estimates made now cannot be seen as a one-off exercise. Gypsy/Traveller families will continue to form within the present population and, insofar as the rate exceeds the supply of plot vacancies, there will be a continuing need for further accommodation over and above any deficit existing now.

Broad Location of Accommodation Needed

- 7.35 The most common locational preference for accommodation expressed by Gypsies and Travellers in the CURS survey was to remain where they were, or very near to where they were – often in order to be close to family and friends in the area. Unauthorised camping figures from the HCC Encampment Hotline show encampments are most common in those parts of the study area where authorised sites are already provided – namely areas other than Three Rivers. Purely following expressed preferences and existing trends, therefore, suggests locations for new provision similar to existing provision.
- 7.36 However, very different views were expressed in stakeholder interviews and consultation with elected members and local/parish councils. These might be summed up as 'fair shares' arguments – that further provision should be made in authorities and areas which have not provided so far. This tension is discussed again in the next section. Its resolution seems as much political as technical. Given the size of the study area and its communication links a 'fair share' approach within the study area seems tenable in general terms, especially if this makes provision more acceptable.
- 7.37 Taking 'location' at a different scale points up another tension. Some Gypsies and Travellers interviewed thought that Gypsy sites (in general) are often isolated, hidden away and/or in locations with poor environment where residential development for the settled community would not be thought acceptable – presumably because it was easier to get agreement for the site there. At the same time, residents at the Pylon site (in what would normally be thought of as a very poor, noisy environment) liked their site and wanted to stay there since the advantages of having a site of their own outweighed any concerns about environmental quality. This highlights the not surprising point that, in an area of great shortage, something less than perfect can be prized. However, as a general principle we firmly believe that, in the long term, it is right that sites should be located where services (shops, schools, doctors etc) are

reasonably accessible and on the sort of land which would be considered safe and acceptable for other residential development. These are the sort of considerations incorporated in criteria-based site location policies in local plans. It must be recognised that use of such land for Gypsy/Traveller sites will be highly contentious with the settled community.

Key Issues

7.38 There are a number of key issues raised by the research which have so far been ignored or side-stepped. These are often philosophical or political as much as technical. How they are resolved, however, affects response to the research findings. Three such issues are discussed here: need versus demand for accommodation; 'local' need for accommodation; and nomadism versus 'settlement' and the legal definition of a 'gypsy'.

Need versus Demand for Accommodation

7.39 Policy stakeholders and other consultees were asked for their views of the distinction between need and demand for accommodation. Most made the distinctions commonly accepted in mainstream housing that demand reflects individual preferences and aspirations and/or has economic overtones in the sense of effective demand for a commodity at a price. 'Need' for accommodation generally involves some form of normative judgement involving minimum space or quality standards and reflects accepted norms such as a separate home for every family. 'Need' is also sometimes taken as what should be provided by the public or social sector because some families/people 'in need' are unable to provide for themselves in the market. 'Need' for housing is likely to be higher than 'effective demand' because some people cannot afford to house themselves or have needs for specially adapted accommodation which the market does not supply. 'Need' may sometimes be lower than 'aspirational demand' because families prefer or aspire to better or larger accommodation than they 'need'. In other words the two concepts are closely inter-related and it may be arbitrary to try to distinguish them too clearly.

7.40 It is arguably an even more complex issue in relation to Gypsy and Traveller accommodation for two main reasons:

- Housing and planning officers and elected members are familiar, from their own experience, with alternative forms of permanent housing and usually feel confident in saying what is adequate and have some rules of thumb to determine what minimum accommodation a family of a certain size and composition 'needs'. However, most decision makers are unfamiliar with Gypsy/Traveller culture and lifestyles and may find it hard, for example, to accept that families 'need' site provision rather than housing or need to travel around in pursuit of traditional employment.
- Where Gypsies and Travellers pursue a travelling lifestyle it is not uncommon for them to have a stable base and also to travel and therefore need some form of temporary or transit site accommodation at times of the year.

7.41 The United Kingdom is signatory to the Framework Convention for the Protection of National Minorities which requires signatories to undertake to *'promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage'* (Article 5). Gypsies and Travellers constitute a national minority and living in trailers and being free to travel are part of their traditions and cultural heritage. Human rights and race relations legislation require that public bodies respect and accommodate Gypsies' and Travellers' cultural and lifestyle preferences as far as possible without prejudicing other legitimate aims or interests.

7.42 In this context we believe that needs and preferences identified in this research should be accepted as legitimate 'need' for accommodation. All additional site provision will require some form of policy action from local authorities through the planning system whether the provision is being made by local authorities, RSLs (if this is the preferred option from the ODPM Review) or Gypsies and Travellers themselves.

'Local' Need for Accommodation

7.43 A further potentially contentious issue is whether the accommodation need identified requires additional site provision within (any part of) the study area. This question arises at a number of different levels:

- The factors thought to attract Gypsies and Travellers to the study area – employment opportunities and good road/motorway access – also apply to areas outside the study area and particularly to some of the London Boroughs to the south which currently make no or little site provision. Some consultees felt that the study area had already made 'reasonable' provision and that it was up to neighbouring areas to make a contribution.
- Within the study area Dacorum, Hertsmere and St Albans already have several sites (HCC and/or private) within their boundaries while Three Rivers has one private site only. Again consultees favoured 'fairer' shares in contributing to provision.
- Precisely the same arguments also arise at local level community and parish level.

7.44 It is apparent that regional frameworks for assessing and distributing need for accommodation for Gypsies and Travellers will be more developed in future through Regional Housing Strategies and Regional Spatial Strategies, but there is no national or regional guidance available at present.

7.45 In this context we offer the following thoughts to aid discussion:

- The Caravan Sites Act 1968 referred to Gypsies 'residing in and resorting to' areas in framing the site provision duty. All the Gypsy/Traveller families

interviewed in the survey satisfied this criterion suggesting that their needs should be met.

- The survey interviews with Gypsies and Travellers suggest that some of the families in need have clear links (families, schools, work) with the study area itself and want to stay in the local area. Others want to be in the broader area and might be equally happy to find accommodation elsewhere in Hertfordshire, Buckinghamshire, Bedfordshire or north London. However, this does not absolve the Partner authorities of responsibility if these adjoining areas choose not to provide.
- When seeking planning permission for a site (or resisting enforcement action) Gypsies and Travellers seem to have to provide evidence that their needs can be met only at that site. Recent Gypsy site cases have demonstrated that this is very difficult. It is not enough, for example, to use the fact that children are successfully integrated into a school as an argument in favour of getting permission for a particular site since that same school could be accessed from some other (hypothetical) location or indeed the local education service would provide similar educational opportunities and support at another location and school altogether. Some consultees argued that members of the settled community cannot expect to live just where they want to and must accept what is available; to treat Gypsies and Travellers differently would be unfair. There are different arguments here:
 - There is usually a range of alternative houses available to members of the settled community. If they cannot find a home in one estate or village there is usually a home available elsewhere because there is a large and varied housing stock. This range of alternatives just does not exist for Gypsies and Travellers. There are rarely plots available on HCC sites and they might not have priority if there were; there is no land where they can be assured of getting planning permission for a private site. Thus ‘equal’ treatment with the settled community is impossible.
 - Since the Homelessness Act 2002 local housing authorities cannot insist on a local connection in determining an applicant’s eligibility for council housing (although it can give greater priority to applicants with a local connection). Thus insisting on a proven local connection for Gypsies and Travellers is not in fact equal treatment.

7.46 It should be clear that we feel that the Partner authorities should be prepared to accept the accommodation need identified in this research as legitimate and be prepared to consider provision to meet it within the study area. Insofar as need is a material consideration in planning decisions, Planning Inspectors and the Secretary of State are likely to take the findings as evidence of need when considering appeals in the future.

Nomadism and 'Settlement'

- 7.47 The legal definition of a 'gypsy' for planning purposes is someone of '*nomadic habit of life, whatever their race or origin*'. The courts have been very careful to uphold this definition, to the extent of denying a Gypsy the right to retire from travelling while retaining 'gypsy' status. It is clear from this and other research³³ that many Gypsies and Travellers living on both local authority and private residential sites do not actively travel; some travel for a period in a year to Gypsy/Traveller fairs, to visit family and friends and just to have a change of scene or holiday. This research has identified a desire for greater stability and 'settlement' on the part of many Gypsies and Travellers interviewed which reflects the sheer difficulty of life on the road and finding safe places to stop as well as more positive factors such as easier access to schools and health services. This seems to be at variance with the legal definition.
- 7.48 The ODPM Committee examining Gypsy and Traveller Sites is exploring the question of appropriate definitions and the current concept/reality of 'nomadism'. Definitions are to be considered as part of the ODPM Review³⁴. Any changes proposed to the legal definition could have serious implications for site provision and planning policies.
- 7.49 Until the outcome of the ODPM Review is known and any resulting changes implemented, we suggest that the Partners should act on the basis that Gypsies and Traveller can legitimately seek greater stability and 'settlement' without jeopardising their chance to live in trailers on sites along with other members of their family and community so long as this is their culturally preferred form of accommodation.

³³ Pat Niner *Local Authority Gypsy/Traveller Sites in England*, ODPM, 2003

³⁴ See oral evidence given to the ODPM Committee on *Gypsy Sites and Travellers* by Keith Hill, available at <http://www.publications.parliament.uk/pa/cm200304/cmselect/cmmodpm/uc633-iii/uc63302.htm>

8. OPTIONS AND RECOMMENDATIONS

8.01 The national policy context for Gypsy/Traveller accommodation provision is changing. It is likely that both national and regional frameworks will be better developed in future. Potential changes to statute and/or regulation which could affect the viability and attractiveness of different local policy options include:

- Whether a duty to provide or facilitate sites is re-introduced, and if it is, what form it will take. The relative priority accorded to residential and transit site provision within national policy is also relevant.
- Whether, and on what terms, grant funding is provided for the development of residential sites – and to whom it would be paid (local authorities, housing associations, and/or individual Gypsies and Travellers?).
- How DoE Circular 1/94 and PPG2 are revised and whether the revisions significantly alter guidance that Gypsy sites are not usually appropriate development in Green Belts and other planning constraint areas.

8.02 These possible changes do not, however, affect the fundamental conclusions of this research – that there is a significant level of need for accommodation for Gypsies and Travellers, and that this need should be met. Clearly it is for the Partner authorities to determine how much can be achieved over any given period. However, we believe that a clearly co-ordinated approach to policy across housing strategy, planning, site provision and enforcement would be desirable across the study area sub-region.

8.03 The conclusions and recommendations set out in this chapter are divided into three main sections. The first looks at site provision; it sets out and evaluates two broad ‘strategic’ options: the status quo, and a new more pro-active approach to site development. Within the latter broad option, further options are explored. The second section sets out some thoughts and recommendations for social housing. The final section deals with other relevant policy areas.

Options for Site Provision

8.04 Continuing the ‘status quo’ would involve:

- Maintaining the current number of HCC residential sites and plots, and upgrading these through use of Gypsy Site Refurbishment Grant on a continuing basis. Plots would become available through natural turnover and be let according to current allocation policies and practices.
- Maintaining and managing the South Mimms transit site to provide accommodation for up to three months.
- Consideration of applications for private Gypsy sites on a reactive basis where Gypsies and Travellers seek to develop them. Past experience suggests that these will often be in locations which do not meet the criteria set out in Local

Plans and which therefore trigger long processes of refusal, enforcement, appeals and inquiries where appellants seek to prove very special circumstances why their application should be accepted despite Green Belt policies.

- Gypsies and Travellers coming into, passing through or moving around the area not accommodated at South Mimms or on the authorised transit plots at Oaklands would generally set up unauthorised encampments on the roadside, on car parks or other open space.

8.05 There are a number of likely negative consequences of such an approach:

- Current needs of Gypsies and Travellers as identified in this research will not be met. Many new households will not be able to find an authorised place to stay in the area. Many people on the sites waiting lists will not be accommodated, especially those waiting for the popular, stable sites. Families on the roadside will face very poor living conditions and uncertainty.
- Relations between the Travelling and settled communities are unlikely to improve. Tensions are exacerbated by unauthorised development of sites and unauthorised camping. Councils will have to handle continuing complaints.
- The legal and other costs of dealing with unauthorised development and unauthorised camping will continue. Outcomes of planning appeals have appeared inconsistent in the past.

8.06 In addition to these negative consequences, two factors seem to us to make the status quo an untenable option:

- The research identifies need for site provision in the study area. Identified need may make it harder for local planning authorities to resist appeals on Gypsy/Traveller site applications unless they can show that some positive action is being taken to address those needs.
- The Race Relations (Amendment) Act 2000 places a general duty on local authorities to assess the impact of proposed policies on Gypsies and Irish Travellers. If the policies are likely to have a disproportionately negative impact on Gypsies and Irish Travellers, authorities must ensure that this impact is not disproportionate to the aims and objectives of the policy. A decision to maintain the status quo in the face of evidence of need might be seen as a 'policy' which would certainly have a disproportionately negative impact on Gypsies and Irish Travellers and could be open to challenge.

8.07 Our first recommendation is, therefore, that ***Partner authorities should commit to a more pro-active approach to site provision.***

8.08 The study area is not, of course, an island so far as site provision is concerned. Site provision or enforcement in nearby areas could reduce or swell need/demand in the study area. Partner authorities might usefully monitor events in surrounding areas. However, ***we believe that the Partner authorities should***

plan for the broad level of need identified in this report and not should rely on (hypothetical) provision by other authorities.

8.09 Site provision raises a further series of options:

- **Residential or transit site provision** : The research suggests there is need for both residential and transit site provision: about 80 residential plots and 30 transit plots over the next five years.
- **Public or private provision** : The research suggests that there is need/demand for both public and private (owner-occupied) residential sites. This cannot be split with any certainty but, given the aspiration for owner-occupied family sites, a split of 30 public plots and 50 private plots might be appropriate. We recognise that future availability of grants for public (or private) site provision might affect the feasibility of this balance. We believe that transit sites might best be provided by the public sector, although on-site management by a Gypsy Traveller along the lines of the South Mimms site might be appropriate.
- **New sites or site extensions** : Site extensions might avoid some of the community resistance likely to be encountered when seeking new site locations. We have not examined the physical potential for extension of existing HCC sites. In certain circumstances, limited site extension might be considered, especially to accommodate sons or daughters of existing residents who want to stay:
 - Generally speaking smaller sites seem to work better than larger ones, being easier to manage and not bringing together too many diverse family groupings amongst residents. Sites probably should not be extended to more than 20-25 plots without very careful consideration.
 - Site residents would have to be fully involved in the decision and extension should not proceed if there is strong objection.

This suggests that a number of new sites will be needed. Between 5 and 15 new residential sites might be needed, depending on size, and perhaps three 10 plot transit sites.

8.10 The key to site provision – whether public or private, for residential or transit use – is the identification of suitable sites and grant of planning permission. There are steps which we think Partner authorities should take now. We recommend:

- ***Partner authorities should produce a joint strategy relating to Gypsy/Traveller site provision in South and West Hertfordshire and consider the need for a joint Local Development Document under the new planning regime.***
- ***The Partner authorities should undertake an exercise to identify sites suitable for development as Gypsy/Traveller sites.*** This should encompass both residential and transit sites. Criteria for suitability should be drawn up,

including reference to accessibility, proximity to services and environmental quality. Sites suitable for transit use need to be well located relative to major roads. Past experience suggests that sites which are quite close to, but physically separate from, existing residential areas can work well. Such exercises have been carried out in other areas, notably Norfolk and Kent.

- Finding sites for Gypsy/Traveller sites is likely to be a contentious exercise with members of the settled community. ***Partner authorities should consider ways of positively involving local communities and their representatives, including Gypsies and Travellers, in the development of policy and the site finding exercise.*** Authorities which have involved communities in Gypsy and Traveller policy development and site finding include Dorset and West Sussex County Councils, Colchester (site finding) and Milton Keynes (citizens' jury). Consultation must be within a clearly stated commitment to positive site provision policies and determination to find suitable sites.
 - ***Partner authorities should consider how best to identify potential sites for development in local planning documents.*** This might involve revisiting criteria-based policies, using previously developed land or considering revisions to Green Belt boundaries to accommodate specific suitable locations. A revision to Circular 1/94 *Gypsy Sites and Planning* may assist this process, but should not delay consideration of Gypsy/Traveller needs.
 - If in future any significant urban extensions are planned in the study area, ***Partner authorities should consider how the accommodation needs of Gypsies and Travellers can be considered along with those of other population groups.***
- 8.11 We suggest that the Partner authorities ***should develop one new transit site as a pilot scheme*** and monitor its usage and management in order to learn lessons for further provision.
- 8.12 Decisions on the extent and nature of public sector site provision will be affected by Government policy on funding regimes and the main agents of site provision. If, for example, registered social landlords were to be the chosen vehicle for provision it would be appropriate to develop contacts with appropriate RSLs and the Housing Corporation. As a general preparation, we recommend that ***Partner district authorities should clearly signal their commitment to further Gypsy/Traveller site provision within their Housing Strategies. Provision would then be made in accordance with prevailing Government policy.***
- 8.13 The research has not identified specific locations where sites should be provided. At district level we recommend that ***all Partner districts should provide sites***, including Three Rivers which currently has less provision than other districts. At a more local level again, it seems to us that a spread of site provision is 'fairest' and should prove acceptable to local Gypsies and Travellers so long as the sites identified are attractive.

Social Housing

- 8.14 Social housing is an essential part of the accommodation available to Gypsies and Travellers. The research has revealed limited need for social housing on the part of local Gypsies and Travellers; this is hard to quantify but might amount to no more than half a dozen lettings in a year across the study area. However, this could change rapidly as a result of enforcement action taken in respect of unauthorised private sites where eviction could create a surge of homelessness applications; it might also change if there is no further site provision. This highlights the importance of ***fully involving housing colleagues in all decisions relating to planning and site provision.***
- 8.15 At present social housing policies seem essentially blind to the needs of Gypsies and Travellers in most of the Partner district authorities (the exception is Hertsmere). Our recommendations seek to remedy this and to ensure that the needs of Gypsies and Travellers are recognised explicitly:
- ***The needs of Gypsies and Travellers should be explicitly recognised in Housing and Homelessness Strategies.***
 - ***Gypsies and Travellers should be included as categories in ethnic record keeping, and should be monitored in respect of access to housing and harassment.***
 - Gypsies and Travellers in social housing sometimes experience hostility and harassment from neighbours. ***Racial harassment policies should explicitly recognise the potential needs of Gypsies and Travellers.***
 - Several Partner housing authorities are moving towards some form of choice-based lettings. Experience elsewhere suggests that excluded and vulnerable groups such as Gypsies and Travellers – particularly where there may be literacy problems – need special support in helping them use choice positively. ***Housing managers and HCC site managers should liaise to ensure that advice on lettings policies and procedures is always up-to-date and that site managers can help people through the system.***
 - ***Homelessness and allocations policies and procedures should be sensitive to the cultural needs of Gypsies and Travellers.*** For homelessness this might include recognition of genuine cultural aversion to living in bricks and mortar housing. For lettings policies it might include recognition of locational preferences to avoid isolation or potential hostility from other residents.
- 8.16 Health needs are a significant factor especially in affecting decisions to ‘settle’ on sites or in houses. Some Gypsies and Travellers living in caravans have health problems requiring adapted facilities. The Housing Bill currently before Parliament will extend the availability of disabled facility grants to caravans. We recommend that ***Partner authorities publicise the availability of these grants among Gypsies and Travellers.***

Other Policy Areas

- 8.17 It should be apparent that one intention behind the recommendations we are making is to raise awareness and explicitly recognise the needs of Gypsies and Travellers in mainstream housing and planning policies. We recommend that ***Partner authorities should develop an accommodation strategy for Gypsies and Travellers for South and West Hertfordshire***. This would inform the site provision strategy and Housing Strategies recommended above. It would also indicate how accommodation links with, and assists in, provision of other services for Gypsies and Travellers including education and health.
- 8.18 No single body or department can deliver satisfactory services for Gypsies and Travellers. The research suggests that, at present, inter-agency and inter-departmental working arrangements are informal. In particular there are no formal agreements or protocols in place between local authorities and Hertfordshire Constabulary on managing unauthorised encampments. We recommend that, in line with good practice guidance³⁵, ***Partner authorities should enter into a more formal agreement with Hertfordshire Constabulary on the approach to be taken and the respective roles of the County Council, district councils and the police in managing unauthorised encampments***. The good practice guidance referred to above includes examples of authorities which have developed such agreements. Essex and Kent are among the broadly comparable areas where multi-agency protocols have been developed.
- 8.19 Within such an agreement, and until further transit provision is made, authorities might consider a more relaxed approach to unproblematic encampments allowing Gypsies and Travellers to stay longer where their presence and behaviour can be accommodated without nuisance. Basic services, especially rubbish collection, might be provided at such locations.
- 8.20 The encampment Hotline run by HCC Gypsy Section provides valuable monitoring information. We recommend that ***this service be maintained and district authorities be further encouraged to provide information to the Hotline on all encampments***.
- 8.21 Our final set of recommendations relate to human rights and race relations responsibilities:
- ***All new policies and procedures which relate to Gypsies and Travellers should, of course, be checked for their compliance with the Human Rights Act 1998***. Broadly this means that policies should seek to balance the interests of different sections of the community.
 - Under the Race Relations (Amendment) Act 2000, local authorities are required to produce Race Equality Schemes. At present those produced by Partner authorities do not explicitly refer to Gypsies and Irish Travellers (recognised ethnic groups) although HCC equality targets include Gypsy/Traveller matters when cascaded into sectional action plans. We

³⁵ *Guidance on Managing Unauthorised Camping*, ODPM and Home Office, February 2004

recommend that ***Partner authorities refer specifically to Gypsies and Irish Travellers in revised Race Equality Schemes.*** An example of a Race Equality Scheme which explicitly includes Gypsies and Travellers is that of Fenland District Council in Cambridgeshire³⁶. Cambridgeshire County Council's Scheme also refers specifically to Travellers³⁷.

- Under the same Act, local authorities have general duties which include impact assessing and consulting on new policies, and promoting good race relations. In this context we recommend that ***Partner authorities develop arrangements for fuller involvement of, and consultation with, Gypsies and Travellers in local policy development.*** Reliance on written material is unlikely to be successful in engaging Gypsies and Travellers.

³⁶ Available at www.fenland.gov.uk/equality/race1.htm

³⁷ Available at www.camcnty.gov.uk/sub/eqopps/raceeqschm-whole.pdf