

The Gypsy & Traveller Law Reform Coalition response to the Equalities Review Team.

The Gypsy & Traveller Law Reform Coalition (G&TLRC) is an alliance of Gypsies, Irish Travellers, New Travellers and other travelling groups who have come together to promote the Traveller Law Reform Bill and policies to increase and improve site provision. The G&TLRC was awarded the [Liberty Human Rights Award](#) in 2004. The G&TLRC would welcome the opportunity to speak at a hearing of the Equalities Review.

QUESTIONS

1. Where are we?

(i) What progress do you think has been made over the past 60 years to reduce inequalities?

Over the past sixty years great progress has been made in tackling the inequalities suffered by many ethnic minority groups in terms of employment, political representation, presence in the media and legal protection but Gypsies and Travellers have been hindered in making equal progress.

In some areas Gypsies and Travellers have in fact suffered a reverse of fortune. Increased planning regulation has reduced the range of places for Gypsies and Travellers to park their caravans - these include traditional wayside stopping places, Gypsy and Traveller owned land and sites; informal arrangements between farms and Gypsies and Travellers, which did not comply with new regulations. This left Gypsies and Travellers with few places to stop so in 1968 a duty was created on local authorities to provide sites. Under this legislation most councils began to build sites. Though these were insufficient in number, this could have been remedied by greater enforcement. However in 1994 the duty was repealed, the exchequer grant was withdrawn and greater powers of eviction were introduced. The duty was replaced with weak planning guidance (circular 1/94) asking councils to help Travellers develop their own sites. However, most local authorities ignored this guidance and most Gypsy and Traveller site planning applications were turned down.

The shortage of sites has created tension between Gypsies and Travellers and the settled community and made it difficult for Gypsies and Travellers to secure proper access to services. Gypsies and Travellers have the lowest life expectancy and the highest child mortality rates in the UK (British Medical Association) and according to Trevor Phillips they probably suffer the most discrimination in this country.

The fourteenth report of the Joint Parliamentary Human Rights Committee recently noted

" (96). Evidence to the UN Committee, as well as evidence presented to us, attests to the multiple discrimination faced by Gypsies and Travellers, and their exceptional level of social exclusion. Poor levels of health, even compared with other marginalised groups, high rates of infant mortality, and difficulties in accessing healthcare were cited in the evidence. Poor school attendance, low educational attainment and high levels of illiteracy were also referred to as particularly acute problems for Gypsy and Traveller children".

It is pleasing to note though that in recent years policy makers have started to devote more time and attention to this issue and that a growing number of Gypsies and Travellers have come forward to campaign for more sites and equality.

(ii) What helped in making that progress?

The issue of Gypsies and Travellers has been assisted by reports such as 'Moving On' by the Institute for Public Policy Research and the campaign spearheaded by the Gypsy and Traveller Law Reform Coalition, which has played an important role in leading to recent policy proposals by the Office of the Deputy Prime Minister on Gypsy and Traveller accommodation. However, these reforms are at an early and fragile stage, if successful they could lay the foundation for significantly raising the social inclusion of Gypsies and Travellers. If these policies fail then Gypsies and Travellers will remain one of the most marginalised groups in British society.

The Commission for Racial Equality has also played an important role through lobbying for legislative change and giving Gypsies and Travellers a higher profile in their work.

(iii) What do you think are the most persistent and stubborn inequalities?

The most persistent inequalities suffered by Gypsies and Travellers are:

1/ A shortage of sites and poor security of tenure and facilities and management on public sites.

2/ Poor access to services, including health and education.

3/ Discrimination and prejudice, which is reflected for example by unfair and bigoted media coverage, which is often the only knowledge that the public has of Gypsies and Travellers. and a high incidence of bullying in schools against Gypsies and Travellers.

2. What happens currently?

(i) What are the barriers to improving equality?

Accommodation

The key barrier to raising the equality of Gypsies and Travellers is the shortage of sites. The House of Commons Select Committee of the Office of the Deputy Prime Minister, in a Report on Gypsy and Traveller Sites published in November 2004, estimated that over 3,500 Gypsies and Travellers, 20% of the Travelling community, have no legal place where they can stop their caravans. These caravans are therefore on unauthorised encampments and developments and their occupants are defined as homeless under the Housing Act 1996.

Since the abolition of the duty to provide sites in 1994 public site provision has come to a standstill. At the same time local authorities have failed to adequately assist Gypsies and Travellers in developing private sites. This failure to properly implement policy stems from extreme local opposition and bureaucratic inertia to the notion of creating more sites. Such hostility is compounded by a hostile media, which inflames prejudices at a local and national level through unfair and discriminatory reporting.

Research carried out for the Office of the Deputy Prime Minister in 2002 'The Provision and Condition of Local Authority

Sites in England' found that two thirds of public sites occupied marginal space (i.e. next to municipal rubbish dumps, motorways etc.). Gypsies and Travellers also do not enjoy fair security of tenure, many can be given as little as 28 days notice to leave their home.

Health

An important new study by Parry G, Van Cleemput P, Peters J, Moore J, Walters S, Thomas K, and Cooper C "The Health Status of Gypsies and Travellers In England": A report of Department of Health Inequalities in Health Research Initiative Project 121/7500 (2004, University of Sheffield) demonstrates a need for strong concern in the area of health.

The report notes that Gypsies and Travellers have significantly poorer health than samples of age and sex matched comparators, from different ethnic and also socially deprived groups on nearly all indicators. The scale of inequality between the study population and the UK general population was large with reported health problems being between twice and five times more prevalent. Correlations with age, education and smoking did not solely account for the poorer health status. There was some evidence of an inverse relationship between health needs and service use. Qualitative analysis showed the impact of environmental stress and cultural and health beliefs and attitudes on service use.

The report found accommodation was the overriding factor, mentioned by every respondent, in the context of health effects. These effects are seen to be far-reaching and not exclusively concerned with actual living conditions, although these are clearly seen as crucial. For most respondents the ability to choose their style of accommodation and to decide for themselves whether, or how, they continue to live a traditional travelling lifestyle is of fundamental importance and crucial to their sense of independence and autonomy. The lack of choice or the intolerable conditions, mentioned by the majority of respondents, are an indication to them of the negative way in which they are viewed by the non-Traveller society.

The report noted that in relation to Gypsy Travellers' experiences in accessing health care and the cultural appropriateness of services provided, there are widespread

communication difficulties between health workers and Gypsy Travellers, with experiences of, and also defensive expectation of racism and prejudice.

Education

The OFSTED (Office for Standards In Education) report *"Provision and Support for Traveller Pupils"* (ref HMI 455) published in November 2003 stated:

"The vast majority of Traveller pupils linger on the periphery of the education system. The situation has persisted for too long and the alarm bells rung in earlier reports have yet to be heeded" (page 3).

On the core issues of access, attendance and attainment, the report estimates:

– Secondary enrolment rates of Traveller Education Services (TESs) visited average just over 60% at secondary (47% at Key Stage 4). The numbers not enrolled have "probably" increased from 10,000 in 1996 to 12,000 now (page 8).

– Average attendance rates are 75% (page 2). 73% at secondary (page 9).

– "Traveller pupils generally performed worse than . . . any other minority ethnic group" (page 12).

The report largely praised the work of TESs but says; "The apparently intractable problem of increasing enrolment and attendance at secondary level stretched to the limit the resources of each Traveller education service. It is increasingly being recognised that such issues demand co-operation and concerted efforts by various agencies across an authority" (page 10).

This educational exclusion is often most profound in its impact against highly nomadic Gypsies and Travellers. Travelling families that have to leave a site they own or find a new stopping place will see the education of their children suffer serious negative results. This is evidenced by a range of official reports on the education of Travellers.

The report by OFSTED '*Raising the Attainment of Minority Ethnic Pupils*' in 1999 declared that "Gypsy Traveller pupils are the group most at risk in the education system" (point 8 page 7).

A report by OFSTED '*The Education of Travelling Children*' in 1996 drew attention to the fear that nomadism excites amongst the settled population and noted "This has often restricted Travellers' access to education and other public services" (page 9, point 39). The report also concludes "The educational system is naturally designed to meet the needs of a static population.

Attending many different schools for short periods can undermine educational progress and in some cases even the motivation to attend. For many Gypsy and New Travellers, the situation has been exacerbated by involuntary movement in consequence of evictions from unauthorised land"(page 16 point 58). Again the report declares. "A nomadic lifestyle inevitably creates practical difficulties for access to schools" (page 27 point 99).

The 2003 OFSTED report on page 10 point 16 declares "There are however marked differences between access rates of pupils from permanent sites and unauthorised encampments. In the shire authority school places were only found for 25% of Traveller pupils of primary age who were on unauthorised encampments". The report on page 5 also declares "Many authorities have clear statements about the inclusion of all pupils in education. However in too many authorities, the ways in which they deal with unauthorised encampments contradicts the principles set out in their public statements on inclusion, educational entitlement and race equality. Such contradictions undermine relationships and inhibit effectiveness of the Traveller Education Service and other agencies".

The problems for Gypsies and Travellers accessing education whilst being on the road are well documented. Admissions are a significant issue. Anecdotal evidence suggests that in a context of significant reliance on overall school performance via league tables, some schools are unwilling to register Gypsy and Traveller pupils who are perceived as low attainers. Problems around admissions are intensified by mobility (itself exacerbated by a lack of permanent sites) and shortages of school places in many areas.

In a recent report sponsored by the Department of Education and Skills '*Working towards inclusive education: Aspects of good practice for Gypsy Traveller pupils*' concerns have been expressed about the willingness of schools to admit Gypsy and Traveller pupils - due to the perceived detrimental effect that Gypsy and Traveller pupils might have on the popularity of the school and the school's performance in league tables, on attendance and academic performance (Bhopal et al, 2000, 35). Such fears are no doubt greater towards nomadic Gypsies and Travellers than more sedentary members of the minority.

It should also be noted that Local Education Authorities have a lack of school places. This has a disproportionately negative effect on more mobile young people. The DFES has been undermining the LEA role and making schools increasingly independent eg academies, which makes it more difficult for LEAs to implement a comprehensive and inclusive admissions policy. Travellers living on the side of the road or in houses are also often highly mobile as they are left in successive temporary accommodation. As they are invisible they often miss out on the targeted support that does exist

(ii) What interventions have worked in tackling those barriers?

Where Gypsies and Travellers have secured decent sites their access to services, life chances and relations with the wider community have greatly improved.

Local authorities such as Fenland DC have been successful in developing dialogue with the Gypsy and Traveller community about private site provision and manage a number of successful public sites. Sadly such authorities are in a small minority.

Specialist support (e.g. by visiting health workers and the Traveller Education Service) has also developed some successful work in many areas. In particular where flexibility has entered the system and Gypsies and Travellers have been extensively involved in the design and delivery of services.

Dialogue has helped overcome tensions between Gypsies and Travellers and the settled community. For example, in Cottenham the local residents' association, parish council local

church and Gypsies and Travellers from a local unauthorised development came together with the Gypsy and Traveller Law Reform Coalition to promote dialogue and understanding. This has been successful in reducing community tensions. The Safer Communities Initiative of the Commission for Racial Equality has now started to assist in this process in Cottenham and other areas.

(iii) Where are the gaps in intervention?

Accommodation

There are a number of weaknesses apparent in the Government's new accommodation proposals for Gypsies and Travellers.

The Government is intending to replace circular 1/94 with new guidance in the form of a revised circular which places an obligation on councils to identify land for site provision. This needs to be supplemented with a statutory duty on councils to provide and facilitate sites. This would send out a clearer message to councils that land must be identified and can be used by councils to justify such action in the face of hostile local opinion. It is for these reasons that such a duty is supported by the Commission for Racial Equality and Local Government Association.

The Housing Act 2004 created a duty on councils to assess Gypsy and Traveller accommodation needs and for this to feed into Regional Spatial Strategies and Local Development Frameworks. A time limit needs to be placed on these assessments. The Local Government Association is calling for these assessments to be completed within one year.

There is a concern that local authorities are asking research consultancies who do not have a sufficient knowledge of the Gypsy and Traveller community to carry out their assessments. There is also a fear that local authorities may attempt to intervene and edit the findings of such research, which will lead to reduced projections for Gypsy and Traveller accommodation needs. The Government needs to carefully scrutinise such assessments and establish close monitoring of this process as

well as robust guidance which will ensure that data collected is accurate and cannot be tampered with.

New powers in the Anti Social Behaviour Act 2003 give the police increased eviction powers where local authorities are able to provide alternative site pitches or stopping places. It is our belief that because of the limited grants for such provision that if new sites are provided they will be substandard in terms of facilities. Some families will not want to move to sites they are directed to because of their concerns about how they will be received by other Travelling groups. Some families will merely take to the road if directed to move on. This could mean a process where families are constantly moved on from one borough to another, unable to return to the previous authority for three months because of the risk of the imposition of the large penalties, which are incorporated into the new powers. Such a scenario will inject a high degree of instability into the lives of many Gypsy and Traveller families. We are very fearful of the impact upon families in terms of their health and access to services, which for many such highly nomadic families is already an area of critical concern.

The Parliamentary Joint Human Rights Committee in its recent report stated

“(113) In our scrutiny of the Anti-Social Behaviour Bill during its passage through Parliament, we raised concerns that these provisions gave rise to a significant risk of incompatibility with ECHR rights, in particular the right to respect for private life and the right to peaceful enjoyment of possessions. We reiterate that concern here. We also consider that, given the disproportionate impact of the measures on the Gypsy and Traveller community, there is a significant risk that they could be implemented in a way that is indirectly discriminatory in breach of CERD. These considerations should be central to implementation of these powers, the application of which should be monitored to ensure against discrimination”.

The report *Gypsy/Traveller Sites in England* by Pat Niner of the University of Birmingham has shown that there is a need for the provision of between 2000 and 2500 additional transit pitches by 2007. With two years to go before this target date and virtually no transit sites as yet created this target will

clearly fail to be met. The Gypsy and Traveller Law Reform Coalition believes that the Anti Social Behaviour Act has clearly failed to provide the incentive needed to provide the greatly needed new transit sites. Also the refurbishment grant of eight million pounds, which is to be divided between the cost of refurbishing sites, creating new residential and transit sites is completely inadequate for the job that needs to be done. Improved funding, analysis of transit sites which have been successful in order to promote good practice and clear guidance is needed in order to ensure that sufficient provision is made in the future.

At present the sites that are needed are not being provided and new policies are not as yet delivering the sites that are needed but families are facing eviction either of land they own or from roadside stopping places.

The draft version of the new planning circular states "(54) The provisions of the European Convention on Human Rights should be considered as an integral part of local authorities 'decision making'Local planning authorities should consider the consequences of refusing or granting planning permission, or taking enforcement action, on the rights of the individuals concerned both Gypsies and Travellers and local residents, and whether it is necessary and proportionate in the circumstances".

The Gypsy and Traveller Law Reform Coalition believes that Gypsies and Travellers living on unauthorised sites (on land they own without planning permission) or on the roadside should not be forcibly evicted until: land has been identified by the local authority for site development; RSLs have created sites; or alternative temporary stopping places have been identified. Given the cost of forced eviction such a policy makes sense in financial terms as well as on the grounds of welfare.

The European Court of Human Rights ruled in 2004 (*Connors v UK*) that the Government needed to address the issue of security of tenure. The Government has indicated that the Law Commission will be framing a draft bill on tenure to which the Government will insert clauses in respect of security of tenure on caravan sites. This will take several years and it is too long to expect Gypsies and Travellers (who feel vulnerable and powerless on their sites) to wait. The Gypsy and Traveller Law

Reform Coalition calls upon the Equalities Review Team to endorse the Caravan Sites Security of Tenure Bill 2005, which has been framed by Chris Johnson of the Travellers' Advice Team (see appendix).

The Government's new proposals on Gypsy and Traveller accommodation are complex and will be severely tested as in the past by inertia and hostility. The Gypsy and Traveller Law Reform Coalition wishes to see to see the creation of a Taskforce with Gypsies and Travellers and other stakeholders to report to the new Gypsy and Traveller Unit at the Office of the Deputy Prime Minister (ODPM) on the progress of new policies and to help forge consensus. The ODPM Select Committee has also called for such a Taskforce.

The Media

In a report issued in June 2005 by the Council of Europe, the Human Rights' Commissioner Alvaro Gil-Robles stated "... to judge by the levels of invective that can regularly be read in the national press, Gypsies would appear to be the last ethnic minority in respect of which openly racist views can still be acceptably expressed. I was truly amazed by some of the headlines, articles and editorials that were shown to me. Such reporting would appear to be symptomatic of a widespread and seemingly growing distrust of Gypsies resulting in their discrimination in a broad range of areas".

The Gypsy and Traveller Law Reform Coalition has joined with the National Union of Journalists in issuing a joint statement expressing concerns about the media. This has been adopted by the Equality and Diversity Forum. The Gypsy and Traveller Law Reform Coalition wishes to see the Press Complaints Commission code of practise revised as the present code has proven to be completely ineffective in tackling unfair reporting. It also wishes to see the Select Committee for the Media and Sport hold an inquiry into the fairness of media reporting.

Health and Education

With regards to health care clearer lines of responsibility and accountability are needed, as currently there is lack of central guidance, fragmentation of services, and a low priority given to Gypsy and Traveller health. However, planning for improvement

of health service provision and access is likely to be ineffective until the central problem of the "invisibility" of Gypsies and Travellers is tackled. Furthermore, useful demographic information will be provided if Gypsies/Roma and Travellers are included as a listed category in the next census. Improving the cultural competence of health service staff is also another priority.

Inter-Departmental co-ordination with regard to Gypsy and Traveller health seems advisable. The Traveller Health Strategy 2003-05 of the Republic of Ireland is an example of such an approach, developed in response to a key recommendation of the Report of the Task Force on the Travelling Community. A similar inter-departmental Taskforce in England would command wide support.

Education

The Department of Education and Science should do more to support LEA admission protocols for hard to place young people and encourage schools to provide a more flexible 14 - 19 curriculum to improve recruitment to and retention at the secondary school phase. Where parents do opt for home education greater support and monitoring should be provided. Efforts should also be made to ensure that information sharing and assessment (ISA) proposals for 'Every Child Matters' work effectively for more mobile families. There is also a need to increase parental involvement in the education process and in particular ensure parents are aware of their responsibilities regarding child protection issues.

3. Where do we want to be?

(i) What would success look like?

In one year?

In three years?

In 10 years?

In 40 years?

It is a difficult task to map out aims and objectives for the future according to rigid timescales. However, what is clear is that Gypsies and Travellers have fallen far behind many other minorities and suffer from a level of exclusion that is unacceptable in the 21st century. These problems need to be

urgently tackled and in the near future the accommodation needs of Gypsies and Travellers must be addressed and their access to health, education and other services must be radically improved. Furthermore, there is a pressing need to raise the political and cultural representation of Gypsies and Travellers.

(ii) What should our top three priorities be for this review?

In terms of Gypsies and Travellers focus on means by which:

- 1/ More and better sites can be created with improved security of tenure for those on public sites
- 2/ Gypsies and Travellers securing better access to services
- 3/ Gypsies and Travellers getting greater cultural and political representation.

In more general terms the review needs to look at means of:

- 1/ Creating a fairer media
- 2/ Fostering greater toleration and good community relations
- 3/ Strengthening legislation to protect minorities from discrimination and removing legal loopholes which allow some to unfairly escape punishment for inciting racial hatred

(iii) What are the priorities for the new Commission for Equality and Human Rights?

The Commission for Equality and Human Rights must like the Commission for Racial Equality prioritise Gypsies and Travellers as an area of discrimination which needs to be addressed and ensure that the resources are there to do the job and that Gypsies and Travellers are given good representation on the new commission.

(iv) What are the priorities for Government? Other sectors?

Gypsies and Travellers need

- 1/ More and better sites with improved security of tenure for those on public sites
 - 2/ Better access to services
 - 3/ Greater cultural and political representation.
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Appendix

THE CARAVAN SITES SECURITY OF

TENURE (AND RELATED CLAUSES) BILL 2005

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ABILLTO

Make provision for security of tenure on Local Authority Gypsy and Traveller sites and to include related clauses.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: -

1. Security of Tenure

- (1) A Local Authority has the right to take possession proceedings against the tenant of a secure Local Authority Gypsy/Traveller site if one of the grounds specified in the schedule to this Act applies. A Local Authority must first terminate the secure tenancy agreement by giving at least 28 days notice terminating on a Monday or on the normal rent payment day. The court will only make a Possession Order if any of the grounds set out in the schedule to this agreement Part 1 (discretionary grounds), Part 2 (suitable alternative accommodation grounds) or Part 3 (discretionary and suitable alternative accommodation grounds) are proven. The court will only make an Order under the discretionary grounds where the Court decides that it is reasonable to do so.

2 Succession

- (1) Upon the death of the tenant of a pitch on a secure Local Authority Gypsy/Traveller site, one succession to the licence will be allowed. The person entitled to succeed to the tenancy will be:
 - (i) The spouse of the tenant or, where the tenant has no spouse;
 - (ii) Another member of the tenant's family as his only principal home.
- (2) In both cases, the successor must have been occupying the pitch as his only or principal home at the time of the tenant's death. In the case of family members other than spouses, the potential successor must additionally have lived with the tenant throughout the 12 month period ending with the tenant's death. The person is a member of the family within the meaning of this clause if -
 - (a) He is the spouse of that person, or he and that person live together as husband and wife or
 - (b) He is that person's parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.
- (3) For the purposes of this clause -

- (i) A relationship by marriage should be treated as a relationship by blood;
- (ii) A relationship of the half-blood should be treated as a relationship of the whole blood;
- (iii) The stepchild of a person shall be treated as his child;
- (iv) An illegitimate child shall be treated as the legitimate child of his mother and reputed father'.

3. Assignment

- (1) Assignment of a secure tenancy of a Local Authority Gypsy/Traveller site will be allowed pursuant to an Order of the Court. Assignment of a tenancy of a secure Local Authority Gypsy/Traveller site will also be allowed (subject to the current tenant giving the Local Authority four weeks notice):
 - (i) If it is to someone who qualifies as a 'successor';
 - (ii) If it is pursuant to the 'right to exchange'.

4. Right to Exchange

- (1) All tenants of secure Local Authority Gypsy/Traveller sites have the right to exchange and all other secure tenants have the right to their secure tenancies with another secure tenant of a Local Authority Gypsy/Traveller site or vice versa and tenants of secure Local Authority Gypsy/Traveller sites have the right to exchange pitches. Upon notification by both tenants concerned of their wish to exchange, the Local Authority has 42 days in which to consent, and can only refuse consent on one of the specified schedule of grounds. The Local Authority loses the right to reply on any of the grounds unless they reply within 42 days.
- (2) If there are arrears of rent or another breach of a term of the tenancy agreement, the Local Authority can require the arrears to be reduced to a nil balance or the breach to be remedied, before giving consent.
- (3) The Local Authority may not attach any other conditions to any consent given.
- (4) The grounds for refusing consent are:-
 - (i) One of the tenants is under a Court Order to give up possession;
 - (ii) Proceedings for possession have commenced or a notice terminating the tenancy has been served in the case of at least one of the tenants concerned;
 - (iii) One of the pitches or secure tenancies would be too large for the other tenant who wishes to move there or otherwise is not reasonably suitable for that tenant's needs;
 - (iv) One of the pitches or tenancies was let in consequence of employment;
 - (v) One of the pitches or tenancies is designed for a physically disabled person and, if the tenant who wishes to move there moved in, there would be no such person in occupation;

- (vi) One of the pitches or tenancies is designed for an elderly person or a person with special needs and, if the tenant who wishes to move there moved in, there would be no such person in occupation.

5. Repairs

- (1) With regard to the amenity block, the hardstanding on the pitch of a secure Gypsy/Traveller site tenant and any fences or walls supplied by the Local Authority to the pitch and with regard to the roadway and other common parts of a secure Local Authority Gypsy/Traveller site, the Local Authority will:-
 - (i) Keep in repair the structure and exterior of the above (including drains, gutters and external pipes);
 - (ii) Keep in repair and proper working order the installations to the pitch and to the site for the supply of water, gas and electricity (where those are supplied by the Local Authority) and for sanitation (including basins, sinks, baths and sanitary conveniences, but not other fixtures, fittings and appliances for making use of the supply of water, gas or electricity, where those are supplied by the Local Authority);
 - (iii) Keep in repair and proper working order the installations on the pitch and on the site for space heating and heating water (where those are supplied by the Local Authority).

6. Repeal

Section 2 of the Caravan Sites Act 1968 is repealed

7. Interpretation

In this Bill the following definitions apply:-

- (i) "Pitches" are the areas of land on which each tenant is allowed to pitch his caravan or caravans;
- (ii) "Secure Gypsy/Traveller site tenancies" means Local Authority Gypsy and Traveller sites with secure tenancies;
- (iii) "Tenancy" in this Bill means a secure tenancy as introduced by this Bill.

Schedule

Part I

Grounds on which a Court may order possession if it considers it reasonable.

Ground 1

Rent lawfully due from the tenant has not been paid or an obligation of the tenancy has been broken or not performed.

Ground 2

The tenant or a person residing in or visiting the pitch -

- (a) has been guilty of conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality, or
- (b) has been convicted of -
 - i) using the pitch or allowing it to be used for immoral or illegal purposes, or
 - ii) an arrestable offence committed in, or in the locality of, the pitch.

Ground 3

The pitch was occupied (whether alone or with others) by a married couple or a couple living together as husband and wife and -

- (a) one or both of the partners is a tenant of the pitch,
- (b) one partner has left because of violence or threats of violence by the other towards -
 - i) that partner or
 - ii) a member of the family of that partner who was residing with that partner immediately before the partner left and,
- (c) the Court is satisfied that the partner who has left is unlikely to return

Ground 4

The condition of the pitch or of any of the common parts has deteriorated owing to acts of waste by, or the neglect or default of, the tenant or a person residing on the pitch and, in the case of an act of waste by, or the neglect or default of a person lodging with the tenant or a sub-tenant of his, the tenant has not taken such steps as he ought reasonably to have taken for the removal of the lodger or sub-tenant.

Ground 5

The condition of furniture provided by the Landlord for use under the tenancy, or for use in the common parts, has deteriorated owing to ill-treatment by the tenant or a person residing on the pitch and, in the case of ill-treatment by a person lodging with the tenant or a sub-tenant of his, the tenant has not taken such steps as he ought reasonably to have taken for the removal of the lodger or sub-tenant.
