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***“Only one square mile”***

*Only one square mile of land is required across the whole of England  
to provide sufficient new pitches to accommodate all those Gypsies and Travellers who need them.*

Mr James Gray MP,  
House of Commons,  
London SW1A 0AA.

10 July 2008

Dear Mr Gray,

I was present on 18 June at the Westminster Hall debate on Gypsy Sites in Wiltshire, and I would like to offer some thoughts on some of the points made in that debate. I hope that they will be helpful. I am taking the liberty of copying this letter to other Honourable and Right Honourable Members who spoke in the debate and to others who have expressed an interest in it.

Thank you for mentioning at the beginning of the debate that the police have confirmed that there is no evidence whatsoever that Gypsies and Travellers are less law-abiding than other citizens or that they leave more fly-tipping waste; and that the Country Land and Business Association has also stated that there is no evidence that Gypsies and Travellers are more guilty of fly-tipping than anyone else. Indeed, a number of clergy and others involved in ministry to Gypsies and Travellers, notably Revd Roger Redding, chaplain to Gypsies, Travellers and Travelling Showmen in the Dioceses of Salisbury, Bath and Wells, Bristol, Exeter and Winchester, have spoken of disturbing instances of Gypsies and Travellers being the victims of fly-tipping by others. They have been eye witnesses to this kind of crime, in which Gypsies and Travellers are first subjected to the dumping of rubbish by others on or near to their sites, and then blamed for its presence.

You mentioned that the name ‘Roma’ is related to the name ‘Romania’. Although it is the case that many of the Roma currently in England have come from Romania, the name Roma derives in fact from the word ‘Rom’, meaning ‘man’ in the Roma language, and not from the name of the country. There are also Roma in this country from Bulgaria, Ukraine, Poland, Slovakia, the Czech Republic and other parts of Central and Eastern Europe. You expressed the fear that many Roma from Eastern Europe may wish to come to Britain, including Wiltshire, to demand a pitch on a Gypsy or Traveller caravan site. In fact, the overwhelming majority of Roma who have moved to Britain from elsewhere are not of a nomadic habit of life and have been settled in houses for several generations. It is highly unlikely that many of them would wish to begin living in caravans in this country.

You also expressed the fear that current Government guidance will encourage Gypsies and Travellers to break planning law and said that planning law should apply to Gypsies and Travellers in precisely the same way as it applies to anyone else. The presence in a district of Gypsies or other Travellers who have no authorised place on which to park their caravans is in itself an indication of need, because such people are legally homeless, in just the same way as a member of the ‘settled’ population would be if he or she were sleeping in a tent or under newspapers on the street for lack of a house or flat. Local authorities are required to find some form of shelter for the latter; the caravan dweller has his or her own shelter but requires an authorised place in which to position it. It is not a question of people having special status – simply that those who are of a settled habit of life need settled shelter and those of nomadic habit of life a place in which to station their shelter. Fairness does not always involve treating people in *exactly* the same way: in social housing provision, for instance, one person may wish to live in a ground floor flat, another on the

top floor; this does not imply that one of them is seeking unfair privilege over the other. The different needs of homeless settled people and homeless travelling people can each be met without necessary detriment to the other.

The current development of planning policy aims to ensure that all Gypsies and Travellers who have a need for sites are provided for in planning terms in exactly the same way as the housed population. The situations at Minety and at some other places around the country have arisen because of the lack of provision. Successful provision of locations for sites through the planning system, in accordance with Circular 1/2006, will ensure that such situations will not arise in future.

You expressed your opposition to the existence of Regional Assemblies. Whatever one's views on the desirability or otherwise of regional planning bodies, it is the case that a large proportion of the members of the Regional Assemblies are elected local councillors, so at present there is at least some connection with voters. More significantly, though, the revision of the Regional Spatial Strategy is based on the Gypsy and Traveller Accommodation Assessments which local authorities have themselves commissioned. Where these Assessments have been revised by the Planning Inspectorate Panel, it has been because their evidence base has been found wanting.

One problem which arises, however, is that need for extra pitches arises in precisely those districts which have made the greatest provision to date, because these are the areas in which Gypsies and Travellers are raising their families, and new households are therefore forming. In the East of England, many local authorities which have to date made the greatest provision for Gypsies and Travellers are objecting to having to make further provision even when their own Gypsy and Traveller Accommodation Assessments indicate that it is necessary. Meanwhile, local authorities which have made no provision in the past, having perhaps failed to make provision under the 1968 Caravan Sites Act and then denied planning permission to families seeking to live on their own land as they were encouraged to do by Circular 1/1994, are objecting to having to make any provision now, on the grounds that there are currently no Gypsies and Travellers in their district. This is the reason for the regional assemblies' intervention: to try to steer a middle path between local authorities who are all objecting to having to make extra authorised pitches available, either because they believe they already have too many or because they currently have none.

In the East of England, the regional assembly has attempted a compromise whereby some of the new pitches needed in the districts with the greatest population of Gypsies and Travellers are to be provided in districts which currently have little or no provision: each district is to provide at least 15 pitches so that districts such as Basildon and South Cambridgeshire, where the need is greatest, will not have to provide as many new pitches as they would otherwise have had to do. It seems that the South West Regional Assembly is attempting something similar. The assessment of need and its translation into district pitch assessments is based on the first serious attempt in this country to assess need according to the best methods currently available, along the lines of assessment of general housing needs. The allocation of pitch numbers has been made by the Planning Inspectorate following an Examination in Public. The Planning Inspectorate is a well respected independent body.

You made the point that local councils are accountable to their electorate and suggested that if they were freed from central and regional government interference and given greater responsibility for making provision for local Gypsies and Travellers, but failed to make sufficient provision, they would be voted out by their electorate. It would certainly be encouraging if voters were to hold councillors to account for providing too few pitches for Gypsies and Travellers in their area. Unfortunately, such is the level of misunderstanding of Gypsies and Travellers that it is rare for councillors to be punished for failing to make provision of authorised sites. Too often, voters whose knowledge of Gypsies and Travellers may be based more on press reports than on direct experience, or whose experience may be only of the minority of anti-social Gypsies and Travellers rather than the majority of law-abiding Gypsies and Travellers, react strongly against councils and councillors who strive to take a balanced view and provide the necessary pitches. There is an urgent need for settled and travelling people to become more familiar with each other.

You questioned the origin of the figure of around 4000 new pitches which the Government says is required to provide for Gypsies and Travellers who have nowhere legal to park their caravan. The number of pitches deemed necessary across the country as a whole is drawn from the caravan counts conducted each January and July by local authorities. The quality of these caravan counts is certainly in dispute, and most observers believe them to be very conservative. Nonetheless, the latest caravan count, that for January 2008, suggested that there were 17,898 Gypsy and Traveller caravans in England, of which 14,047 were stationed on authorised pitches and 3,851 on unauthorised pitches. These are figures from local authorities themselves, not figures dreamed up by central government. The people living in those caravans on unauthorised pitches therefore either need to be forced into housing against their will (thus taking up housing desperately needed by other homeless people who would positively wish to live in bricks and mortar accommodation) or found authorised pitches on which to station them.

You suggested that asking Gypsies and Travellers about their accommodation needs is unwise as they are likely to exaggerate them. In fact, the experience of researchers to date has been that many Gypsies and Travellers have had such difficult experiences with authorities that they are suspicious of people asking them questions about their way of life. They are particularly unwilling to reveal the whereabouts of friends and family forced to live in unauthorised places for lack of authorised pitches, lest these people be evicted as a result. Sensitive research by people whom they trust is much more likely to reveal the true level of need in an area. One local authority in Sussex was assisted in its GTAA by a Gypsy man who was able to drive the responsible local authority officer around the district to show him where all the caravans, authorised and unauthorised, were, and the local authority was able to understand that the actual need for authorised pitches was indeed greater than it had assumed. The higher final figure was based not on exaggeration by interested parties but by demonstrable physical evidence. On the other hand, at least one agency which bid for the contract to conduct a GTAA on behalf of a group of local authorities was excluded on the grounds that it was deemed to be sympathetic to Gypsies and Travellers. In this case, it seems that it was local authorities rather than Gypsies and Travellers who wished to ensure an outcome favourable to their own agenda, regardless of the evidence.

You queried the presumed compound growth rate of the Gypsy and Traveller population in the South West Regional Assembly's Regional Spatial Strategy. The reason for the larger presumed growth rate of the Gypsy and Traveller population as compared with the settled population is simply that Gypsies and Travellers currently tend to have larger families than settled people, just as settled families tended to be larger in the past than they are now. This is supported by extensive independent research conducted by a range of consultants, both commercial and university based. One may approve or disapprove of relatively large families, but unless the Government is to adopt Chinese-style population policies, family size remains the choice of parents, and differs between different sectors of the population.

You suggested that the panel which criticised the Wiltshire GTAA on the grounds that its figures were too low was unjust to fault the authorities for having evicted unauthorised campers. But where a local authority has successfully evicted homeless Gypsies and Travellers from unauthorised sites without making alternative provision, it simply displaces the problem of homelessness to another authority. That authority may then find that the need revealed for new pitches in its area is inflated by the presence of people who never wished to be there in the first place. Part of the purpose of the regional approach is to iron out these anomalies. Gypsies and Travellers do not cease to exist once moved on – they simply exist elsewhere. Continuous evictions cannot be seen as a solution to the problem of unauthorised encampments and developments.

You were concerned that the Planning Inspectorate Panel report on the South West Regional Spatial Strategy deals with housed Gypsies and Travellers who may wish to live in caravans and suggested that the authorities should not be expected to spend public money to facilitate a move from houses to caravans. Given the acute shortage of housing, particularly social housing, however, it seems perverse to force into housing those who do not wish to occupy it, frequently become clinically depressed as a result of occupying it, and would willingly give it up so that it could be occupied by those who wish to live in it, if only they themselves could live in a caravan, in

an authorised location, without fear of harassment or eviction. Many Gypsies and Travellers have been forced into housing simply because local authorities have been unsympathetic to their desire to live in caravans and because of their inability to find an authorised place on which to stay. The money spent on providing sites is not money that is lost: it saves money otherwise spent on evicting people who have no authorised place to stay, and it is partially recuperated through the payment of rent and council tax on authorised sites.

You were concerned also at the size of the Gypsy and Traveller population in this country. The estimate of 300,000 Gypsies in England is one made by Liegeois in 1987 and was an estimate of people of Gypsy descent whether or not they were living in caravans. The estimate of 82,000 was made in 1999 by Kenrick and Clark. There is clearly a need for more accurate assessment of the size of the Gypsy and Traveller population, those in houses and those in caravans, and the needs assessments are part of this process. These groups have not figured in census returns to date, but it seems likely that the next census will enable people to identify themselves as Gypsies or Travellers.

You suggested that there is no reason why Wiltshire should provide Traveller accommodation for people from outside the area – only for Wiltshire Gypsies. This certainly would mean treating Gypsies and Travellers very differently from other people: would the county be likely to place a prohibition on ‘settled’ people from other counties moving into Wiltshire and buying homes there?

During the course of the debate, you suggested at one point that sites were inappropriate if close to towns, and that they should be in the middle of the countryside. Later, you suggested that the Minety site was in the wrong place because it is in the middle of the countryside. Gypsies and Travellers have to live somewhere, whether in the middle of the countryside or closer to towns. If all such sites are deemed inappropriate, the problem of unauthorised sites simply continues.

Mr Ancram made the point that many Gypsies and Travellers often move off their residential sites in the summer, in order to travel. The fact that most travelling people now travel only in the summer is the result both of the increasing restrictions which have been placed on people’s ability to travel and an increased desire among Gypsies and Travellers to send their children to school. The fact that many do still travel in the summer is a good reason for providing sufficient authorised transit sites and temporary stopping places.

There was some concern expressed during the debate about New Travellers, who were portrayed in a negative manner. It is unfair to denigrate New Travellers as though all who have taken to the road in recent decades are inherently irresponsible and anti-social. It is not self-evident that living in houses and flats is an undeniable good and that living in caravans or other forms of mobile home is an undeniable evil. Some New Travellers are engaged in work with great social value, including traditional woodland work or other work which reflects concern for ecological balance and living lightly on the land. Some New Travellers come from housed Gypsy and other Traveller stock, counting Romany Gypsies or Irish Travellers among their recent ancestors.

Dr Murrison said that Romany Gypsies are a welcome and accepted part of Wiltshire life. It is good to know that in Wiltshire Romany Gypsies are welcome as a well accepted part of the rural scene. Press reports including statements by some who attended recent public meetings in the county, however, suggest that this welcome and sense of acceptance of Romany Gypsies may not be universal, even in Wiltshire.

Dr Murrison was concerned about the cost of providing sites for Gypsies and Travellers. The cost of providing pitches on local authority Gypsy and Traveller sites is widely acknowledged to be excessive, but this is not the fault of Gypsies and Travellers themselves. If Gypsies and Travellers involved in construction work were allowed to construct them themselves, the cost would be a fraction of the current average. It is to be hoped that local authorities will become more open to accepting construction bids by suitably experienced Gypsies and Travellers. It is also the case that many construction companies charge vastly more for carrying out work on Gypsy and Traveller site construction and refurbishment than they do for similar work in council and Registered Social

Landlord housing. Questions have been raised about corruption and racial prejudice in the bidding process. It has been suggested that local authorities consider insisting that companies which are contracted to do work on council bricks and mortar properties should also work on council Gypsy and Traveller sites and only charge equivalent sums for equivalent work. It must be remembered that Gypsies and Travellers living on local authority sites pay rent and council tax and that therefore the costs of site construction and refurbishment are, over time, at least partially reimbursed. It is also true that the cost of continuous evictions is greater than the cost of authorised site provision, as the example of Bristol City Council shows: one-off expenditure on provision of a residential and a transit site had paid for itself within three years because of savings on the costs of evicting unauthorised encampments.

It is important to remember that pitch allocation is about identifying land for development as sites, not about the public purse providing all the sites. As with the 'settled' population, some Gypsies and Travellers will be unable to afford to buy their own sites and will have to have recourse to the RSL sector, while others wish to buy their own land and develop their own sites at no cost to the public purse. The planning system seeks to provide allocations sufficient to meet demand – for both rented and owned accommodation. Most Gypsies and Travellers wish to own their own sites, just as most people in houses wish to own their home. That they have been unable to do so in the past is partly a result of the unavailability of land with the appropriate planning permissions or potential for permission. We look forward to the day when a Gypsy or Traveller can approach his or her local authority and ask where he or she can buy some land and develop a site and be directed to particular pieces of land which are designated for such purposes. This is not currently the case.

Mrs Lait said that she had visited a Travellers' site in Lewisham which was very tightly crowded with caravans. She admired the engineering skill of those who had managed to fit so many caravans into such a small space. The excessive crowding of caravans on to sites, however, whether rural or urban, is a fire risk and has in the recent past led to tragic deaths. It may well be a miracle of engineering, but it is a result of the lack of authorised sites and it would be better if Gypsies and Travellers were not forced into such overcrowding.

The Traveller Law Reform Project would welcome the opportunity to meet with you to discuss the concerns raised in the 18 June debate. Meanwhile, I am most grateful to you for your attention to this letter.

Yours sincerely,

Richard Solly,  
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Traveller Law Reform Project.