

To ensure the Mayor's diversity and inclusion goals are met, Gypsy and Traveller sites should not be treated as a separate category or political priority in terms of meeting housing need, which reinforces their marginalisation. The Mayor should support the challenging of prejudice and stereotypes through positive messaging that explains how Gypsy and Traveller sites are part of London's diverse housing offer and part of London's inclusive neighbourhoods. We welcome the new Policy H16 Gypsy and Traveller Accommodation, in particular the more inclusive planning definition of Gypsies and Travellers, however we wish to highlight the unequal approach in terms of delivery in comparison with the other policies in Chapter 4. In the following comments we make a number of proposed changes to policies in the Draft New London Plan which aim to redress this concern and improve Policy H16.

Policy H16 Gypsy and Traveller accommodation

In the following section we propose suggested changes (**in bold**), with a justification and further evidence presented below each point.

Introduce a new table

Table x.x. Cumulative need for residential pitches from London Boroughs' Gypsy and Traveller Accommodation Needs Assessment March 2008, with midpoint need figure 2007-2017. (From the GLA 2017 Gypsy and Traveller Accommodation Topic Paper)

- A. Table x.x sets the baseline figure of need at the start of this plan period. Boroughs must include these as targets for net completions in their Development Plan documents. Targets should be frontloaded for the first 5 year period and reviewed in light of the updated GTANA to set targets for the next 10 years.**

The strategic approach of setting targets for each Borough for new housing completions has been relatively successful over successive iterations of the London Plan. This approach has enabled Boroughs to plan accordingly and prioritise the allocation of land for residential uses, as well as allowing public monitoring and scrutiny of overall delivery. The first iteration of the Draft Replacement London Plan 2009 had taken a similar approach to setting targets for Gypsy and Traveller site provision, based on the evidence study 2008 London Gypsy and Traveller Accommodation Needs Assessment commissioned by the GLA. At that time the policy was welcomed by the community and voluntary sector as a fair and equitable approach that would ensure delivery. Unfortunately over the following rounds of alterations these targets were removed and the London Plan reverted to a discriminatory approach of delegating target allocations to Local Plans in line with the national guidance Planning Policy for Traveller Sites.

Our research monitoring the implementation of the PPTS demonstrates that this approach has been highly ineffective and has contributed to the further exclusion of Gypsy and Traveller needs from plan making process across a large number of London Boroughs. We therefore argue for the introduction of minimum targets based on the 2008 London GTANA mid-point figure. While this is actually backlog need, as it should have been met between 2007-2017, for the purpose of speedy delivery, we support this as a baseline target for the next 5 years.

B. The Mayor will work with Boroughs and GT communities to undertake a London wide GTANA within the first 5 years of this plan, to form the basis of targets for years 6-15. This will be based on the definition below in Point E.

The 2008 London GTANA was the first and only GLA commissioned study on the needs of Gypsy and Traveller communities, and despite some of its shortcomings, it is still to date the most comprehensive source of evidence. Since the adoption of the PPTS only a third of Boroughs have commissioned their own GTANA. We do not consider the approach suggested currently in the Draft London Plan to be sufficient to ensure the full assessment of the accommodation needs of the community. While there is a London wide housing needs assessment which includes elements of specialist housing need (the Strategic Housing Market Assessment commissioned by the GLA), there is no similar study for Gypsies and Travellers. This differential treatment is not sustainable over the longer term as it will reinforce the exclusion and delays of assessing accommodation needs for Gypsies and Travellers in local plan-making. A London wide GTANA commissioned by the GLA but conducted in close collaboration with local authorities and Gypsy and Traveller communities and support organisations would ensure a consistent and fair approach, benefitting more equitably Gypsies and Travellers across the whole city.

C. To ensure the first 5 year targets are met Boroughs must prepare delivery focused DPDs which

- a) allocate a sufficient range and number of sites**
- b) encourage development on other appropriate windfall sites not identified in Development Plans through the Plan period**
- c) enable the delivery of new pitches in Opportunity Areas and Housing Zones, working closely with the GLA.**
- d) enable the inclusion of pitches as part of larger residential/mixed use development schemes**

D. To ensure targets for years 6-15 are met Boroughs must publish and annually update a 5-year supply of land which identifies the sources of site capacity (including windfall) expected to contribute towards achieving pitch targets and should work with the Mayor to resolve any anticipated shortfalls.

Identifying land for Traveller sites is one of the biggest barriers to delivery¹. The requirements in Policy H1 Increasing housing supply need to apply to Gypsy and Traveller site accommodation as well.

Gypsy and Traveller community members have extensive knowledge of available local land that would be suitable for caravan sites, though they don't always have access to other information

¹ London Gypsy and Traveller Unit, 2016, Planning for the accommodation needs of Gypsies and Travellers in London, <http://www.londongypsiesandtravellers.org.uk/wp-content/uploads/2017/03/20160630-Planning-for-the->

such as land ownership, technical specifications etc. Many of the local authority Traveller sites that we have in London today, for example in Southwark, Hackney, Tower Hamlets, Camden, have started off as unofficial camps and became recognised and developed through the campaigning efforts of Gypsies and Travellers and support organisations. Other more recent examples include the Crossrail relocation of the Eleanor Street Travellers' site in Tower Hamlets, voluntary work undertaken by a local Traveller activist in Camden to identify land for a new site and the Bartrip Street site allocated in the LLDC Local Plan as a result of Traveller community submissions to the Hackney Site Allocations Local Plan.

In implementing this policy the GLA could support by:

- resourcing site searches by local Gypsies and Travellers;
- creating an accessible register of land identified by community members and supporting technical appraisal and constraint mitigation processes that are participatory and transparent;
- facilitating relationships between local Gypsy and Traveller communities, support organisations, local authorities, delivery partners and other agencies to make tangible progress on the delivery of new sites.

E. We support the new planning definition of Gypsies and Travellers introduced in the Draft London Plan.

We welcome the definition which includes all Gypsies and Travellers living and working in London, which reflects on of the strongest demands in the London Gypsy and Traveller Forum 2016 Manifesto. This broader definition is entirely appropriate in response to the evidence presented in the GLA 2017 Gypsy and Traveller Accommodation Topic Paper. Since 2014 we have campaigned alongside members of the Gypsy and Traveller community firstly to oppose the change to definition introduced by national government, and subsequently to monitor the impacts of this change on the community. The definition of Gypsies and Travellers introduced in the Draft Local Plan is lawful because

- a. Romani Gypsies and Irish Travellers are protected as separate ethnic minorities by the Equality Act 2010.
- b. Gypsies and Travellers are among the most disadvantaged ethnic minorities in England and Wales.
- c. Central to their culture and ethnicity is living in caravans and mobile homes, on settled sites as well pursuant to a nomadic way of life.
- d. Gypsies and Travellers who do follow a nomadic way of life experience racism and discrimination, a lack of safe places to stop, and difficulties accessing services such as education and healthcare. The pursuit of a nomadic way of life is difficult even for young and able-bodied Gypsies and Travellers but it is particularly challenging for Gypsy and Traveller families with children or elderly, infirm, or disabled members.
- e. PPTS as issued in August 2015 removed the words "*or permanently*" from this definition [158]. As a result, Gypsies and Travellers who have become too old or too ill to travel, or who have stopped travelling to help their children get an education, have been stripped of their ethnicity for planning purposes.
- f. This is unjustified and unlawful indirect discrimination on grounds of age and disability and a breach of Article 8 and Article 14 of the European Convention on Human Rights (ECHR). In addition, the new planning definition used by H16 is consistent with taking steps to advance equality of opportunity required pursuant to the public sector equality duty.

Some of the expected impacts include: increase in unauthorised encampments with repercussions for families and children; increasing lack of maintenance and management of council sites and increasing threats from regeneration projects; insecurity for Gypsies and Travellers living on their own private sites as more difficult to get planning permission. In London, the introduction of the government's definition has resulted in many GTANAs identifying zero need for the next 15 years, which is inadequate in light of historic under-provision, current levels of overcrowding and future family formation.

We believe the London Plan definition is justified.

F. Boroughs should undertake an audit of existing pitches and sites, identifying:

- 1) areas of overcrowding
- 2) areas of potential extra capacity within existing sites
- 3) pitches in need of refurbishment.

Boroughs should plan to address issues identified in the audits.

Introduce new requirements:

Audits must be undertaken in close collaboration with site residents.

The Mayor should produce guidance for undertaking audits in close collaboration with GT communities and support organisations.

The Mayor should also produce new site design guidance, building on the 2007 DCLG Site Design guidance, best practices from London and other UK regions, in close collaboration with GT communities and support organisations to develop innovative and high quality solutions.

From our experience working with Gypsy and Traveller site residents groups and supporting them in liaising with their councils on issues related to repairs and maintenance, we recommend that audits should be commissioned and conducted in close collaboration with community members. This would ensure that all the relevant issues are included, that the study is done in an open and transparent way and that funds are saved by tapping into the knowledge and expertise of the residents. We are keen to work with the GLA over the coming months to facilitate a collaborative process for developing guidance for local authorities. We believe this is also a key opportunity to build on the specialist knowledge of community members, support organisations, academics and other interested stakeholders in revising design guidelines for Gypsy and Traveller sites. These should reflect the high standards that are proposed throughout the London Plan particularly in the Design chapter.

G Boroughs should actively plan to protect existing Gypsy and Traveller accommodation capacity, and this should be taken into account when considering new residential developments to ensure inclusive, balanced and cohesive communities are created. **The GLA and boroughs must prioritise the safeguarding of existing sites. No replacement should be allowed without securing like for like accommodation in the same neighbourhood.**

From our experience monitoring the loss of council sites across London, but also supporting residents groups through the Olympic and Crossrail relocation processes, there are very high risks of losing existing provision without the very close involvement of site residents and support organisations. The identification and delivery of a replacement site prior to redevelopment is essential to ensure no net loss of existing stock, as highlighted in the case of Lewisham, where over 8 years have passed since the council site was closed and no replacement has been secured yet.

H. The Mayor will work with Boroughs, Gypsy and Traveller communities, support organisations and other stakeholders to develop a negotiated stopping model at local and sub-regional level in response to unauthorised encampments and to facilitate a nomadic way of life. This will involve where necessary the identification of suitable land for temporary stopping places and the facilitation of cross-borough and cross-agency work.

In developing approaches to addressing unauthorised encampments that seek to reduce the negative social impacts on Gypsy and Traveller communities, community tension, and costs to local authorities and the police, we recommend the implementation of the negotiated stopping model², which requires London wide coordination and close working with Boroughs, Gypsy and Traveller communities and other stakeholders. This has been previously put forward to the Mayor as a recommendation from the London Assembly Housing Committee in 2015³. While this entails many elements that are beyond the scope of the London Plan, it is essential for the policy to include mentions of temporary accommodation which is culturally suitable for Gypsies and Travellers in order to facilitate their nomadic way of life.

Other general points:

The differential approach between the general housing policies and H16 is discriminatory and will continue to reinforce the inequalities facing Gypsies and Travellers in terms of accessing culturally suitable accommodation that meets their needs. This is closely linked to negative impacts in terms of access to education, health and other facilities, family life, cultural identity and heritage. The suggested changes seek to address this deficiency and ensure a fair and similar treatment to ensure delivery.

The KPIs and Annual Monitoring Report should monitor the net delivery of new pitches against set targets.

The SHLAA is deficient as it does not identify capacity for Gypsy and Traveller accommodation. If this is essential for housing delivery, the same treatment should apply to Gypsy and Traveller accommodation.

The IIA is deficient as it does not assess the risks and adverse impacts of continuing to delegate delivery to local authorities, and not having a consistent approach with housing evidence and policy approach (e.g. SHMA and SHLAA etc)

The Plan is deficient as it does not cover the accommodation needs of Travelling Showpeople and Bargee Travellers (Boat dwellers) – this should be rectified through the introduction of new policies in close collaboration with representatives from these communities.

Policy H1 Increasing housing supply

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http://leedsgate.co.uk/sites/default/files/media/document_uploads/Negotiated%20Stopping%20report%20final_Jan_16.pdf

³ <http://www.londongypsiesandtravellers.org.uk/wp-content/uploads/2017/06/January-2015-London-Assembly-Housing-Committee-Gypsy-and-Traveller-site-provision-Letter-to-Mayor.pdf>

We are concerned about the approach taken in this policy to maximise the supply of housing units without consideration to the evidence of need, especially backlog need for social rented housing and specialist accommodation. The policy should explicitly state that the delivery of these types of tenure and accommodation will be prioritised. There is also a need to explicitly say that Gypsy and Traveller sites are not an inefficient use of land and ensure they will be protected from displacement in attempts to intensify/densify development. A more sophisticated assessment tool needs to be developed by the GLA that takes into consideration the social impacts and value of this particular land use, not just viability and density issues.

We note the following differences between general housing and Gypsy and Traveller accommodation (and other types of specialist accommodation), which need to be redressed.

Para 4.1.2 considers London as a single housing market area but Gypsy and Travellers matters are relegated down to Borough level – Boroughs are not required to carry out their own housing needs assessment but Boroughs **are** required to carry out a GTAA. This is particularly relevant as the majority of Gypsies and Travellers are forced into general housing because of the historic underprovision of culturally suitable accommodation. This means they are facing similar pressures to many other low income households – unavailability of social rented homes, discrimination and high costs in the private rented sector, being pushed into temporary and emergency accommodation outside their Borough or outside London. Accommodation needs are thus not confined to Borough boundaries and there are many cases in which local GTANAs fail to capture the full extent of local need because at the timing of field work households have already been displaced and there is no guarantee they will be interviewed in the Borough where they are relocated.

Para 4.1.3 refers to the necessity to approximately double the house completion rates so that targets can be met. There is no such commitment to the requirement for urgent action to address the need for Gypsy and Traveller pitches.

Paras 4.1.4, 4.1.5, 4.1.6, 4.1.7 & 4.1.8 all contain information pertinent to the 'housing' market but there are no equivalent paragraphs for Gypsy and Traveller accommodation.

Policy 2 Small sites

The policy should explicitly state that all types of accommodation, including social rented homes, especially family sized, Gypsy and Traveller sites and other types of specialist accommodation.

Policy H3 Monitoring housing targets

This should explicitly include delivery of housing units by tenure. Gypsy and Traveller pitch targets in line with the Table suggested above in comments to H16, should be included and monitored through a separate KPI.

Policy H4 Meanwhile use

This should include temporary stopping places for Gypsy and Traveller households who are on unauthorised encampments and have a housing need, to facilitate the negotiated stopping model described in previous comments under H16.

We would like to attend the Examination in Public of the London Plan to discuss these proposed changes.