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Land-use Planning and Traveller-Gypsies: Towards Non-prejudicial Practice

GERAINT ELLIS & CATHARINE McWHIRTER

Introduction
Respect for equality and racial diversity are accepted as key tenets to sound contemporary planning practice (for example, Office of the Deputy Prime Minister [ODPM], 2005a; Royal Town Planning Institute [RTPI], 2007b). This is supported by a body of normative work extolling the virtues of a pluralist approach to planning the built environment (for example, Young, 1990; Sandercock, 1998; Thomas, 2000). However, this aspiration is undermined by those who point out the potential of the planning system to serve as a mechanism for exclusion and social control (for example, Yiftachel, 1995; Thomas & Krishnarayan, 1994), with such insights having some grounding in surveys of planning practice in a variety of contexts (for example, Quadeer, 1997; Loftman & Beazley, 1998; Ellis, 2001; Thompson, 2003; Harwood, 2005). Thus, despite a general policy commitment to accommodating difference, examples of general exclusion and specific discrimination appear to be common. This paper explores how Traveller-Gypsies, amongst the most marginalized and deprived sections of society in Britain and Ireland (Kenrick & Bakewell, 1995; Hawes & Perez, 1996; Donahue et al., 2003; Cemlyn & Clark, 2005), are accommodated within the UK planning system. The socio-economic position and standard of living of Traveller-Gypsies is heavily influenced by their ability to secure good quality sites for their specific accommodation needs, predominantly in caravans. This means that, like a number of other groups (for example, Lane, 2006), the planning system is one of the most important factors that determine Traveller-Gypsies’ socio-economic standing and exclusionary status.

This paper will review the marginalization of Traveller-Gypsies and highlight how some of the assumptions made in current planning practice may be interpreted as being discriminatory against their cultural identity. It is argued that by framing this issue in terms of both racism and anti-nomadism, it is possible to outline a
number of normative principles that can inform a policy framework that better accommodates Traveller-Gypsies. The paper draws on the authors’ experience in compiling good practice guidance issued by the Northern Ireland Equality Commission (Ellis & McWhirter, 2004), which has subsequently been further developed through policy and professional advice issued on a wider UK basis. The ideas in the paper have therefore benefited from engagement with a working group convened by the Traveller Movement (NI), focus groups with Travellers in Belfast, and interviews and discussions with a large number of community workers, support groups and others working with Traveller-Gypsies across Britain and Ireland.

The Exclusion of Traveller-Gypsies

While no comprehensive, accurate data exist on how many Traveller-Gypsies there are in the United Kingdom, it has been estimated that in England there are between 100,000 and 250,000 (0.2–0.5% of the total population) (Niner, 2004), 2,000 in Wales (0.06%) (Niner, 2006) and 2,400 (0.4%) in Scotland (Scottish Executive, 2007). The census of Northern Ireland (and for that matter, the Republic of Ireland) specifically records the numbers of the population self-ascribing to this group, which was 1,700 (0.1%) in the 2001 census. Traditionally there have been significant difficulties in measuring the actual number of people belonging to this ethnic group, which unlike some other minorities are often invisible in terms of policy provision and mainstream data collection, further illustrating and reproducing Traveller-Gypsy exclusion (Morris, 1999; Cemlyn & Clark, 2005). Indeed, Traveller-Gypsies represent some of the most deprived and arguably the most socially excluded groups in the United Kingdom. This is reflected in almost every aspect of their lives—they have poorer health than even the lowest socio-economic groups in the United Kingdom (Anderson, 1997; Van Cleemput & Parry, 2001) and have life expectancy 10 years less than the national average (Commission for Racial Equality [CRE], 2006). In terms of education they suffer striking levels of under-achievement (Bhopal, 2004), being the lowest achievers of all ethnic groups at Key Stages 1, 2, 3 and 4 (Department for Education and Skills, 2005). Traveller-Gypsies suffer high levels of multi-dimensional poverty (Cemlyn & Clark, 2005), with poor access to basic amenities (piped water, toilet facilities, electricity, etc.) and problems in accessing health and education services (Feder, 1989; Morris & Clement, 1999; Niner, 2002). The accommodation status of many Traveller-Gypsy families determines many of these factors, and the most recent figures for England suggest 22% of caravans are on unauthorized sites, most of which are ‘not tolerated’ (Department for Communities and Local Government [DCLG], 2007a), with a substantial shortfall of sites. There is a varied picture across Britain and Ireland, with 17% of caravans in Scotland being on unauthorized sites (Scottish Executive, 2007), 23% in Northern Ireland (Northern Ireland Housing Executive, 2003) and 16% in Wales (National Assembly for Wales, 2007). Those Traveller-Gypsies that have to live on unauthorized sites suffer greater levels of stress, mental illness and have poorer access to services (Cemlyn & Clarke, 2005), compounding the levels of experienced deprivation. Furthermore, it has been estimated that even where authorized sites are provided, about one-half are in areas that would not usually be
regarded as being suitable for (settled) residential use because of their proximity to major infrastructure such as motorways or railways and land uses such as sewerage works and industrial activity (Niner, 2002).

This clearly amounts to a very tangible portrait of absolute and relative deprivation, a fact that is further entrenched when one considers the deep level of prejudice and animosity experienced by Traveller-Gypsies. There is significant evidence of the widespread nature of discrimination towards this group across Ireland and Britain (Fanning, 2002; CRE, 2006), often being far more entrenched than the prejudice against other ethnic groups (Connolly & Keenan, 2000). Such tensions are a constant, multi-dimensional, feature of Traveller-Gypsy life and are experienced through the indifference of public officials (Ellis, 2001), continually reproduced in the media (Morris, 2000; Turner, 2000; Richardson, 2006) and through direct hostility and even violence.6 The most acute tension between the travelling and settled communities arises over unauthorized sites and the shortage of adequate accommodation (CRE, 2006), which are clearly issues mediated by the planning system. Indeed, the level of animosity around this issue, suggests that:

No other topic creates such ‘Nazi’ hysteria as this one does. The British middle classes rise as one to deal with it—regardless of party. Even the most reasonable and community-minded people see Gypsies as an enormous threat. (Hawes & Perez, 1996, p. 14)

Furthermore, Cemlyn and Clark (2005) note that, despite having legal standing as a recognized ethnic group, Traveller-Gypsies appear to suffer substantive denial of ethnic minority status and corresponding rights. This is also been highlighted by the CRE (2006), which suggests that most public bodies do not fully understand the needs of this ethnic group and, as a result, fail to fully uphold their legal duties to promote racial equality and good race relations. The lack of widespread opposition to the way in which Traveller-Gypsies have been treated further underlines the fundamental nature of the conflict between them and the settled community (Sibley, 1987).

The hostility towards Traveller-Gypsies has deep historic roots, having been victimized and even outlawed across Europe over several centuries (Behlmer, 1985; Liegeois, 1987; Cottaar et al., 1992; Helleiner, 1995; McLaughlin, 1998). There has been much speculation on why this group should be so demonized, with a tendency to focus on the pathologization and stereotyping of the forms of socio-economic organization and belief systems that set them apart from the rest of society (Sibley, 1981; Noonan, 1998). Although different aspects of their outsider status seem to have influenced the antagonism from mainstream society, it appears to be their commitment to nomadism that, above all, accentuates specific and locally acute instances of conflict with settled communities. This should therefore be understood as an issue of both race relations and of a clash of sedentary and nomadic lifestyles, with the latter challenging many of the underlying principles of modern industrialized societies, particularly the formative beliefs related to property relations, economic development and social formation.

This conflict is accentuated in land-use planning, which has evolved within a legal framework dominated by the ideology of private, individualized property
rights (McAuslan, 1980) and perceived by some as offering a supportive role in the maintenance of current property relations (Harvey, 1985). Applying such an analysis, it is possible to begin to understand how the lifestyle of Traveller-Gypsies may be regarded as being ‘deviant’ in terms of the dominant principles of land-use regulation in the United Kingdom and beyond. If this perspective is accepted, it is then possible to demonstrate a causal link between discourses of mainstream planning and the creation and reinforcing of the social relations of power that contribute to the marginal status of Traveller-Gypsies (Thomas, 2000). This raises fundamental ethical questions concerning the instrumentality and outcomes of the planning system and, while there continues to be pleas for planning to accommodate diversity and difference (OPDM, 2005b; CRE, 2006), the fate of Traveller-Gypsies stands as an explicit reminder of how the system of land-use regulation can act as a coercive and repressive instrument.

Theorizing Traveller–Settled Community Relations

Although there is now a rich seam of academic discourse on Traveller-Gypsy identity and the nature of traveller-settled community relationships (Okely, 1983; Kenrick & Bakewell, 1995; Mayall, 1995; Hawes & Perez, 1996; Acton, 1997; Levinson & Sparkes, 2004), it is important to briefly demarcate some of the key issues of this debate in order to then discuss how these broader social relations are reflected in land-use planning practices.

As noted previously, the term Traveller-Gypsy is a generalized one representing a range of cultural identities that encompass ‘new’ and ‘traditional’ travelling communities, both of whom have been subject to various forms of ideological and moral repugnance. McVeigh (1997) notes that all types of Traveller-Gypsy have been subject to a series of shared stereotypes; of being outsiders, inherently criminal, dirty, dishonest, immoral and amoral. The distinction between the ‘new’ and ‘traditional’ groupings is not always clear and, in making such categorizations, Thomas (2000) notes that the difference has been used by government and the courts to distinguish those deemed ‘deserving’ of assistance from those that can be more acceptably coerced into a sedentary way of life. Although it is acknowledged that there is a high degree of differentiation in the outlook, lifestyles and affluence within the broader Traveller-Gypsy group, defining cultural characteristics do suggest a distinctive view of space, place, territory and community that tends to then be expressed in the cultural aspiration for nomadism (Liegeois, 1987; Levinson & Sparkes, 2004).

McVeigh (1997) believes that the settled community perceive nomadism as a threat to the moral and political order and that this is best understood through the concept of sedentarism. This is defined as being:

\[ \ldots a \text{ system of ideas and practices which serves to normalise and reproduce sedentary modes of existence and pathologies and represses nomadic modes of existence. (McVeigh, 1997, p. 9)} \]

McVeigh suggests that this should be seen as a form of oppression, like racism or sexism, which has evolved from the clash of sedentary and nomadic modes of
existence, with the latter becoming increasingly marginalized as urbanization and modernization gathered pace. He highlights how sedentarism has evolved to structure the way in which the dominant society perceives groups that have not embraced a settled way of life, viewing their continued existence being an ever-present threat to core hegemonic notions of work, law and property. Like other forms of oppression, McVeigh suggests that this not only shapes explicit actions (e.g. violence) and discourse against Traveller-Gypsies (e.g. assimilation policies), but will also frame a host of other less tangible ideas and practices that construct sedentarism as the ‘normal’ and only legitimate mode of existence within contemporary society. It has been suggested that anti-nomadism is suffered universally by nomads (Ellwood, 1995) and therefore should demand attention from land-use planners in a wide range of geographic and cultural contexts.

While this thesis is persuasive in offering an explanation of the social relations between nomadic and settled sections of society, Thomas (2000, p. 123) warns against seeing the harassment of Traveller-Gypsies just as a feature of anti-nomadism and suggests that some forms of discrimination, such as that experienced by distinctive ‘ethnic nomads’ such as Irish Travellers (McVeigh, 1997), takes an overt racialized form. Indeed, the Irish Traveller Movement note that racism and anti-nomadism are two distinct phenomena suffered by Traveller-Gypsies (Ní Shúinéar, 1994). The case of ethnic nomads raises particular questions in relation to sedentarism, as it forces us to face a number key tensions that are present in normative political and planning thought.

To fully appreciate the effect of sedentarism, it is it is important to understand the centrality of nomadism to the cultural identity of groups ascribed as ‘ethnic nomads’. Taking the ethnically distinct Irish Travellers, McDonagh (1994) has described how the notion of travelling is absolutely central to their identity, facilitating the social, economic and cultural functions that are vital to their very existence and can give rise to psychological and social problems when a nomadic way of life is denied. The critical role of nomadism in Traveller-Gypsy identity has been subject to extensive academic discourse, suggesting that it acts as a strong statement of otherness, has deep cultural significance, is associated with freedom and autonomy from the settled community, and provides rhythm to life and social structure (McDonagh, 1994; Levinson & Sparkes, 2004).

It also needs to be understood that nomadism can take a varied forms with some Traveller-Gypsies permanently on the road, some moving seasonally and some only during different life stages, so that Donahue et al. (2003) estimate that about 25% of Irish Travellers are on the road at any one time. Patterns of nomadism are also influenced by forced movement resulting from enforcement action and in response to changing economic opportunities. Indeed, the form of nomadism and patterns of movement have undergone significant historical changes and will continue to do so.

Given the importance of nomadism to the culture of ethnic groups such as Irish Travellers, sedentarism can assume racist forms, so to coerce such groups to settle ‘is not simply to stop them travelling, it is actively to destroy their ethnicity’ (McVeigh, 1997, p. 16). This is an easier point to make in some legislative contexts, such as Northern Ireland or the Irish Republic, where the nomadic ethnicity of Irish Travellers has become enshrined in Race Relations legislation,
rather than in the English context where non-ethnic definitions have been used in legislation and ethnicity only established via the courts (Morris, 1998; Thomas, 2000). While not wishing to underplay the impact of sedentarism on non-ethnic nomads, it becomes a useful concept through which to confront its racialized forms, as it forces a mediation between two defining principles of liberal democracies, namely the protection of (individualized) property rights and the protection of ethnic minorities, both of which are enshrined in human rights instruments such as the European Convention of Human Rights. In making the link between these two principles, McVeigh (1997) suggests it is important for human rights activists and anti-racists to actively oppose sedentarism, not only through challenging the stereotypes that shape the perceptions of Traveller-Gypsies, but also through land-use practices, as the absence of authorized stopping places renders nomadism illegal and thus criminalizes nomads not for their acts, but for their existence. The relationship between cultural identity and land-use regulation also means that the state engages in the unusual practice of controlling the residential location of this ethnic group—a practice seen as highly dubious in other contexts, such as Apartheid South Africa (Sibley, 1987). In a planning system that rhetorically strives for pluralism, this therefore demands at least some form of reflection on the way in which the marginalized status of Traveller-Gypsies is maintained and accentuated.

Traveller-Gypsies, Planning and Sedentarism

The planning system provides a critical interface for Traveller-Gypsies in their dealing with the State and the wider settled community, acting as a key ‘gatekeeper’ to secure family life and access to vital welfare services. A larger number of commentators have noted how the aims and practices of the planning system are inimical—or at least unsympathetic—to the well-being and culture of Traveller-Gypsies (for example, Sibley, 1978, 1981; O’Donovan, 1989; Morris, 1998; Thomas, 2000; Home, 2002). An apparent example of this are the statistics quoted by Murdoch (2002) that suggest Traveller-Gypsies face a 90% refusal rate for planning applications for residential sites, compared with an 80% success rate for sedentary applications in England and Wales. While it is acknowledged that the planning system is itself a reflection of the dominant values of the society in which it is embedded and cannot be detached from a broader critique of such social relations, for the purposes of this paper a few examples will be given of how specific land use practices in the United Kingdom function in support of a sedentary hegemony, which, by definition, will result in repression of Traveller-Gypsies.

The first example, noted by Thomas (2000) is how the planning system is used to constitute particular forms of social order, aesthetics and place, which are clearly at odds with the type of lifestyle pursued by Traveller-Gypsies. The objectives and modus operandi of the UK planning system have been moulded by intellectual traditions in which notions of social cohesion and normative concepts of community have stressed the bonds between humans, place and landscape, and which, perhaps unsurprisingly, have been culturally informed by an ethos of sedentarism. Thus ideas such as sense of place, organic neighbourhood interaction
(Jacobs, 1962), vernacularism (Calthorpe, 1993) and social capital (Putnam, 2000) stress the value and richness of place-based community and as such mark the separateness of nomads as being subversive, always to be imbued with ‘otherness’. This can be seen, for example, where planning permission for Traveller-Gypsy sites are often accompanied by stringent conditions to ensure that they are screened from general view, with Duncan (1995) suggesting that proceedings of many planning appeals ‘appear obsessed’ with whether sites are visible to the general public. This reaffirms that nomads do not ‘belong’ and the resulting tensions best managed through spatial segregation. Indeed, even within individual sites, their nomadic lifestyle and form of economic production generally means that Traveller-Gypsies do not conform to dominant notions of spatial order, such as a separation between work, recreation and residence, which then accentuates stereotypes of them being dirty, unhygienic and deviant (Sibley, 1978, 1981, 1987).

A further example is the situation of Traveller-Gypsies within the specific theme of ‘town and country’, which has held an important place in planning discourse. From the Garden Cities Movement onwards (Hall, 2002) this has tapped into wide-ranging and historical discourses that have led to distinct representations of threatening and dangerous urban environments and bucolic rurality (Williams, 1973) often still reified through the planning system. Caught within this discourse are the traditional portrayals of Traveller-Gypsies as having a natural place within the ‘rural idyll’, where their nomadic existence through activities such as fruit-picking was in tune with the seasonal rhythms, yet deviant and problematic within an urban context (Sibley, 1981; Okley, 1983; Halfacree, 1996; Holloway, 2003). The significance of this has been widely discussed by the aforementioned authors, but none appear to have emphasized the specific role of the planning system by reproducing the rather artificial distinction of town and country (e.g. through the discourse on Green Belts; Rydin & Myerson, 1990), restricting access to traditional stopping places and deeming contemporary manifestations of Traveller-Gypsy sites as being incompatible with the dominant expectations of both urban or rural communities.

A more fundamental illustration of the link between sedentarism and land-use regulation lies in the rights that are accorded to property ownership, which provide a legal and conceptual framework for planning law and practice (Needham, 2006). McAuslan (1980) has made the case for why the protection of private property and its institutions should be seen as being the dominant ideology of UK planning law, while Krueckeberg (1995) has highlighted the centrality of the concept of ‘property’ to planning thought and practice. Furthermore, Harrison (1987) notes how planning discourse tends to reinforce the liberal conception of full ownership of land, which implies ‘sole despotic dominion’ (Honore, 1961, p. 107), rather than the more legally accurate situation where most land has multiple property rights held by many different people and the community as a whole—for example, temporary rights of accommodation that may be enjoyed on common or set aside land (Ravetz, 1994) and a planning authority’s power to determine land use in the public interest. Despite this, it is the notion of individualized, privatized and capitalized land ownership that is dominant in the legal principles and policy discourse of planning. This is clearly alien to most nomadic groups and, as such, creates a significant cultural barrier between settled and travelling communities.
For example, if a Traveller-Gypsy stops on a piece of land traditionally used as a transit site (e.g. it may have once been common or marginal land), it at once raises questions about the ‘rights’ of the recognized ‘owner’ versus the Traveller-Gypsy, and pits the legitimacy of the nomadic lifestyle and temporary use rights versus the powerful hegemony of land ownership (McVeigh, 1997, p. 20). For this reason, the way in which Traveller-Gypsies occupy land through nomadism means they are disruptive of dominant social representations of space (Halfacree, 1996) and as such can be seen as being ‘fundamentally subversive’ (Deleuze & Guattari, 1987, p. 12). Because of this, such threats are usually suppressed through intervention of the criminal justice and planning systems, which, being constitutive of the social order, are usually unsympathetic to the needs of Traveller-Gypsies. Indeed, Bancroft (2000) notes how concepts of possession, ownership and enclosure of land are valued in legal statute, yet intermittent occupancy, even if established over several generations, is not recognized, leading to the conclusion that the rights of Traveller-Gypsies and settled people are significantly imbalanced.

A final example of how the planning system marginalizes Traveller-Gypsies relates to the concepts of order, progress and modernity that have provided a further intellectual tradition of planning intervention. Although the most explicit demonstration of this, such as the systems view of planning and Le Corbusier’s aspirations for modern living, now appear discredited and rather naive (Hall, 2002), they do still have a residual and powerful resonance in much contemporary planning (Sandercock, 1998). Set against the powerful ideas of development and progress, the nomadic existence of Traveller-Gypsies and the forms of economic production on which it is based, appear arcane and characteristic of pre-enlightenment society and thus places them ‘at the hostile end of the tradition-modernity continuum’ (McLaughlin, 1998, p. 418).

The above are just some examples of how the deeper assumptions embedded within the UK planning systems may directly frustrate the provision of adequate accommodation for Traveller-Gypsy families in addition to those shared with other racialized minorities and the consequences of their social exclusion, such as high levels of illiteracy and poor access to legal services.

Although many of the issues are worthy of further elaboration, they do amount to an illustration of how the ‘dark side’ of land-use planning system (Yiftachel, 1995) can be seen as having sedentarist tendencies, in the same way as it has been perceived as having undertones that are sexist, racist and unsympathetic to those with disabilities (Greed, 1994; Imrie, 1996; Loftman & Beazley, 1998). As with other forms of inequality, it is important to remind ourselves that sedentarism does not just function as an abstract notion of oppression, but condemns Traveller-Gypsies to tolerating some of the most acute levels of discrimination, denies them adequate living standards leading to poor health, low levels of educational achievement and high unemployment. The adoption of a ‘sedentarist frame’ can suggest new ways of questioning the relationship between the planning system and nomadic groups, thus facilitating a more fundamental reflection of how Traveller-Gypsies can be more sensitively accommodated. In so doing, it is important to be realistic in our expectations and note that given the deep nature of discrimination against nomadic groups, the planning process alone will not be enough to bring a transformation in the relationship between the travelling and settled communities.
However, the central role of planning in the regulation of the very resource that is key to the conflict between these two groups (i.e. legally sanctioned accommodation sites), makes it a pivotal arena to address. Although pluralistic theories of planning are well established and suggest the promotion of mutual resolution through the recognition of difference—rather than assimilation—there appears little appreciation of how this theoretical position can be translated into planning practice.

State Responses to Traveller-Gypsy Accommodation Issues

Before exploring some of the principles of how nomadism can be better accommodated in the UK planning systems, it is worth briefly examining previous attempts of the UK state to deal with what has been perceived as the ‘problem’ of accommodation for Traveller-Gypsies. The history of such responses is well documented (for example, O’Donovan, 1989; Kenrick & Bakewell, 1995; Mayall, 1995; Hawes & Perez, 1996; Morris, 1998; Thomas, 2000; Home, 2002) and there is no need to reiterate these accounts here. In summary, the key legislative and policy milestones in England and Wales9 following the creation of the comprehensive planning system in 1947 have been the Caravan Sites Acts of 1960 and 1968, the Criminal Justice and Public Order Act of 1994 and ODPM Circular 01/2006. The 1968 Act required local authorities to provide accommodation for Traveller-Gypsies and in return they could apply for designation, which would give them additional powers to deal with unlawful encampments. Although this had some effect on site provision, by the early 1990s only 38% of local authorities had achieved designation and the Act was regarded as being ineffective in tackling the situation. As a consequence, and informed by the Conservative views that Traveller-Gypsies should be encouraged to develop their own sites, the 1994 Criminal Justice Act revoked the duty on local authorities to provide sites, removed central government financial support and enhanced police powers in cases of trespass. The resulting policy vacuum further discouraged planning authorities to take positive action in the interests of Traveller-Gypsies and, by the mid-1990s, the provision of sites for Traveller-Gypsies had become a very low priority. This was revealed in a survey of planning authorities published in 1998 (Wilson, 1998) that highlighted that where policies for Traveller-Gypsies sites did exist, most were very negatively worded and aimed at avoiding (rather than confronting or even managing) conflict with the settled community. Indeed, Wilson found that a significant number of councils stated unequivocally that no sites for Traveller-Gypsies would be located in their area, leading Thomas (2000, p. 16) to suggest that the official view of most councils is that that Traveller-Gypsies should be ‘kept in their place’.

The 1994 Act’s removal of any incentive for local authorities to address this issue led to further reductions in the number of publicly provided sites (Morris, 2001; Niner, 2003) and resulted in a corresponding reduction in nomadism amongst the UK’s Traveller-Gypsies (Bancroft, 2000). Although the prospects for improved action under the Blair government seemed bleak in the light of comments by its first Home Secretary in 1999,10 this has been subsequently followed by a range of initiatives at the level of national and devolved
administrations that have sought to refocus policy approaches to providing accommodation for Traveller-Gypsies. While it is not intended to provide a detailed review of these policy reforms, there is a lack of scholarly engagement with the New Labour approach to this policy and a brief overview of the key issues are noted here.

The Niner Report (Niner, 2003), commissioned by the ODPM, provided a major and critical review of policy and practice towards accommodation for Traveller-Gypsies, quantifying, for the first time since the 1960s, the level of accommodation required to adequately meet the basic needs of this group. Although the report did not primarily deal with the planning system, it did acknowledge that this was the prime obstacle in the expansion of accommodation for Traveller-Gypsies and noted that the greatest limiting factor was opposition from local residents. Niner went on to make a series of wide-ranging recommendations, covering issues such as arrangements for site maintenance and funding, required level of site provision (including residential sites, transit sites and short-term stopping places) and reforms to the planning system, including the need to restore a duty on local authorities to provide sites for Traveller-Gypsies.

Coinciding with the Niner Report, the Institute for Public Policy Research, a major think-tank with a strong influence on New Labour, also published a report (Institute for Public Policy Research, 2003), which reviewed and criticized the arrangements for providing and managing accommodation for Traveller-Gypsies. This called for a ‘fresh approach’ that also included the restitution of the statutory duty on local authorities to provide sites and incorporation of Gypsy-Traveller accommodation with in the newly adopted policy and institutional structures for planning (ODPM, 2003).

These reviews were further complemented by the launch of a major inquiry by the CRE that examined arrangements for providing and managing Traveller-Gypsy accommodation in England and Wales in the context of the duties for local authorities to promote race equality and good relations, which was established in 2001. The inquiry reported in 2006 and, while it acknowledged the existence of some good practice, it found that the majority of local authorities were failing in their duties (CRE, 2006). In particular, it found that most councils did not recognize that Traveller-Gypsies had specific cultural needs or that they were covered by race relations legislation. The CRE was particularly damning of local authorities’ role in planning for Traveller-Gypsies sites, which was seen to be ‘informal’, ‘unfocused’ and ‘uninformed’, contrasting sharply with policies adopted for (settled) social housing. Indeed, the CRE found that only 27% of councils had policies on providing sites for Traveller-Gypsies, compared with 76% with policies on enforcement of unauthorized sites. It also highlighted that most councillors made no effort to engage with Traveller-Gypsy communities in their area. Indeed, the CRE highlighted that most local authorities blamed high levels of tension between Traveller-Gypsies and settled communities on unauthorized encampments, failing to appreciate the connection with the lack of authorized sites. The CRE accused Councils of failing to provide leadership in questions of site provision, with some Councillors actually playing a leading role in opposing sites and most displaying reluctance to provide sites unless forced to do so by Central Government.
Overall, the CRE report confirms and updates the situation established through previous research and paints a damming picture, concluding that ‘The approach taken by most local authorities to discharging their responsibilities to Gypsies and Irish Travellers drives and perpetuates a vicious circle of failure to provide services, and poor race relations’ (CRE, 2006, p. 16). The Commission brought forward an extensive list of recommendations aimed at the Government, local authorities and other organizations, including the Planning Inspectorate, the RTPI and the voluntary sector. Although many of the these recommendations address broader issues of race relations (e.g. further training of police officers), those that specifically address land-use planning largely complement the issues established by the Niner Report, but with further authority in that they are explicitly linked to legal requirements under race relations legislation. Such legal discourse appears to be particularly effective with some bodies, with the RTPI and The Planning Inspectorate responding promptly to specific recommendations of the CRE report (RTPI, 2007c; The Planning Inspectorate, 2007).

These policy reviews provided the context for new planning guidance for Traveller-Gypsy accommodation in the form of Circular 01/2006 (ODPM, 2006), which responded to the criticism of existing policy and reintroduced a duty on planning authorities to provide sites for Traveller-Gypsies, where a need is established via an accommodation assessment. Although the Circular does not restore the provision for designation contained in the 1968 Act, it does note that enforcement will be made more effective where local authorities comply with the guidance contained in the Circular (ODPM, 2006, p. 5). The Circular clearly provides a more progressive response (but not a panacea) to the problems faced by Traveller-Gypsies, particularly in its requirement for planning authorities to engage with travelling communities, by placing needs assessment for site provision on an equal footing as housing and in establishing a more robust national and regional framework for planning policy for Traveller-Gypsies. It also provides much clearer guidance on the need for planning authorities to bring forward site-specific proposals in development plans.

It is clearly too soon to fully evaluate the effect of the Circular 01/2006 on-site provision, although its attempts to address many of the shortfalls of the former policy regime should be acknowledged. However, while the policy reviews discussed above placed the issue of planning for Traveller-Gypsies within a framework of racial equality (rather than sedentarism), the underlying ideological approach expressed in Circular is the Blairite dictum that there should be ‘no rights without responsibilities’ (Giddens, 1998, p. 65), characteristic of a wide range of New Labour policy discourses (Raco & Imrie, 2000; Dean, 2004). Thus the Circular notes several times that ‘gypsies and traveller communities should have the same rights and responsibilities as every other citizen’ (ODPM, 2006, p. 4, for example)—emphasizing the legal parity of members of this ethnic group, but which is framed by a strong conditionality based on the cultural norms of the settled community. It therefore stops short of recognizing that Traveller-Gypsies have a right to a nomadic lifestyle, which has been called for elsewhere (for example, Steinberger & Keller, 2002; Donahue et al., 2003). As such, the Circular homogenizes the differences between Traveller-Gypsies and the settled community (cf. the discussion of legal discourse in Lo Piccolo & Thomas, 2001) and
therefore fails to appreciate that a full commitment to treat them equally may, under some circumstances and conditions, require treating them the same as members of the settled community, but in other cases (i.e. in land-use terms), may involve treating them very differently (Donahue et al., 2003, p. 66). Therefore, in order to achieve a more pluralistic approach to planning, it is critical to understand when differential treatment is necessary.

Indeed, without an appreciation of the subtleties of difference, the articulation of equal rights between sedentary and travelling communities will inevitably increase pressure to assimilate in the latter and fuel intolerance in the former. Furthermore, without an explicit recognition of the legitimacy of nomadism, even the more progressive instruments such as Circular 01/2006 articulate sedentarist assumptions that make it more difficult for Traveller-Gypsies to choose a travelling lifestyle. An example of this is found in Circular 01/2006, where it is suggested that travelling and settled communities need to share a commitment to ‘a common set of values’ (ODPM, 2006, p. 4), yet does not define what these values are, although one can assume they do not include a substantial expression of the cultural values of the minority group. Indeed, the Circular links unauthorized encampments with conflict and anti-social behaviour, implying that if the state is to provide authorized sites (i.e. fulfilling the rights of Traveller-Gypsies), it is the responsibility of the travelling community to live by social norms defined by the settled community, including inter alia the need to ‘respect the planning system’ (p. 6), which will include the range of sedentarist assumptions outlined above. Where Traveller-Gypsies do not take these responsibilities seriously, it is suggested that there should be more effective enforcement, in effect trading in the rights to nomadic lifestyle for the responsibilities of abiding by the cultures of behaviour defined by the settled community. In terms of nomadism itself, the Circular makes no formal acknowledgment of the need for transit sites, while stressing the benefits of a more settled existence, and suggests that ‘the provision of a settled base that reduces the need for long-distance travelling’ (ODPM, 2006, p. 7) is an important positive factor in considering site proposals.

The key point here is while the Circular struggles to reconcile the needs of Traveller-Gypsies with the views of other local residents (prejudicial or otherwise) and aims to promote good racial relations, it does so by applying ethical norms and regulatory instruments that reflect deeply held assumptions about the nature of property and the desirability of a settled way of life. It is suggested here that, despite recognition of the need for racial equality, it fails to accommodate nomadism as a legitimate cultural attribute. Indeed, as long as sedentarist assumptions are not explicitly acknowledged and addressed in the planning system, it will always fail in its aspiration for pluralism.

Therefore, while one can appreciate Circular 1/2006 as having genuine intent to improve site provision, a critical review reveals how its outcomes are unlikely to be satisfactory for Traveller-Gypsies. Indeed, given the discussion above, one could suggest that it is the failure to address the deep-seated prejudice of the settled community and the sedentarist attitudes embedded in land-use regulation have provided deep structural difficulties in securing a more lasting outcome. This therefore tests the ability of the system to recognize the nature of difference and presents a challenge on how to respond in a manner consistent with cultural
pluralism. The next section will consider how such an approach could begin to be addressed within the context of the UK planning system.

Towards a Non-prejudicial Planning Practice

A planning system that meets the accommodation needs of Traveller-Gypsies by truly accepting and celebrating cultural difference must not only acknowledge the issues arising from the racial discrimination of ethnic nomads, but also confront the less understood assumptions of sedentarism. It should therefore strive for the multiculturalism outlined by Parekh (1998), requiring that:

If the otherwise disadvantaged minorities are to survive and flourish, they need public recognition, encouragement and material support not in order to protect them from change but to create conditions in which they enjoy their security (Parekh, 1998, p. 3)

This should be the fundamental aim of any planning policy for Traveller-Gypsies and it is suggested here that this should be based on the following non-derogable principles:

- There is a long-standing and urgent need to overcome the shortfall of residential and transit sites for Traveller-Gypsies as a first step of addressing levels of their relative deprivation. This needs to be done while confronting and managing hostility from local settled communities, and for this reason requires a degree of centralized (regional/national) direction.
- The importance of nomadism to Traveller-Gypsies needs to be explicitly acknowledged and its legitimacy clearly stated within planning policy and the wider political system. This needs to be specifically reflected in establishing parity between the needs of Traveller-Gypsies and the settled community in the assessment of need, expectations for development and wording of policies. This requires a clear acknowledgement that, in terms of land use, these two communities need to be treated differently and not simply judged in terms of the cultural norms of the settled community.
- There must also be an acknowledgment of the existence and impact of sedentarism on the way in which the accommodation problems faced by Traveller-Gypsies are conceptualized and solutions proposed. Stringent efforts should be made to eliminate sedentarist assumptions from planning policy.
- Planning for nomadism must be based on the fact that it is a dynamic process as complex and diverse as other lifestyles, including that of the settled community (Donahue et al., 2003). This does not therefore necessarily lend itself to simple planning response, but should be shaped on a more sophisticated understanding of the needs and views of those involved.
- A further specific assumption here applies particularly to ‘ethnic nomads’ who suffer a racialized form of sedentarism, and in such cases it is essential that there should be no tolerance of any racially based and anti-nomadic opposition to site provision.
In understanding how these principles can best be translated into practice, there is clearly a gap between the wider sociological and anthropological analysis of nomadic groups’ way of life (for example, Okely, 1983; Kenrick & Bakewell, 1995; Acton, 1997) and the rare practical guidance on planning for Traveller-Gypsies (Todd & Clark, 1991; Ellis & McWhirter, 2004). While there is clearly no scope here for detailed examination of how this can be translated into each of the planning jurisdictions of the United Kingdom, three general areas are discussed below to highlight how the principles can be incorporated into practice. It should be noted, however, that some of these issues have actually been addressed in one or more of the planning jurisdictions of the United Kingdom, but none has adopted a truly pluralistic approach:

A Pluralistic Policy Framework

The way in which the needs of Traveller-Gypsies are identified and articulated in planning policy at different levels of governance has major implications for the way in which different stakeholders perceive the needs of Traveller-Gypsies and, of course, has a strong influence on specific site proposals taken through the development control process. There are long-standing criticisms of the way in which policy has been framed for sites for Traveller-Gypsies (Morris, 1998; Wilson, 1998), suggesting that, where such policies have existed, they have been far more restrictive than those for housing for the settled community. Furthermore, evidence of the type and quantity of accommodation needed by Traveller-Gypsies has been much weaker than that used to support the range of housing required by the settled community (Holgate, 1991; Bancroft, 2000), tending to be based on unreliable caravan counts (DCLG, 2006c), reaffirming claims that they have been somewhat of an invisible minority (Morris, 1999). This amounts to major disadvantage for Traveller-Gypsies and, in order to establish parity between travelling and settled communities, it is important that clear statements of equality are established at each level of the policy hierarchy.

In embedding parity within planning policy, careful attention must be paid to the wording used to ensure there is no implication that a sedentary existence is preferable, that policy reflects local circumstances and that Traveller-Gypsies are referred to in a culturally appropriate manner. At every level it is important that policies reiterate the legitimacy of a nomadic lifestyle and that development proposals for Traveller-Gypsies are assessed in a way comparable with those for the settled community. It is also critical that the provision of sites is not conceived as a finite need that will be satisfied by addressing the backlog of required sites, but like planning for the settled community, should be seen as a continuous process of meeting the evolving needs of the community, by taking into account future rates of household formation and potential shifts in locational choices driven by, for example, changing economic opportunities. Policy development at all levels should be effectively informed by representations from the travelling community (see below).

At a national level the is a need for a clear policy statement for how planning authorities should deal with land-use issues connected to Traveller-Gypsy accommodation, in the same way that priorities are articulated for other major
land-use issues, including provision of housing. These high-level policy statements should clearly state that planning authorities are expected to include supportive policies in local development plans and that they should make adequate provision for Traveller-Gypsies choosing to reside in the area and should specify the minimum level (not a target) of a 10-year pitch provision based on regional or national needs assessments, including provision of a 5% vacancy rate to ease site management and mobility. The policy statement should also note that where there is a recognized shortage of sites there should be a presumption against enforcement action until an adequate level of site provision has been achieved.

National policy statements need to comment on how local planning authorities are expected to handle planning applications for sites for Traveller-Gypsies, noting their equality duties and the fact that racist and sedentarist representations should not be tolerated (see below). It should state that it is expected that such applications will be judged against policies formulated in line with the policy statement and that issues of need and problems arising from unauthorized encampments are a key material considerations. It should be stated that it is unacceptable to refuse permission for a private Traveller-Gypsy site just because there is adequate site provision in an area, as the nomadic community should have the right to move to any area, just as the settled community does.

At a local level, development plans should respond to the statutory need to formulate and implement effective policies for Traveller-Gypsy accommodation in a way that is realistic and supportive and strikes a balance between providing certainty and allowing flexibility. This should take the form of both specific site proposals, to avoid continual battles through the development control system, and criteria-based policies that allow additional public or privately developed sites to be fairly considered. In both types of policy, it is essential that they acknowledge the distinct needs and identity of Traveller-Gypsies, particularly their nomadic lifestyle.

Local policies for Traveller-Gypsies have often contained unreasonable wording, and it is important that such policies do not insist sites be located with immediate access to services such as schools and hospitals, as well as being in areas separated from the settled community. It should be noted that most Traveller-Gypsies do have access to private transport and, like members of the settled community, they should be given the opportunity to decide on the proximity of their homes to such facilities. It is also important to avoid phrases that suggest a threat or conflict with the sedentary population (such as ‘adverse impact’) as these tend to be based on negative stereotypes and should not receive any justification in a statutory plan.

Particular care is needed when drawing up criteria-based policies as these have tended to set overly high standards of justification, while being completely disproportional to the constraints placed on housing for the settled community. Such criteria are open to interpretation and often stated in negative terms that emphasize the marginal status of Traveller-Gypsy sites. It is important, therefore, that there are a limited number of criteria, which are worded in such a way that gives an applicant a reasonable chance of gaining permission and which not only indicates the types of sites that will not be acceptable for nomadic accommodation, but also those that will be acceptable. Policies should avoid the ambiguity implied
by stating that satisfying the criteria ‘may be awarded permission’ or that the
criteria ‘will be taken into account’. Indeed, a statement should be included that
makes it clear that planning permission will be granted if specified criteria are
satisfied.

There is also a need for detailed design guidance to inform planning officers
about appropriate standards for access (including those for disabled Traveller-
Gypsies), services and on-site safety. This should also comment on cultural issues,
such as how a site could cater for different family groups and how opportunities
for economic activities, community facilities and recreation can be incorporated.
This should also clarify the type of detailed design conditions that can be
reasonably attached to a planning consent.

Engaging with Traveller-Gypsies

The marginalized status of Traveller-Gypsies and the fact that they often choose to
live apart from the settled community often means that they fail to respond to
standard participatory approaches adopted by planning authorities, which has
often been interpreted as an indication of consent or that issues under discussion
may not have a major bearing of this section of the community. Similarly, as noted
by the CRE (2006), few local political representatives make any effort to engage
with the travelling community within their constituencies, so that they have little
overall voice in the political process. This suggests that if Traveller-Gypsies are to
have an effective input into planning polices and specific development proposals,
local authorities will have to take positive and sensitive measures to carry out
effective consultation with this group. The fact that most planners lack experience
in dealing with the travelling community means that concerted guidance and
training is required. While the RTPI have provided some advice on this issue
(RTPI, 2007c) and the ODPM (2006) has stressed the need for engagement with
Traveller-Gypsies, this does not adequately specify how individual planners
should approach participation with this group. While there is no substitute for
nurturing long-term and trustful relationships between planning authorities and the
travelling community, it is suggested that authorities should at least specify a
minimum standard for dealing with Traveller-Gypsies by setting out a checklist for
engaging with this group (for further details, see Ellis & McWhirter, 2004). Such a
list should identify local and national Traveller-Gypsy support groups who could
be used to broker communications with the local travelling population and who
may provide information on particular family sensitivities and advise on other
issues such as the appropriateness of meeting venues. Guidance for planners must
also detail the types of participatory methods that are more likely to result in
successful engagement with Traveller-Gypsies; for example, using community-
based surveys, focus groups or vox-pops undertaken by advocacy and support
groups. Similarly, planners clearly need to be sensitive to the characteristics of the
local travelling community when preparing information for them—for example,
formal officer reports may be inappropriate and may be better delivered as less
conventional means such as photomontages, videos, open days, exhibitions or
specifically prepared information sheets. As with every participatory process, the
attitude of those representing the planning authority is also critical and it is
important to ensure that the legitimacy of nomadism is reaffirmed, their views are taken seriously, there is a focus on empowering the travelling community to better contribute to planning issues and that the expectations of local Traveller-Gypsies are not unduly raised.

Dealing with Discriminatory Planning Representations

It was noted earlier that Traveller-Gypsies are subject to some of the highest levels of discrimination amongst all ethnic groups. It is not therefore surprising that planning authorities receive racist representations when considering policies or planning applications for sites for Traveller-Gypsies. Planning authorities should adopt a strong stance against any member of the public who may display racial and anti-nomadic prejudice in their dealings with the planning system, yet many planners find this a very sensitive and uncomfortable area to deal with. In such circumstances, it is essential that they have clear guidelines on how to act, and while the RTPI have produced useful advice in the case of racist planning objections (RTPI, 1996), this does not specifically address the specific prejudice against Traveller-Gypsies; and while its Good Practice Note for Planning for Gypsies and Travellers (RTPI, 2007a) is useful, it does not particularly stress the importance of this issue. Indeed, experience of the authors suggests that there is not a high level of awareness of this guidance amongst planners, nor is it actively promoted by most councils. It is important, therefore, that local authorities reflect on how they deal with inflammatory language within the planning process—the guidance issued by the RTPI covers many of the main issues that need to be considered but the anti-nomadic dimensions also need to be included. An effective approach should therefore ensure that all staff have received adequate training to be aware of this issue, that the authority has an unambiguous procedure for dealing with racist/sedentarist representations, and state that discriminatory representations will be treated seriously and not taken into account when making a decision on the matter under consideration. Effective polices will make it clear what is considered to be offensive, designate a specific officer to deal with such representations and ensure that anyone making such representations is informed of the offensive nature of their communication. Where a planning authority receive a significant number of such representations, they should consider instigating some form of mediation process between the settled and travelling communities, ideally involving local Traveller-Gypsy support groups.

Conclusion

Thomas (2000, p. 177) has noted that Traveller-Gypsies can only secure justice through political struggle across a broad front. Indeed, land-use regulation is only one site of this struggle and a progressive planning system will not on its own deliver full equality and emancipation for the travelling community. However, as noted here, land-use regulation is perhaps the key arena through which the historic marginalization of Traveller-Gypsies has been articulated and reproduced. To begin to address this requires more than just an approach that is sensitive to Traveller-Gypsies as an ethnic group, but also their specific cultural attributes,
foremost of which is nomadism. As noted in this paper, the nomadism of Traveller-Gypsies is a dynamic one that cannot be addressed through simple planning responses, but requires a more fundamental reflection on which aspects of current practice disadvantage their lifestyle. Such a reflection suggests the intellectual history and current socio-legal context of planning has deeply embedded assumptions that favour sedentary existence and discriminate against nomadism. Confronting these values and practices is a major issue facing those involved in the planning system, and across society more generally. This paper has highlighted a number of areas in which a more progressive approach can be developed for planning for the needs of Traveller-Gypsies, and it is hoped that this can be reflected in practice in the planning jurisdictions that make up the United Kingdom.

Although a key aim of this paper has been to highlight fundamental steps in addressing the needs of Traveller-Gypsies, it has raised a number of issues that have broader application. First is that while the discussion has primarily focused on the United Kingdom, it does have relevance for other nations with nomadic minorities—particularly the Republic of Ireland, but also other geographic areas, such as those hosting Roma, Sami and Bedouin groups. This discussion has also underlined a number of issues on how diversity and difference is framed in planning discourse that have been made by other researchers (Quadeer, 1997; Sandercock, 1998; Thomas, 2000). This includes emphasizing the need for parity in the treatment of minority groups—implying that to achieve equity it is sometimes necessary to treat such minorities the same as the majority (e.g. in terms of health service provision), while in some cases this is best achieved by treating them differently (i.e. recognizing their specific land-use requirements). Indeed, the case of Traveller-Gypsies also highlights some of the wider implications of neglecting minority groups—in this case there are not only substantial economic costs arising from unauthorized sites (Morris & Clements, 2002), but the need to resort to stopping on inappropriate sites further fuels local prejudice and builds up resentment amongst both travelling and settled communities. The outcomes of this are relatively clear in terms of the exclusion of Traveller-Gypsies, but similar principles apply to less visible minority groups in that while public discourse often focuses on the cost of equality measures, the benefits that derive in terms of community relations or conflict avoidance are rarely appreciated.

This paper has also highlighted that while there is advanced understanding of how to accommodate those groups that are victims of more familiar types of prejudice (e.g. sexism, racism or on religious grounds), there are minorities that suffer from poorly appreciated forms discrimination, such as sedentarism. The paper has underlined the need for full engagement with minority communities and the need to be sensitive to their particular cultural attributes if the aspirations of a pluralistic planning system are to be successful.

Finally the paper has revealed that reflection on how and why a particular group may be marginalized through the planning process has wider heuristic value. In the case of Traveller-Gypsies, it has been shown that their marginalization is not just a function of racial prejudice, but also arises from how the institutions of the settled community reproduce and protect the societal preference for a sedentary lifestyle and repress other cultural forms, particularly nomadism. This should prompt not
only ways to address this particular form of prejudice, but also facilitate a more mature understanding of what we aim to achieve through the planning system and how we can best regulate land use in the interests of all in society. In essence, therefore, as suggested by Donahue et al. (2003, p. 11), a better understanding of nomadism also teaches us what it is to be sedentary.

Notes

1. PPS1 notes that planning policies should ‘take into account the needs of all the community, including particular requirements relating to age, sex, ethnic background, religion, disability or income’ (ODPM, 2005a, para. 16).

2. Section 2 of the RTPI Code of Professional Conduct notes that: ‘In all their professional activities members shall not discriminate on the grounds of race, sex, sexual orientation, creed, religion, disability or age and shall seek to eliminate such discrimination by others and to promote equality of opportunity’ (RTPI, 2007b, p. 2).

3. This generic term is used to refer to a range of groups having a variety of ethnic and lifestyle characteristics, all of which follow, to differing degrees, a nomadic way of life. This covers a range of ethnic groups, including English Romani Gypsies and Travellers, Welsh Gypsies, Scottish Traveller-Gypsies, Irish Travellers; ‘New Age’ Travellers and smaller groups of Roma from Central and Eastern Europe. Gypsies (since 1988, as a result of CRE v Dutton) and Irish Travellers (since 2000, as a result of O’Leary and others v Allied Domecq) have both been recognized by the courts as being distinct ethnic groups, and as such have the full protection of the Race Relations Act, with Irish Travellers being specifically identified in the Race Relations (Northern Ireland) Order 1997 (article 5).

4. The primary geographic focus here is the United Kingdom, although the discussion does have direct relevance to other planning systems, particularly the Irish Republic. It is appreciated that the various planning jurisdictions in the United Kingdom have adopted differentiated policy approaches to Traveller-Gypsies and host a variety of groups associated with this term. However, broadly similar institutional responses to these nomadic groups facilitate a justifiable generalization to be made in this discussion.

5. It is recognized here that the term ‘exclusion’ does have specific implications in the case of nomadic groups such as Traveller-Gypsies, as noted by Sibley (1998), in that their peripherality has an ambiguity—in that on the one hand it reflects the power of the State and the dominant society but on the other is preferred by the group as a way on maintaining cultural boundaries whilst providing certain economic advantages. In this sense Sibley notes that they should not be regarded as being ‘excluded’, but rather as ‘transgressive’.

6. For example, an Irish Traveller, Johnny Delaney was murdered in a racist vigilante attack in Liverpool in 2003. Available at www.kirkbytimes.co.uk/news_items/2003_news/justice_for_johnny_delaney.html (accessed 18 March 2007). The broader exclusion and deprivation of this group is also vividly portrayed in the film Pavee Lackeen, portraying the daily struggles of a family of Irish Travellers in Dublin.

7. For further discussion of this issue see Clark (1994) and Davis et al. (1994).

8. A good example of this is the debate in Northern Ireland following the introduction of a more restrictive policy for housing in the countryside (PPS14), where antagonist discourse has been dominated by Arcadian notions of rural kinship and threats of urban-based decision-makers; see for example, http://pps14.com/

9. The legal and policy context in Scotland and Northern Ireland are different, but the outcomes have been broadly similar. Each of these planning jurisdictions has a complex body of planning law, case law, policy and circulars that illustrate state responses to the provision of Traveller-Gypsy accommodation, whose intricacies are not being explored here. The situation in the Republic of Ireland has followed a similar trajectory, despite the higher visibility of Irish Travellers (Norris & Winston, 2005).

10. Jack Straw stated that many Traveller-Gypsies ‘go burgling, thieving, breaking into vehicles, causing all kinds of trouble, including defecating in the doorways of firms’ (quoted in Turner, 2000, p. 68).

11. It was estimated by Niner that up to 2,000 residential pitches and 2,500 transit pitches would be needed in the subsequent 5 years.

12. This was accompanied by a range of other guidance, including; Gypsies and Travellers: Facts and Figures (DCLG, 2006a), Guide to Effective use of enforcement powers: Part 1: Unauthorised encampments (DCLG, 2006b), Local Authorities and Gypsies and Travellers: A Guide to Responsibilities and Powers (DCLG, 2007b), and Preparing Regional Spatial Strategies Reviews on Gypsies and Travellers by Regional Planning Bodies (DCLG, 2007c).
13. There has also been recent policy reform on Traveller-Gypsy accommodation in the devolved administrations and, while acknowledging a range of policy stances across the United Kingdom, this discussion will focus on the evolving situation in England.

14. For example, by using a capitalized ‘T’ or ‘G’ and using terminology most appropriate to the localized travelling community.

15. What is envisaged here are the Planning Policy Statements of England and Northern Ireland, Scottish Planning Policy and Planning Policy Wales.

References


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