

Briefing note for Rural Forum

There are an estimated 300,000 Gypsies living in the UK, with around a quarter living on sites and the rest residing in housing.

Gypsies and Travellers are a recognised ethnic group with a cultural background protected by Race Relations and Equalities legislation, in the same way every other ethnicity and culture is protected.

It is accepted that everyone has prejudices but it's important not to act on them or immediately jump to conclusions. There are many common myths about Gypsies which can prejudice people's perspectives of a situation.

Common Myths

Gypsies and Travellers never pay tax

This is not true in Swale, council tax records show that they do, apart from those on the roadside stopping places for a short period of time. Legal action for non-payment of council tax is taken irrespective of ethnicity.

All Gypsies and Travellers are criminals

The amount of recorded crime and the relationship with the police varies considerably from site to site. This is the same for all communities, there is good and bad in all walks of life. Some housing estates have a poor record for anti-social behaviour; others are welcoming and neighbourly

If they are Travellers they should travel

Most Gypsies and Travellers are more settled to access education, healthcare and participate in wider society and the economy. In this technological age being illiterate or having very little education is a real barrier and parents want their children to have better opportunities than they did. For some it is a pause in travelling and for others they are seeking a permanent base from which to travel from in the summer or for work. There are a whole myriad of reasons why people want a permanent site. The lack of authorised permanent and available sites is a real barrier as there are not the sites available to travel to. The lack of available authorised sites also is a contributing factor in the occurrence of unauthorised developments, where sites are occupied before planning permission is sought.

The planning system

The planning system has always addressed the needs of Gypsies and Travellers for caravan sites separately to people in need of a house. Treating needs differently does not necessarily mean preferentially. Planning statistics show that around 80% of planning applications received are approved yet only 10% of Gypsy and Traveller applications are approved. A disproportionate number of Gypsy and Traveller applications are reported to Planning Committee due to the amount of public opposition to this type of application.

It is well documented that both sides of the fence claim the other is treated preferentially by the planning system.

Experience in Swale, due to its rural nature, the main issue appears to be that Gypsy caravans can be granted planning permission in the countryside where an application for a single house would be refused. Historically (since 1948) the planning system has always permitted Gypsy sites in the rural areas as that is where they worked. Whilst it is recognised that these traditional working patterns have changed national planning policy still allows provision in rural locations.

The new national planning policy the National Planning Policy Framework and the Planning Policy for Traveller Sites (March 2012) states that sites in remote locations should be avoided but still allows Gypsy sites within the rural area where the Council would normally not permit a new dwelling.

Exceptions to this for the settled community could be a replacement dwelling or agricultural workers. It is worth noting that Gypsies and Travellers perceive agricultural workers caravans as having an easier process through the planning system than applications for a Gypsy and Traveller site.

In terms of enforcement – the powers are exactly the same for all members of the community and are used on everyone who contravenes planning control regardless of ethnic background. In all cases the Council is required by law to consider the expediency of taking enforcement action. In some cases it is not prudent to serve planning enforcement notices if for example the landowner clearly is trying to remove the Gypsies and Travellers from their land it would not be in the public interest to proceed as any planning enforcement would be served on the landowner who is already doing their best to rectify the situation.

The Council is in the early stages of preparing a Gypsy and Traveller Site Allocations document which will include specific sites. Certainty over where sites will be should reduce the occurrence of unauthorised developments. The first stage will be an Issues and Options paper due for public consultation this month.