

To use or not to use enough water in Travellers' sites? What does the new planning framework do about water uses and misconceptions?

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ABSTRACT

During the last few years the author had the opportunity to work in partnership with international researchers in order to investigate on case law issues often affecting negatively the outcome of planning applications for Gypsy and Traveller sites in the UK and other European countries. These research activities took place during a two-year European funded project with the title *Wor(l)ds which Exclude (WE)*. The author and her team in the UK had carried out visits to various sites; reports and recommendations have been written in relation to the latest developments in the planning framework which also regulates the construction of pitches for Gypsy and Traveller users in its special supplement. Some changes emerged after Law Court hearings and relevant decisions referring to accommodation arrangements for Gypsy and Traveller Communities. Although these arrangements were often established after consultation between local authorities and communities involved, rejections of planning applications were often based upon strong disagreements amongst members of local communities and neighborhoods in proximity of proposed new pitches. According to Gypsy and Traveller culture toilets, showers and kitchens should not be integral parts of their mobile homes and caravans; all these facilities should be grouped mainly in blocks of facilities (or blocks of facility rooms) according to the size of the site. Because of certain local petitions though opposing the size and view of caravans and facilities inside the pitches, the facilities' blocks do not provide enough space and equipment for water uses and drainage. The researchers had the opportunity to visit some sites providing facilities and accommodation and interviewed the inhabitants of the sites. It was also found that often rejections of extensions to planning applications of previously approved temporary sites for Gypsy and Traveller people, when challenged to the law courts, were hardly successful mainly because of planning inspectors and local residents' preconceptions on these groups' unsanitariness (not enough use of water) or, strange enough, because of overflows and waste of water during so-called extremely dirty works, such as recycling processes in pitches. In reality, the European Law Courts often found that rejections occurred because of local communities' misconception on water uses in services attached to the accommodation pitches. The main question should be what the title of this paper is asking, so that the groups interested could get swift and competent answers. The research findings in the UK were compared with solutions and findings in other partner European countries participating in the WE project and an interactive website was created for ongoing discussions and dissemination of best practice activities and projects.

Keywords: Gypsy and Traveller sites; water and drainage facilities; temporary planning applications; misconceptions on health hazards.

1. INTRODUCTION AND BACKGROUND

From January 2013 to December 2014, as a principal researcher, the author worked and investigated for a European Grundtvig Justice 12 funded programme with the title 'Wor(l)ds which Exclude'; this research project brought together experts and researchers from eight European countries working on frameworks related to housing and planning applications by Gypsy and Traveller Communities. The entire programme of this project's activities and dissemination incorporated international mobility meetings, writing up of national reports [1], chapters for books [2], an ethnographic documentary film per participant country [3] and one book containing recommendations on planning law changes to state central governments in all participant countries, including the UK [4]. The author collaborated and was supported by the International Centre of Guidance Studies (iCeGS) at the University of Derby. The dissemination of materials produced by the author and her colleagues during this project is still taking place in the UK and abroad; presentations in conferences and symposia as well as lobbying of politicians in key policy making roles are enduring in the researchers' agenda. Since 2015, the author has been invited twice by Prof. Katalin Forray, Institute of Romology, University of Pécs, Hungary, to give papers at symposia related to Gypsy, Roma and Traveller youth issues and again policies and frameworks have been scrutinised further and discussed. During the 'Wor(l)ds which Exclude' project, linguistics and meanings in official documents or informal public discussions were identified and further debates began. Infamous words, such as "sedentary", "dirty scroungers", "menace" or "filthy parasites" denote the trends of misconception in today's society on health and squalor conditions in Gypsy and Traveller sites, which are still considered a public hazard, whenever these could be found in proximity either to urban areas or in the Green Belt [5].

Most misapprehensions about Gypsy and Traveller communities' attitudes, culture and lifestyle began when legislation and planning frameworks dictated what Gypsy and Traveller people lifestyle should be according to the policy makers who obviously did not have the background of a Gypsy or a Traveller person. There has been a lot of pressure from Gypsy Liaison Groups in all regions in the UK and Travellers' movements and associations to promote changes to the definition of being a Gypsy and a Traveller as ethnic groups, not just a 'gypsy' or a 'traveller' as terms which declare only an individual's status. All planning applications for sites containing pitches and appropriate facilities are mainly rejected on the basis that people are classified as non Gypsy or Traveller by planning laws, thus, not allowed to have their home according to their own culture. Rejections of planning applications and extensions of previously approved ones do not only have a negative impact to Gypsy and Traveller reputation, but also they can get their health and well-being at high risk. Pretty often awkward reports from some local authorities declare that expansion of pitches could eventually create over abstraction to water resources in some areas. Therefore they are unfavourable to new applications:

According to the Catchment Abstraction Management Strategies for these four river catchments existing water resource availability in the District is either over abstracted which means abstraction is causing unacceptable damage to the environment at low flows, over licensed which means current actual abstraction is such that no water is available at low flows, or has 'no water available' which means that no water is available for further licensing at low flows. [6]

If Gypsy and Travellers are refused to get a proper home and facilities in a site, they are inclined to live in illegal encampments which are often close to hazards, such as along the side of high traffic road, in flooded grasslands and remote areas far away from vital electricity, gas and water supplies. Often the conditions are such that soiled water runs on the surface of the sites and no sewers for drainage are available at a close distance at all; that means other local residents nearby could easily talk very negatively about what appears to them to be a norm for Gypsy and Traveller everyday life: to be 'filthy' and 'dirty'. These data were often found and described in case law reviews and discussed against rejections. One researcher in the UK team was often tasked by Derbyshire Gypsy Liaison Group (DGLG) to study and

analyse specific cases talking about hazards from lack of drains and insufficient water supplies. All these elements were discussed against criteria and planning frameworks' regulations during moderation and court hearings; reviews of rejections were defended by barristers and planning consultants in DGLG. The UK team had chosen a lengthy and at the end successful review and outcome case study for their documentary inserted in the WE website, which mainly dealt with the construction and size of their facilities block. However in August 2014 (when the filming took place) and during the researchers' visits in some Gypsy and Travellers fairs in Staffordshire the lack of drainage and/or water supply was very evident.

A year later, in August 2015, the government announced big changes to Gypsy and Traveller planning guidance, called Planning Policy for Traveller Sites (PPTS). The definition of Gypsy or Traveller for Planning is now:

1. For the purposes of this planning policy "gypsies and travellers" means:
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.
2. In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:
 - a) whether they previously led a nomadic habit of life
 - b) the reasons for ceasing their nomadic habit of life
 - c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances. [7]

When PPTS refers to 'persons of a nomadic habit of life' it means travelling for an economic purpose. All Gypsy and Traveller groups had already opposed these changes in 2014, but the government did not listen. So, discrimination and prejudices about some people's status are still ongoing and, on the top of this, no real regulations can establish the real rights of these ethnic groups on public utility supplies, because of their 'temporary' residency in several places during the year.

2. METHODOLOGY AND DISCUSSION

Whether regions and city councils should be able and willing to provide suitable sites for pitches and facilities is still unclear, although the legislation affirms that councils should do their best to have provision of adequate sites. However Planning Policy for Traveller Sites (PPTS) remains a separate document, but still related to the National Planning Policy Framework.

In Policy H: Determining planning applications for traveller sites in *Planning policy for traveller sites*, we find:

- When considering applications, local planning authorities should attach weight to the following matters:
- a) effective use of previously developed (brownfield), untidy or derelict land
 - b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
 - c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
 - d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community. [8]

The terms and language used in this document show clearly the existence of fixed ideas in policy making, such as, for example, Gypsy and Traveller people should be brought back to 'order' by transforming untidy and derelict land into children' playground green sanctuaries, by 'promoting healthy lifestyles' via 'landscaping' and by avoiding high walls to show intentions of being sociable. During our investigation we found out though that, local residents and

neighbors wanted high fences to hide Gypsy and Traveller sites; they said that these high walls should hide filthy yards, pipes and open drains. During our visits with Silvia Paggi, French film producer, to Gypsy sites and pitches in Derbyshire and Staffordshire, we discovered right the opposite as you can see in Fig. 1 below. The Gypsy Romani residents of that site had self-built a facility block required for three residing families providing kitchen and dining space, plus two toilets (one internal and one external) and two shower rooms. They had installed a boiler for heating and washing and they had separated grey water which was used for the plants in their garden. No signs of ugly views, and therefore, no need to hide anything. But, their neighbours had insisted for a high wall to be constructed around the site, otherwise, they were threatening to do a petition against them in order to be evicted. The residents inside the site were not happy at all and they are still confined in their site. They had mentioned that, by harvesting rainwater they should be able to cultivate vegetables and have fresh food. But, their neighbors were against this and also against a small playground for the children inside the courtyard.



Fig. 1. The facilities building in Johanna's house – Photo credits ©: Silvia Paggi. Available: <http://weproject.unice.fr/photo-gallery/johannas-house>

In the last few years, several councils in the UK started carrying out specific Sustainability Appraisal and Strategic Environmental Assessment Scoping Reports before deciding on Gypsy and Traveller site allocations, which were often contested from other local residents. The appeals won by Gypsy and Traveller communities against planning application rejections have been always fiercely challenged by local campaigners, usually flagging up problems with facilities which include kitchens, toilets, showers and drainage efficiency.

The analysis and evaluation of materials and case studies during the international European project Wor(l)ds which Exclude had some impact to changes to planning laws; the project endorsed equal opportunities for accommodation and/or social housing for Gypsy and Travellers in Europe. Before these changes, prejudices about the uses of water were common in all countries and in some extreme cases, local authorities could dictate how much water should be used not only in accommodation pitches, but also at the nearest schools in which Gypsy and local community children attend classes. Children coming from Gypsy and Traveller sites were obliged to have one more shower at school before going to class. Water metering was checking regularly how much water was used by considering that, indication of low use was to be an indication of dirtiness and perhaps of a high risk of spreading diseases in schools and pitches. On the other hand, water meters in pitches did not allow high uses of water in order to avoid having Gypsy people using their pitches for jobs, such as recycling. There was no will to improve drainage and no will to move pitches outside flooded areas.

3. CONCLUSION

Now the definition of Gypsy and Traveller changed slightly, but the misconceptions of the people are still the same. At the same time there is still a lot to be done about water uses and

water management; there should be no temporary sites solution. Permanent accommodation arrangements with a view towards increases of population inside and outside pitches should be considered and also detailed grids of utility supplies and services should be on place to enable each local authority to respond promptly to future expansions' stresses by adopting real sustainable solutions. 'To use or not to use enough water in Travellers' sites' should not be the case; awareness on uses and waste of water is evident in these ethnic groups' attitudes. Laws and planning frameworks should make this clear inside their text; regulations should provide the same guidance for all members of the local communities at all times.

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