

Changes to planning for Gypsies and Travellers

In August 2015 the Government announced big changes to Gypsy and Traveller planning guidance, called Planning Policy for Traveller Sites (PPTS). This leaflet explains what the changes are, how it might affect people and what you can do about it.

Changing the definition of Gypsy or Traveller for Planning

The new definition is:

“ Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.. ”

When PPTS refers to 'persons of a nomadic habit of life' it means travelling for an economic purpose.

What's changed?

It used to say that a Gypsy or Traveller could stop travelling permanently due to ill-health or old age and still meet the planning definition.

The Government has now removed this part of the definition. This will affect people who can no longer travel, including people too sick or old to continue travelling. This will have the worst effect at a time of life when people most need a secure home or plot.

The definition for Travelling Showpeople is different but also excludes those people who have stopped travelling permanently.

Ethnic status

This change does not affect your ethnic status. So, as a Romany Gypsy or Irish Traveller you still have your ethnic identity and have the protection of the Equality Act (2010).

Green Belt and Countryside

The changes to planning policy also make it much harder for Gypsies and Travellers to get planning permission in the Green Belt or countryside.



Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. **Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances (para 16).**

The guidance also says that Traveller site development in the open countryside should be 'very' strictly limited. The Government says it is introducing these planning changes to make the system fairer for everyone but in reality it's always been hard for Gypsies and Travellers to get planning permission in Green Belt areas. Land in development zones is very expensive so adding these further restrictions will make it almost impossible for Gypsies and Travellers to get planning permission on their own land in these areas.

Questions and Answers?

Did we know these changes were going to happen?

Yes, there was a consultation in 2014 where many Gypsy and Traveller groups strongly opposed the proposed changes, but unfortunately the Government seemed to ignore the opposition.

What happens if I already have a planning application in? Is the council likely to ask for more evidence regarding my 'Traveller status'?

They may do. If you are in this position it's best to start thinking about how you meet the new definition in case you are asked. If you already have permanent planning permission you are less likely to be affected but you can check the wording on your decision letter regarding the conditions and anything relating to the definition.

I don't currently travel for work - my children are in school so I'm a bit more settled now, does that mean I no longer fit the definition?

If you've stopped travelling to put your children through school then this can be seen as a temporary stop (even though it might be for a number of years) so you could still meet the definition, but you may need to give information about what work you have previously done and intend to do in the future.

Who is this most likely to affect?

- Sick and elderly people and others wanting to apply for planning permission who don't fit the new planning definition
- People applying for planning permission (including renewing temporary planning permission), in the open countryside on Green Belt land or other protected land

Is the Government taking my identity away?

The definition change only relates to planning - as a Romany Gypsy or Irish Traveller you will have your ethnic definition. Even so, many community members are rightly disappointed and upset by this definition change.

I live on a council site and no longer travel for work - how will the change of definition affect me?

It's unlikely that a council will suddenly start asking residents to prove they meet the new planning definition. Site residents are still protected by the Mobile Homes Act (1983).

I own a private site - will this affect the Gypsies and Travellers that live on my site? Will the local planning authority put pressure on me to make sure the residents on my site fit the new definition?

Again, this is unlikely.

What can I do about it?

Gypsies and Travellers who will be affected by the changes need to put themselves forward to launch a legal challenge against these changes.

The changes could be challenged under UK equality law and Article 8 of the European Convention on Human Rights.

The First
Challenge
already
successful!

The Government had also scrapped the 2006 Guidance on Unauthorised Encampments, which was a useful guide for local authorities in terms of conducting welfare enquiries, suitable locations, periods of toleration etc. The scrapping of this guidance would have made it harder to challenge evictions.

BUT A Romani Gypsy woman asked Travellers Advice Team to challenge this. Even before it went to court, the Government gave in and put the guidance back in place.

Together we can beat this!

If you think you may be affected by these changes, or know someone who may be, please call

Travellers Advice Team 0121 6858677.

You can also go to your local MP's surgery and tell them about the changes and how seriously it affects your community.



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