

Darren Johnson AM, Chairman of the Housing Committee

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Boris Johnson
Mayor of London
Greater London Authority
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15 January 2015

Dear Boris,

Gypsy and Traveller site provision in London

As you may be aware in February 2014, the Housing Committee agreed to investigate the provision of Gypsy and Traveller sites in London as part of its work programme for 2014/15. The Committee visited two Gypsy and Traveller sites on 9 September 2014: an authorised site in Southwark and an unauthorised site in Greenwich. A Committee meeting was also held which allowed the Committee to hear from a range of invited guests and to hear first-hand from Gypsies and Travellers about their experiences.

Our investigation has led the Committee to a range of conclusions on five areas which are noted below, along with recommendations for action by you. The five areas are:

- accurate London-wide data on the Gypsy and Traveller population;
- the shortfall in site provision;
- Traveller Pitch funding;
- good practice from elsewhere; and
- the Duty to Cooperate.

Some of the findings and recommendations in this letter are agreed by a majority of the Committee but not by the GLA Conservative members. This will be indicated where applicable.

GTANA update

Robust population figures for the Gypsy and Traveller community are scarce. Official data collection comprises the 2011 Census, a bi-annual caravan count and local Gypsy and Traveller Accommodation Assessments. The Traveller Movement reports that there are great disparities between these datasets so they do not necessarily provide an accurate population projection, making it difficult for boroughs to discern the true housing need of this community.¹ The Pan-London 2008 Gypsy and Traveller Accommodation Needs Assessment (GTANA) that the GLA

¹ [Gypsy and Traveller population in England and the 2011 Census](#), Irish Traveller Movement, August 2013

commissioned, identified a city-wide need for 538 pitches, to accommodate the London Gypsy and Traveller population.

The majority of the Committee is concerned that six years have passed and this need has still not been met nor is it likely to be. Despite the Examination in Public (EIP) panel recommendations, pitch targets were not included in your London Plan (2011).

We heard from boroughs and your officers that the 2008 assessment is regarded as out of date, particularly for planning purposes. Some of the boroughs that submitted written submissions to us have proposed an updated London wide GTANA, quoting the need for a clear steer by the Mayor to develop a fairer distribution particularly in respect of transient sites. The majority of the Committee believes that this is much needed in order to better inform planning decisions and to capture more current intelligence regarding the Gypsy and Traveller population in London. Our investigation also heard that local GTANAs vary in approach dependent on local authority resources. This disparity of practice undermines the accuracy and suitability of data from local need audits.

Actions:

- 1. A majority of the Committee believes the GLA should work with the boroughs to commission a London wide update of the GTANA. This would provide the strategic overview necessary to determine the number of new sites London really needs and could support their fairer distribution.**

Shortfall of sites in London

In the view of a majority of the Committee, the research and written evidence submitted to our investigation suggests that there is a clear shortfall in the provision of Gypsy and Traveller sites in London. Since the repeal of the statutory duty in 1994 that compelled boroughs to provide Gypsy and Traveller pitches, few new sites have been built and many have been closed, resulting in reduced site provision in London. Omission of pitch targets in your London Plan further exacerbated the decrease in site provision.

In January 2014, the London Development Database indicated that since 2009, only four new Gypsy and Traveller sites have been started and completed in London.² Evidence from the Traveller Movement reports that since the 2008 GTANA only nine additional pitches have been or are in the process of being built by boroughs.³ As a result, existing sites in London are under increased pressure, evidenced by the number of Gypsies and Travellers living, with reservation, in bricks and mortar and on unauthorised encampments. Moreover, Kent County Council have witnessed a growth in applications from London-based Gypsies and Travellers for pitches on their new sites as a direct result of there not being enough provision in London. This is also creating pressure more widely on sites in the Home Counties.⁴

² Mayor's Questions

³ Written evidence: Submission 007

⁴ Written evidence: Submission 017

Impact of site shortfall

The Committee understands that there are significant barriers to providing sites especially in London, for example the cost of land, pressure to build more housing and viability tests introduced by National Planning Policy Framework (NPPF) which make provision of low-density, family accommodation such as Gypsy and Traveller sites difficult. Some Gypsies and Travellers we consulted felt that local authorities are disinclined to create new sites due to fierce opposition from local residents. Locating and designating land, determining ownership rights and organising public consultations with the surrounding community can be arduous, time-consuming and costly. Finding and allocating appropriate land for Gypsy and Traveller sites is therefore challenging.

However, the majority of the Committee considers that a lack of suitable sites and stopping areas threatens the Gypsy and Traveller community's traditional way of life, forcing them to stop on unauthorised plots. Gypsies and Travellers who have been moved on from illegal encampments reported to our investigation poor living conditions, such as temporary hostels, which are unsuitable for large families and which are located away from their communities evoking feelings of isolation and anxiety.⁵ Moreover, the absence of a permanent address is said to perpetuate the overt discrimination and poor outcomes in health and education from which Gypsies and Travellers suffer.

Overcrowding on authorised sites as well as unauthorised encampments forming alongside them can result in confrontation with local communities as well as imposing potentially significant enforcement action and clean-up costs on the relevant local authority. A shortfall of sites also impacts wider public service provision. Evictions often require police assistance and basic access to services such as registering with a GP are affected through inability to provide proof of address. This in turn leads to an overuse of A&E services. Social housing is also affected. Gypsies and Travellers placed in social housing often fall out of the allocation procedure for pitches making it nearly impossible to secure a pitch at a later stage.

A majority of the Committee considers that the Government's recent proposals to redefine the designation "Gypsy and Traveller" to exclude those who no longer travel permanently⁶ would, if adopted, further obstruct those forced to reside in bricks and mortar whose preference would be to live on a site. In many cases, therefore, Gypsies and Travellers living in bricks and mortar are involuntarily occupying social housing that is already in short supply and could be freed up by appropriate provision of new sites.

We refer you to the Assembly motion of 10 December, which calls on you to write to the Secretary of State for Communities and Local Government urging him to drop the proposals regarding the relationship between occupancy and traveller status.

⁵ Written evidence: Submission 003

[6 Consultation Planning and Travellers](#), DCLG September 2014

Actions:

- 2. A majority of the Committee believes that there is a clear need for increased Gypsy and Traveller site provision in London. The GLA has significant land and other assets at its disposal.⁷ Other public bodies in London may also be sitting on surplus land over which the GLA is seeking strategic control.⁸ The GLA should consider releasing some of this land for the purpose of creating a pot of land that could be developed for additional Gypsy and Traveller sites and in particular to support the creation of a pilot toleration site (see below).**
- 3. In light of the apparent reluctance of the London boroughs to create additional sites, the majority of the Committee requests that the Mayor reconsider the value of reinstating pitch targets in the London Plan.**

Traveller Pitch Funding

In April 2012, you inherited the Traveller Pitch Fund in London from the Homes and Communities Agency. This is the main dedicated source of funding to support the development of new Gypsy and Traveller sites. Of the total budget of £1.55 million allocated up to March 2015, £523k remains unspent. Agreed funding for sites has been distributed to the London Boroughs of Barking and Dagenham, Hounslow and Lambeth. Funding was also allocated to Camden and Kensington and Chelsea but was later withdrawn as the boroughs found the projects were no longer deliverable.

Our investigation heard that some boroughs may not be aware of funding available. Those who are, report that application timescales are too tight: locating sites and determining ownership issues takes time. For example, Barking and Dagenham secured a potential site, having undertaken lengthy consultations and negotiations locally, only to be informed their allocated Traveller Pitch funding had been withdrawn.

Actions:

- 4. The GLA should better publicise the availability of Traveller pitch funding as well as providing practical engagement throughout the process, ensuring timeframes are specifically tailored to the longevity of local land searches.**
- 5. In the Committee meeting your officers informed us that a further portion of the Traveller Pitch Funding has been allocated for the creation of Gypsy and Traveller sites in London. Please publish details of this funding allocation, the criteria that will be used to allocate these funds and timelines.**

Toleration sites

In our October committee meeting we heard from Leeds City Council who have piloted a scheme which incorporates a temporary 'social contract' permitting Travellers to use a site for a certain defined period of time, after which they are obliged to move on. The initiative is more palatable to the local community than a permanent site, as residents local to the negotiated camp are not required to tolerate an ever-present, on-going succession of short-term

⁷ [GLA – Property Asset Strategy](#)

⁸ [Home for London: the draft London Housing Strategy](#), GLA, page 45.

neighbours. Since introducing toleration sites, Leeds has reported many financial benefits, including a two-thirds reduction in the number of unauthorised encampments, reduced repossession action and clean-up costs. While this scheme requires constant work and a great deal of political will from the council, Leeds has made a saving of up to £200,000 a year; a significant amount of money that could be reinvested elsewhere.⁹ Toleration agreements have been adhered to and engagement with local communities and businesses has been relatively straightforward. Crime figures in the area of the toleration site have also dropped reducing pressure on wider public services and offsetting the perception that a Gypsy and Traveller site will automatically induce crime and antisocial behaviour.¹⁰

Waiting lists

Waiting list procedures for Gypsy and Traveller sites across London are variable. Some require a renewal of interest on an annual basis which is not always made clear to those seeking a pitch. In fact, it is generally accepted among the community that waiting lists tend to be ignored; families already occupying the site will secure a plot for wider family members as soon as it is vacated. However, many consulted felt that they would like a more formal and transparent waiting list procedure particularly as some described remaining on a list for more than 12 years.

Kent County Council adapted their waiting list procedure to consider both need and the length of time spent on a pitch waiting list. The housing register for Gypsies and Travellers runs in parallel with the allocation scheme for council housing across the city. The system allows for individuals to state a reasonable preference that reflects their housing need when assuming a place on the list; awarding those Gypsies and Travellers based on unauthorised sites or living in bricks and mortar with a preferential opportunity to secure a pitch on a site. Nevertheless, Kent County Council is vigorous about who is offered new pitches and is resistant to people not adhering to the waiting list procedure finding their way on to sites to secure vacant pitches.¹¹

Consultation is conducted with resident Gypsies and Travellers regarding prospective residents but the idea that the site belongs to a few families is strongly refuted. Kent County Council encourage wider, sustainable communities. Feedback from the Kent Gypsy and Traveller community about the waiting list procedure has been extremely positive.

Communication

Face to face channels of communication are greatly valued by the Gypsy and Traveller community. During our site visit it became evident that Travellers based in boroughs which have a dedicated officer or group offering an easy point of contact, tend to feel they are supported by their council and can refer to them to solve issues locally. This tends to lack consistency across boroughs and is dependent on the approach and commitment of individual officers. Leeds, Kent and Bromley each offer a dedicated liaison team/unit that ensures frequent contact with the community as well as regular site visits. Allocating a frontline contact point should be encouraged in all London boroughs in order to facilitate dialogue and mitigate any conflicts between councils and their local Gypsy and Traveller community. Including Gypsy

⁹ Rob McCartney, Leeds City Council – Transcript

¹⁰ Ibid

¹¹ Bill Forrester, Kent County Council – Transcript

and Traveller community members on relevant decision boards could support active engagement.

Actions

- 6. In light of the success of Leeds Council's toleration sites, the GLA should work with the boroughs on a pilot scheme for London to make land available for short-term Gypsy and Traveller sites modelled on the toleration scheme in Leeds.**
- 7. The GLA should encourage the boroughs to adopt robust and fair waiting list procedures, taking into account Gypsies and Travellers involuntarily residing in social housing. These might be based on Kent County Council's approach.**
- 8. The GLA should ensure that Boroughs are equipped to regularly engage with their local Gypsy and Traveller communities, providing an accessible frontline point of contact in each borough. Consideration should be given to the possibility of using any underspends from the Traveller pitch fund to finance a support system on which the boroughs could draw.**

Duty to Cooperate

The Duty to Cooperate means that local authorities have to work together to maximise the effectiveness of their Local Plans. As such, councils are required to make efforts to secure necessary cooperation on strategic cross boundary matters.

The Committee heard that there is little evidence of London boroughs adhering to the Duty to Cooperate when planning for and delivering Gypsy and Traveller sites. Only two recent collaborations are reported: between Kensington and Chelsea and Hammersmith and Fulham, and Bromley have recently instigated Duty to Cooperate meetings with neighbouring boroughs.

Conversely, borough officers report that some neighbouring boroughs have stonewalled any attempt in joint searches for a sub-regional solution. Only when there was an external imperative, for example, of being ready for the Olympics was any concerted action taken to locate new sites.¹² The London Plan identifies provision as a strategic issue but leaves boroughs to come to a view 'in the light of local circumstances'. The majority of the Committee believes that this allows borough to steer away from the potentially controversial topic of providing sites for Gypsies and Travellers. In inner London where there is limited supply of suitable sites cross-boundary cooperation is key. But several boroughs have indicated that without strategic direction from the London Plan, the boroughs are unlikely to take firm action on the Duty to Cooperate.¹³

Actions:

- 9. The GLA together with London Councils should establish a mechanism to support and encourage sub-regional collaborative working in the context of provision of Gypsy and Traveller sites.**

¹² Written Evidence: Submission 13

¹³ Gill Slater, London borough of Bromley -Transcript

I would be grateful if you could respond to each of the above actions, by **Friday 13 March 2015**.

I would be grateful if you copy your response to Teja Zbikowska, 020 7983 4510, Teja.Zbikowska@london.gov.uk.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'DJ', followed by a long horizontal line extending to the right.

Darren Johnson AM
Chairman of the Housing Committee

Cc. John Lett, Strategic Planning Manager
Jamie Ratcliff, Assistant Director - Programme, Policy and Services