



Rolling stones

With the government tightening up rules on designated traveller sites, gypsies are increasingly finding themselves with nowhere to live. **Ciara Leeming** highlights one family's struggle to find a permanent home in the North West

Patty Linfoot and her husband Mike spent their childhood living by the roadside. But like many 21st-century Romany gypsies, they want a different life for their three sons. "The world's changed," says Linfoot. "Gypsies used to knock on doors to find work, but without an education you'll get nowhere today, and to get school places you need an address. We wanted to settle, while keeping our traditions and living as an extended family. So our best option was to live on a traveller site."

This page: the site at Hut Lane, Chorley. Opposite: Patty Linfoot and her sons Mikey, 13, Nathan, ten, and Charlie, seven.

The Linfoots lived on a private site in Bolton until 2009, when they were asked to make way for the owner's relatives. The most obvious place to go was Chorley: Patty's family – the Birds – and her husband's relatives

had been linked to the Lancashire town for years, frequently stopping in the area for work. But Chorley has no designated traveller sites. With nowhere else to go, the Linfoots moved their trailers to a small, relatively isolated piece of land they owned on Hut Lane, close to the M61 in the Heath Charnock area of Chorley. It was, says Linfoot, a last resort.

"We knew this land was green belt but had no other options," she says. "We thought very carefully before pulling onto it because we didn't have planning permission and we knew it would mean trouble. But we had nowhere else to go. The traditional gypsy lifestyle has been outlawed – these days there's nowhere you're permitted to stop."

After clearing the plot of rubbish, putting in drainage and screening it with trees, the family applied for retrospective planning permission to change its use. It was the start of a protracted fight to legitimise their existence that continues to this day. The application and subsequent appeal were turned down, as was a second application.

Meanwhile, a conflict had begun with a small group of residents living on a neighbouring housing estate – the poison spilling out via local newspapers. At one point, a retired female neighbour was found guilty of racial harassment following an incident where she lost her temper with the family. Her conviction was overturned at appeal earlier this year.

Linfoot says: "We've had verbal abuse almost on a daily basis and stones have been thrown onto the site from the side of the road. At one point someone flew a little plane – a drone-type thing with a camera on it – overhead to video us, but he got a harassment warning."

Nevertheless, the family is popular among the wider settled population. Local friends have helped them with research, accompanied them to meetings, written letters of support and assisted them in many other ways in their fight to stay in the area. Patty has been a governor at her children's school for three years and her husband is also active in the community.

After four years of legal ping pong – including visits to the High



Court and a government call-in – the Linfoots were finally awarded two years’ temporary permission to remain on the site in 2013. The government then blocked further progress on Chorley’s Development Plan until land for an official traveller site had been identified and proposals drawn up. An assessment revealed that the town needed a minimum of five permanent traveller pitches – or household spaces – with requirements for another 15 in Preston. A further 15 transit pitches, for gypsies and travellers who are passing through, were recommended across central Lancashire.

Traveller camps have always been controversial but, since the high profile case of Dale Farm entered the public consciousness, fear of unauthorised development has spiralled among both politicians and the public. That large Essex site – built on green belt land owned by Irish traveller families, but without the correct permissions – was controversially cleared in 2011 after a decade-long legal battle and at huge public expense. Three years on, the evicted families are still living

in squalor on the nearby roadsides – and the churned-up former site remains a contaminated mess.

The fear of another Dale Farm was cited by some members of the public in response to Chorley Council’s public consultation on possible locations for development as traveller sites, which took place this summer. One objector wrote: “If you are intending this to become a site which accommodates the transient traveller population you are running the unacceptable risk that travellers from across the North West could expand the site onto the adjacent land and we could end up with a huge site of Dale Farm proportions. The environmental damage and the social consequences caused by unauthorised encampment are well documented and have been witnessed on many traveller invaded sites across the country.

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CAMPAIGNERS SLAM CRACKDOWN ON GYPSIES

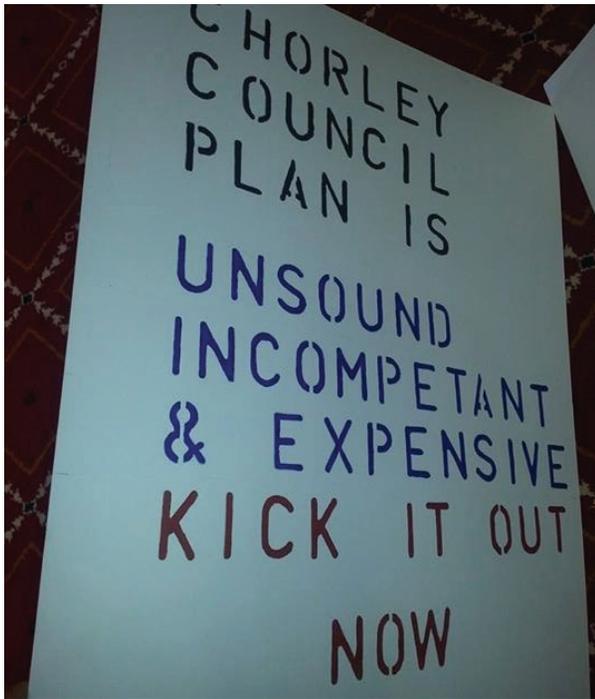
Campaigners have criticised government changes to gypsy and traveller site planning as “counterproductive and Kafkaesque”.

In September, the Department for Communities and Local Government (DCLG) vowed to protect the countryside and green belt against “travellers who flout the planning rules and abuse the system”. A spokesperson said: “Where travellers set up large-scale unauthorised sites, they can cause misery for neighbours as well as significant costs to the council.”

The government proposed measures to prevent long, drawn-out cases like Dale Farm – while ending the “perverse incentive” for councils not to act when travellers ignore planning rules and set up unauthorised sites (councils that move families on are currently required to meet their needs). The DCLG also wants to change the definition of ‘travellers’ in planning law so that councils only have to meet the needs of those who lead what it calls a “genuine travelling lifestyle”.

The Traveller Movement – which defends the rights of traveller communities – says the proposals will increase the number of families forced to live on unauthorised roadside encampments.

Yvonne MacNamara, chief executive of the Traveller Movement, said: “Virtually by definition, most gypsies and travellers on permanent sites no longer follow the kind of nomadic life that may have been the norm when the ‘gypsy status’ planning category came into being in 1959. By forcing gypsies and travellers to live nomadically to be eligible for permanent sites, the proposed changes to the definition will set many families back 54 years by forcing them back onto the roads and highways.”



Residents voiced strong opposition to plans for a new site

[...] The needs of one section of the population cannot be at the expense of another section of the population.”

Officials have ruled out the possibility of the Linfoots staying where they are, since government guidance states that traveller sites are always inappropriate when located in green belt land. Judged against the other shortlisted sites, Hut Lane has also been deemed too small for the five pitches now required by law and also scored poorly on distance from shops and services such as public transport. This is despite the site being the family’s first choice, already built and available at no cost to the public purse.

Linfoot says: “We’ve tried to play by the rules. Granted, we moved onto the land without permission, but we then applied for retrospective consent, which is what a lot of people do with buildings. We went through all the legal side like anyone else but were thwarted for four years. We put in a Freedom of Information request on Chorley planning cases and found that while there were quite a few enforcements, there was only one injunction, and that was us – the travellers. And they try to tell us this isn’t personal.”

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Following the consultation, Chorley councillors put forward a site known as Cowling Farm as their preferred location for a traveller camp. Not far from where the Linfoots currently live, this land is earmarked for a mix of new build housing and commercial uses. The traveller camp element of the plan – a 0.4 hectare site – could cost several hundreds of thousands of pounds to develop, according to council estimates. A planning application will not appear before next summer and the earliest work could begin would be December 2015. The Linfoots, meanwhile, must try to extend their temporary permission beyond July to ensure they can legally remain on Hut Lane until a new site becomes available.

At a public inquiry meeting to discuss the proposed site at Cowling Farm in September, barristers appointed by various residents’ groups came face to face with the Linfoots and their small band of settled supporters at Chorley Town Hall. Paul Sedgewick, speaking for residents of the estate close to the Hut Lane site, said: “There has been a very poor relationship between the settled community and the travellers, with considerable tensions over the five years the site has been running. This is a cohesive group of residents who have waited for the planning system to deliver the right result. They still have great concerns about the presence of the travellers occupying this site next door.”

A few opponents of the proposed new site even brought homemade placards. One read: “Don’t ruin Cowling Farm just for the few. Listen to the settled community and local business.”

Speaking for the Linfoots, planning consultant Michael Hargreaves told the hearing that opponents were overstating the negative impact of a traveller camp – and that if the family could not stay on Hut Lane, their preference would be Cowling Farm. “Travellers generally have a strong preference for sites in the countryside, or on the fringe of urban areas,” he said. “And sites tend to work best for both travellers and the settled community when they are a little away from other residential properties or can be made to feel

so. The Linfoots’ strong desire would be to remain together on an extended family site. Because of tensions between families and poor management, not all public sites are good places to live; for that reason, they have a very strong preference for a site in their own ownership and control.

“We feel there potentially are exceptional circumstances for taking the Hut Lane site out of the green belt in this case. But if that’s not possible, Cowling Farm is very much the right location. Through intelligent masterplanning you could achieve a good location for the traveller camp within any future development.”

A new public consultation has now been launched on the preferred site at Cowling Farm. People have until 3 December to register fresh concerns; all concerns made at the previous consultation will be taken into consideration. Meanwhile, the Linfoots concede that many people in their community would have given up by now – but this battle for a legal place to live in Chorley is no longer only about their own family. It has become an issue of principle that could have repercussions for other gypsies and travellers.

“If we can set legal precedents for other travellers, we hope it will help in the future,” says Linfoot. “Whenever gypsies or travellers arrive in a community, local people seem to get the fear – there are attacks and then police and evictions. Travellers are often unwilling to integrate because they are afraid of this prejudice.

“Having said that, without the incredible support we’ve received from our settled friends we’d have had to pack up and leave by now. Their help and encouragement has helped us build a stronger case. We’ve lost two cases at the High Court but we got two challenges in there and won one of them. The information we’ve had from people has been brilliant and has carried us through to this point.

“The ideal outcome for us would be to stay on Hut Lane, and for our case to help other travellers so they don’t find themselves in the same situation. Unless people in our community stand up and be counted then nothing’s ever going to change.” ■