

Gypsy and Traveller Adjournment debate 10 September 2018

Andrew Selous (South West Bedfordshire)

Given the extra time we have tonight, I am happy for other Members not only to intervene, but to make their own contributions after I have spoken, because the Minister will still have plenty of time to respond to all the concerns expressed around the House.

I am extremely proud to represent an area that has successfully integrated different nationalities over the years, resulting in good community cohesion. Italians, Polish and Irish nationals are all well established and make a fantastic contribution to the area that I am proud to represent. My constituency has many Traveller sites, but a planning policy of segregation and separation makes integration and community cohesion hard to achieve. The 2011 census showed that over three quarters of Gypsies and Travellers generally live happily among the settled population, and I have some heart-warming examples of Travellers becoming settled residents, with the children now attending school regularly and the parents in formal work.

My constituents have had to put up with far more than their fair share of “misery”, as one constituent described it to me on Friday, as a result of current Gypsy and Traveller policy. One of my sites has had three major incidents of modern slavery, with 24 slaves saved by the police on the first occasion. Threats, violence, theft and other forms of intimidation have become everyday occurrences to some of my constituents, and Bedfordshire police, with an already overstretched budget, are not able to respond in as timely a manner as they would wish, leaving many of my constituents living in fear. A lady wrote to me in June to say that she will be moving away from the area as she no longer feels safe, having been assaulted by Travellers, Travellers having trespassed in her garden, having been followed by Travellers and her husband’s tools having been stolen from his car three times, causing a loss of income. That lady also has human rights that have not been respected. Of course, there are many decent, law-abiding Travellers, and all groups have good and bad in them, but I hear too many accounts like the one I just recounted.

Jim Shannon (Strangford) (DUP)

Does the hon. Gentleman agree that it is essential that local authorities have appropriate training to enable them to deal with the cultural differences of the travelling community? If people are approached in the correct manner, a resolution often can and will be found.

Andrew Selous

As always, the hon. Gentleman makes an important point. We should always deal with such issues with humanity, decency and respect, but we also need to see equality under the law. As I am sure he would agree, the two are not mutually exclusive, but he makes a welcome point.

My main concern is with current planning policy, which allows many Traveller pitches in some areas when others have none at all. Multiple Traveller sites lead to many unauthorised encampments. In 2017, there were 116 unauthorised encampments in Central Bedfordshire, and clear-up costs in the area were around £350,000. Over £200,000 of that was spent by Highways England, with one encampment requiring over 100 grab lorries to clear up to 250 tonnes of litter. My constituents are understandably outraged to be told that there is no money for more of the public services that they want when they see huge sums being spent with no ability to recoup the money from those responsible.

Tim Loughton (East Worthing and Shoreham) (Con)<https://hansard.parliament.uk/commons/2018-09-10/debates/68763C76-2B43-4E6C-8DC0-0420571EDB95/GypsiesAndTravellers-contribution-6D4D241A-2036-488D-B4BA-A32A552EDC69>

This debate is on an important subject that has come up every few months over my 21 years in this place. Apart from the extreme cases that my hon. Friend mentions, the real problem is that

Travellers will break in and cause damage to gain access to illegal encampments. When they depart, they invariably leave behind a trail of devastation and rubbish, which costs the local taxpayer an enormous amount to clear up. Is not the change in the law that we need that, rather than having to point to a single person who caused the access damage, any group of Travellers illegally encamped should be collectively liable for fines and compensation, which could involve the confiscation of often quite valuable vehicles? They might then get the message that they cannot continue trampling over the rights of local people with impunity.

Andrew Selous

My hon. Friend makes several good points, including on the Irish option, and I will touch on both that and the vehicles issue. I am grateful to him for telling it as it is in his constituency.

Is the current Government policy working well for the Travellers themselves? Thanks to the Prime Minister's race disparity audit, we now know that pupils from a Gypsy, Roma, Traveller or Irish heritage background have the lowest attainment of all ethnic groups throughout their school years. Around a quarter of Gypsy and Roma pupils achieve a good level of development at the age of five, making them around three times less likely to do so than the average.

The disparity is worse at key stage 4. In 2015, the attainment 8 score for Gypsy and Roma pupils was 20 points, compared with the English average of 50 points, and 62 points for Chinese pupils. I asked the Children's Commissioner for England to visit a school in my constituency with a lot of Traveller children, and she wrote to me that

"some had taken the children out of school for the summer travelling season" —
during term time—

"and most talked about the children leaving school when they are 14 to 16."

She is right, as the race disparity audit shows that Gypsies and Irish Travellers are far less likely than any other ethnic group to stay in education after the age of 16. Only 58% of Irish Traveller pupils stayed on in 2014-15, compared with 90% of white British pupils and 97% of Chinese pupils. Travellers and the families to which they illegally let their caravans on Traveller sites often have no proper sewerage, water or heating, and there is no proper mechanism in place to ensure decent standards of housing. This whole situation is a complete disgrace in the United Kingdom in 2018. Ministers and the officials responsible for this policy area should be hanging their heads in shame.

John Howell (Henley) (Con)

My hon. Friend is making a good point, and he has partly illustrated that a public health issue is at stake. That public health issue is a major problem for young people growing up on illegal Traveller sites.

Andrew Selous

I am pleased my hon. Friend mentions that, because it is a good example of how we are failing Travellers with this ridiculous system. I have come across water tanks containing green slime, heating systems that do not work and hot water systems coming up through the toilet. It is just unbelievable. I have seen raw sewage going into ditches from caravans in which children are living. We are not a developing country; we are the fifth richest economy in the world. It is an absolute disgrace that we allow this to happen in our country, and we have allowed it to happen for so many years.

Why do we continue with a policy that is manifestly failing everyone affected by it? A Government who are truly compassionate and who have courage and clear-sightedness would act now to deal with these failing policies. I want tonight's debate to result in a significant change of Government policy to improve outcomes for Travellers and the settled community. I held debates on Gypsies and Travellers on 4 February 2014 and 12 October 2016. If I speak with passion tonight, it is because I

have had to come back to the Chamber to make these points for a third time—I know that you encourage tenaciousness in Members, Mr Speaker.

In 2014, the then Minister, the current Minister without Portfolio, told the House that he had set up a cross-Government ministerial-level working group to address these inequalities. He also said that he wanted to “break down the barriers to social mobility through a planning system that is fair and equal to all.” —[*Official Report*, 4 February 2014; Vol. 575, c. 22WH.]

I am afraid that we have failed in those two objectives.

On 12 October 2016, the former Minister Gavin Barwell acknowledged that the interests of all members of the community had not been respected. He said that he would come back to the House having considered the Land Registry issue and that the Government were “constantly reviewing these issues.”

The time for endless constant reviews is over. Fair and decent-minded people who are fed up with living in fear and with seeing atrocious living conditions in their area that often become ungoverned spaces where modern slavery and other crime flourishes want action now, not constant reviews. The requests for action from Central Bedfordshire Council, which has to pick up the pieces of a failed national policy, and from Bedfordshire police, whose already over-worked officers have to spend far too much time on this issue, include the following.

Steve Double (St Austell and Newquay) (Con)

I congratulate my hon. Friend on securing this important debate. One problem in Cornwall is that every summer we have an influx of Travellers who camp illegally, usually on local authority car parks, taking up valuable space that could be used for tourists as well as creating the clean-up costs that he highlighted. Does he agree that one simple thing that could be done to help would be to simplify and streamline processes so that the police can take action on unauthorised sites much earlier and much quicker, which would save the taxpayer money?

Andrew Selous

The police do need more powers—Bedfordshire police have asked for them, and I will talk about that shortly. My hon. Friend makes a good point, but we can also do better with the overall policy, which would lead to better outcomes for Travellers and settled residents.

Mark Pawsey (Rugby) (Con)

Rugby suffered particularly badly in the most recent travelling season. Despite extensive defensive measures, we have had 23 incursions on to council land, with people often cutting through locks. We have identified one particular issue: a lot of new houses are being built, and there are a number of recreation sites in the ownership of the developer rather than the local authority. Our local authority has become pretty good at defending its sites, but the developer—the private landowner—has not. This summer, there have been Travellers and caravans immediately adjacent to a play area in a new development, and children have not been able to use those facilities during the summer holidays. Does my hon. Friend agree that there should be a review of the powers available to private landowners?

Andrew Selous

My hon. Friend illustrates well the issues in his area. In mine, the travelling season goes on for a few months yet, but those issues are common to my area and, I am sure, those of many other Members. Central Bedfordshire Council and Bedfordshire police want one overall planning policy for everyone, with true equality for all under the law and everyone’s human rights being protected.

Sandy Martin (Ipswich) (Lab)

Does the hon. Gentleman agree that if we are to move Travellers and Gypsies on from inappropriate sites successfully, they need to have appropriate sites to be moved on to and that local authorities need to be required to plan adequate and appropriate sites, otherwise they will not do it?

Andrew Selous

A Labour council, Sandwell Metropolitan Borough Council, has done very well with a temporary stopping site, which I will mention shortly, but integration rather than separation and segregation is the way forward towards better outcomes for everyone, as I have said a number of times. The policy of segregation and separation has demonstrably failed. We need to build the homes that everyone in this country needs for all those who are here legitimately. It is not right that the Government repeatedly ask areas that already have large numbers of Travellers to provide more and more sites. Given the failure of the current policy, areas such as mine that already have large numbers of Travellers should not be forced to take any more by the Government and a flawed Planning Inspectorate that completely ignores the fact that many of our Traveller sites are owned by wealthy individuals who live elsewhere in bricks-and-mortar houses and sub-let their caravans to non-Travellers in often atrocious conditions. The Planning Inspectorate has even ignored advertisements on Rightmove offering accommodation on Traveller sites to the general public, claiming that they were not relevant.

We also need trespass to be made part of the criminal law, as it is in Ireland. That change in law has led to a significant increase in Irish-heritage Travellers coming to the United Kingdom. Is Ireland a cruel and inhumane country? Of course not, nor would the United Kingdom be if we were to change the law in the same way. To use a recent campaign cry, people want to take back control of what is being allowed to happen in their communities through a separate planning system that completely fails to provide equality under the law and produces terrible outcomes for settled residents and Travellers.

Ruth George (High Peak) (Lab)

The hon. Gentleman is making a powerful case, largely about local authority sites. In Buxton, in my constituency, Irish-heritage Travellers could not get on to the local car park and instead invaded the car park of a local business. They proceeded to spend several days there, threatening the staff and making a complete mess of the car park, making it almost impossible for the business to continue. The hon. Gentleman makes a good point about aggravated trespass becoming a criminal offence, because it would enable courts to act much quicker than the minimum of two weeks that a civil case takes.

Andrew Selous

I particularly welcome the hon. Lady's intervention because—I say this to my hon. Friend the Minister—there are many Members from all parties who realise that this is a serious problem and want a humane, decent and fair response to it.

Alex Burghart (Brentwood and Ongar) (Con)

My hon. Friend is being extremely generous with his time. I fully support his comments about extending the trespass law in the UK as it has been in Ireland. It is currently possible for travelling families to come to an agreement with private landlords so that they can settle on their land. Does my hon. Friend agree that by building those relationships, which is what decent travelling families do, we should be able to single out those who break the law and infringe on the rights of private landlords?

Andrew Selous

I am particularly grateful to my hon. Friend for making that point, because as I said earlier and will say again—it needs to be said many times in this debate—there are many decent, law-abiding Travellers who want to do the right thing and pay their way, who clean up, and who are respectful of

the local community and, indeed, contribute hugely to it. The sadness is that that is not the case with all Travellers. I am very grateful to my hon. Friend for making that important point. I will provide the Minister with a written list of requests from both Central Bedfordshire Council and Bedfordshire police, as I do not have time to go into them all tonight. I am strongly encouraging Central Bedfordshire Council to adopt the policy of Sandwell Council in having a temporary stopping site. The provision of that site has led to a significant decrease in unauthorised encampments and the associated clear-up costs and environmental degradation that sadly so often accompany them. Central Bedfordshire Council wants the power to seize vehicles associated with unlawful or illegal activity, whoever the owner is. It wants the Environment Agency to prosecute or close non-compliant sites, where living conditions are often atrocious. It wants all land on Traveller sites to have an owner who is properly registered with the Land Registry, without which proper enforcement cannot take place.

Bedfordshire police say that the current legislation on aggravated trespass is inadequate, as the hon. Member for High Peak (Ruth George) said, because there are difficulties in proving the offence. They would also like section 61 of the Criminal Justice and Public Order Act 1994 to be extended to include highway land and significant impact on local communities, as that would replicate the legislation in Northern Ireland.

In the past 12 months, Central Bedfordshire Council has issued 335 parking enforcement notices to foreign vehicles. So far, 250 of those have been cancelled because the owners could not be traced. It is a criminal offence for the owners of foreign vehicles not to register their vehicles if they have been in the UK for more than six months, but the police have no record of foreign vehicles that have been in the UK for more than six months, and I do not believe that the Driver and Vehicle Licensing Agency has either. The result is that those with foreign number plates—including quite a large number of Irish-registered vehicles in my area—can park with impunity, while drivers with British-registered vehicles have to pay penalty charge notices. Again, this just leads to fair-minded people coming to the conclusion that there is no equality under the law.

Andrew Lewer (Northampton South) (Con)

My hon. Friend's point about equality under the law is particularly important. The residents of Far Cotton in Northampton have had encampments this year in particular. They have seen people driving and behaving in their cars in ways that, should the local residents attempt to drive like that, they would be visited by the police straightaway. I welcome my hon. Friend's emphasis on equality and ask him to reflect on the fact that local residents often feel that they are not treated equally when it comes to the behaviour of those on illegal encampments, compared with their behaviour as local residents.

Andrew Selous

I am grateful to my hon. Friend for making that point. I am afraid I have horror stories from some of my constituents who are regularly driven at by people coming out of some of the Traveller sites. Bedfordshire police do their very best to help with a limited and severely stretched budget, but they cannot always get there to assist people in some of these rural communities. As it is for many Members, this is a significant issue for my constituency, and it is one that I am keen to get right. I am angry that so little has been done by the Government. My challenge to the Minister tonight is that he does a serious job of addressing the issue that I and all other Members have raised here at pace and with urgency, or, if the Government are happy with the way things are, he should come to explain why he thinks the current law is adequate to my constituents and to other Members who share the concerns that I have raised. We really can and must do better. My commitment to my constituents is to keep on campaigning for the improvements that we need for everyone until they are delivered.

Sir David Amess (Southend West) (Con)

I congratulate my hon. Friend the Member for South West Bedfordshire (Andrew Selous) on his speech. He was a magnificent Prisons Minister, but I have now seen a new side to him. He did not mess about with weasel words; he told it like it is, and I agreed with everything he said. I support the Irish option, which I dare say my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) may have something to say about if he catches your eye, Mr Speaker.

I want to say this to my hon. Friend: I have been in the House a little while, and this is not the first time that we have had a debate on this issue. Week in, week out, month in, month out, year in, year out, someone raises this matter on the Adjournment. Colleagues are told to come in to make interventions. The Whips are there taking notes and the Minister is looking very concerned. All colleagues hear these stories of people breaking into parks and breaking into play areas. My goodness, Mr Speaker, this year, a crowd of these people, who are not genuine poor Travellers, turned up and pitched their caravans in a big circle in our beautiful Priory park. They took out their deckchairs and then were absolutely threatening to the local population who happened to be playing organised games with the children. They turned up on Southend seafront and took out their deckchairs. This is going on morning, noon and night. Colleagues stand up and tell the House and the Minister how dreadful it is. Everyone looks concerned and absolutely nothing happens; nothing at all changes.

My hon. Friend the Member for South West Bedfordshire has had, I think, two Adjournment debates on the matter. I had an Adjournment debate earlier this year. We had a meeting with the Secretary of State. The officials were there. Everyone was very, very anxious, but nothing ever changes. The hon. Member for Ipswich (Sandy Martin) rightly pointed out alternative arrangements. I agree with him completely, but what I am talking about is the situation where local Members of Parliament, of all parties, are blamed for this issue. It is said that we are doing absolutely nothing about it and that no action is being taken.

This cannot go on. I do not know whether my hon. Friend is expecting any different result from this Adjournment debate tonight, but I absolutely share his anger and I join him in the challenge. I really congratulate him on raising this issue, but if he finds that, once again, nothing at all positive happens, I will be standing shoulder to shoulder with him until this situation is at long last addressed.

Mr Mark Francois (Rayleigh and Wickford) (Con)

I congratulate my hon. Friend the Member for South West Bedfordshire (Andrew Selous) on securing this important Adjournment debate and, if I may say so, on introducing it so very ably. I also welcome the contribution of my hon. Friend the Member for Southend West (Sir David Amess) who, in his characteristic style, put the point bluntly and clearly to the Minister that something really needs to be done.

I am here tonight because of the increasing number of representations that I have received from my constituents who want us to change the law. They believe in the democratic process. They have lobbied us by letter and by email. They have come to our surgeries and said, "You are elected as legislators. You people make laws. We want a change in the law and we are asking you democratically and peacefully to do something about it, but do not underestimate our level of frustration about the fact that nothing ever seems to get done about it." This is a major issue, particularly in my county of Essex. I note that there are five Essex Members of Parliament in the Chamber this evening: my hon. Friends the Members for Southend West, for Rochford and Southend East (James Duddridge), for Brentwood and Ongar (Alex Burghart) and for Chelmsford (Vicky Ford), and me. Our excellent police, fire and crime commissioner, Mr Roger Hirst, also feels strongly about this issue and very much supports the change in the law that we are arguing for.

Motion lapsed (Standing Order No. 9(3)).

Mr Francois

There are, in fact, roughly 20 Members of Parliament in the Chamber tonight, which—as the Minister and the Whips will appreciate—is a pretty good turnout for a one-line Whip Monday. I think that we are all here for one common reason, which is that we have had enough. This has been going on for years. I am not trying to emulate my hon. Friend the Member for Southend West, as this is my own particular contribution, but we have had enough.

Every spring and summer the cat and mouse game begins again. The illegal incursions begin, the council's legal staff are put on alert and the police begin to patrol. But, of course, the Travellers know the law backwards; they know every loophole. As my hon. Friend the Member for South West Bedfordshire said, we must acknowledge that some behave perfectly legally, but many unfortunately do not. The incursions begin on farmers' fields, school playing fields, sports centres and increasingly—as the hon. Member for High Peak (Ruth George) intimated—industrial units and business parks, all of which is illegal and none of which has permission. As well as the antisocial behaviour that often occurs, by the time the Travellers have moved on there are often considerable clean-up costs. For example, one incursion that lasted nearly a week in the Basildon Borough Council area a couple of years ago led to clean-up costs of approximately £10,000, which had to be borne by the council taxpayers of that authority, whose fault it absolutely was not.

Seeking redress through the courts can often take quite a long while. This often leads by constituents to believe that Travellers somehow see themselves above the law. It is a great part of my constituents' frustration that there seems to be one law for the settled community and another law for the travelling community. In essence, this evening we are arguing for equality before the law—a fundamental principle of British justice going all the way back to Magna Carta. The police have a section 61 power to compel Travellers to move on from an illegal encampment, but there is no geographical definition of how far that movement has to be. They can literally move a few hundred yards down the road, re-encamp there, then the whole rigmarole starts all over again. That is how weak the power currently available to the police is. We need something far firmer to act as a real deterrent.

In fairness, the Government have realised the increasing frustration about this issue—not least given the three Adjournment debates on the subject secured by my hon. Friend the Member for South West Bedfordshire in the past few years—and launched a consultation some months ago on whether to change the law in relation to Travellers, and that consultation closed a few weeks ago. The Minister will be well aware that 59 of my Conservative colleagues, including several former Cabinet Ministers, wrote to the Secretary of State for Housing, Communities and Local Government to ask him to adopt the Irish option. I make this plea tonight as a former Department for Communities and Local Government Minister myself. I saw discussions about this issue when I served in the Department, but I did not see what I would call any genuine determination to grip it and come up with a solution. It was left to us to propose one, which was, in fairness, one of the options included in the Government's consultation.

What we are asking for, essentially, is what is known as the Irish option, based on the fact that in 2002 Ireland changed the law to make acts of deliberate trespass a criminal offence. Part of the knock-on effect of that is that we have had more Travellers coming from Ireland to England during the travelling season because the law is tougher in Ireland than it is here at present, so we are regarded as something of a soft touch. We should make deliberate acts of trespass a criminal offence. We are not talking about a couple of schoolboys cutting across the corner of a farmer's field on the way home from school. Clearly, the police would have discretion, as with any other law, in how they applied this. We are talking about a deliberate act of trespass on land that Travellers do not own and do not have permission to be on. That would be regarded as a criminal offence and the police would therefore have a power to compel them to move on immediately. If they did not do so, they could be arrested, and their vehicles could be impounded—which, believe you me, would be a very powerful deterrent to the travelling community. That would go a long way towards addressing

this problem, because it would give the police and local authorities, with whom they work closely, a real deterrent power to stop this menace occurring in our constituencies year after year. Some people would say, "Well, this is too harsh"—that it in some way abrogates the Travellers' human rights. I can understand that argument but I do not agree with it. What about the human rights of the settled community and the human rights of the council tax payers in our constituencies? Moreover, Ireland, when I last looked, was subject to the European convention on human rights, and it passed this law in 2002. If Ireland was able to do it under the ECHR, I see absolutely no reason why we cannot similarly do it under the ECHR in the United Kingdom. This has been going on for years and years. Now, finally, the Government have acknowledged that there is a problem. Churchill once famously said that the first stage in dealing with any problem, no matter what its magnitude, is to admit that the problem exists. To be fair to the Government, they have admitted that there is a problem. The Minister knows how this place works and is a popular Member of this House—that is as much buttering up as I am going to do—but I would humbly advise him, having marched us all up to the top of the hill, not to march us all down again. There will be real anger in this place if, as a result of this consultation, the Government make some very minor tweak in the law as window-dressing but do not meaningfully address this problem such that we will see a real decrease in these incidents in the next two years. The Minister has a chance to do something that would be incredibly popular in the country and will also, in effect, fulfil a 2010 manifesto commitment. I really believe that now is the time to make everybody equal before the law, to stop this menace, and to defend the communities whom we are elected to represent.

Ruth George

I want to echo many of the sentiments that have been expressed tonight, but from the point of view of my constituents and of a local business in Buxton that suffered the incursion of a group of Travellers this summer, as I mentioned earlier. That was the first time that this has happened in our area, and I extend my sympathies to all those who have been suffering this for many years. The worry among residents of Buxton and High Peak is that this could be the first of many such visits, and that once people know where they can come and where there are rural areas with sparse policing, there will not be the resources to effectively monitor and move them on.

As it was, Derbyshire constabulary rose to the occasion and was very good at coming to monitor what was happening as much as it could. However, the problem was that one of our local businesses on an industrial estate had its car park taken over by a group of Irish heritage Travellers who proceeded to issue threats to the staff there. The staff were working across two sites, and when they had to travel between the buildings to go about their work, they were threatened and harassed. They were looked at through the windows, and small children were trying the windows and doors of the building to see where they could break in.

The owner of the business was threatened and told that if he paid money, the Travellers would be able to get the ferry back to Ireland, but until that happened, they were not going anywhere and there was nothing he could do about it. That business had the same frustrations that have been mentioned by many Members, but as a private company, it is not their business to try to evict Travellers. There is no experience in the community, as there is in other areas where this has been an issue for many years. It was therefore extremely difficult for the business to deal with that. The staff were left perturbed, and many of them had to go home out of fear because they were being threatened with such horrific physical violence. Besides the mess that was made of the car park, there were no toileting facilities, so you can imagine the clean-up that they had to do afterwards. When lorries arrived to deliver to the premises, they were swarmed, and the drivers were asked the value of the goods inside their lorries. There were attempts to prevent the lorries from making the deliveries and prevent the business from being able to carry on.

The concern is that, where local authority sites have been used in the past, the travelling community may move on to business premises if people see that as an easier target. It is very important that action is taken, so that people in my constituency and everywhere across the country know that the police have powers to stop this on their behalf, and that they will not have to go through the civil

courts, which takes a lot of time and costs a lot of money for businesses. I very much hope that the Minister will be able to give all Members on both sides of the House those assurances today.

[The Minister for Housing \(Kit Malthouse\)](#)

May I start by congratulating my hon. Friend the Member for South West Bedfordshire (Andrew Selous) on securing this important debate and thanking all those who contributed? I recognise that feelings are strong across the House, and the turnout this evening, as my right hon. and gallant Friend the Member for Rayleigh and Wickford (Mr Francois) pointed out, is an indication of that strength of feeling.

I stress again that the Government take the issue of living conditions and illegal activity on Traveller sites and unauthorised encampments extremely seriously. As a Member who represents a rural constituency that gets its fair share of some of the visitors who cause disruption and difficulty, I ought to add that this subject is of particular interest to me. I have listened carefully to all the accounts of the conditions on some sites, the challenges faced by those living on these sites and the difficulties that communities face as a result of unauthorised encampments, as well as all the constructive recommendations for how we could improve the way in which we deal with the present situation.

I am confident that I speak for everyone in this House when I say that we recognise that the majority of the travelling community are decent, law-abiding people. Like my hon. Friend the Member for South West Bedfordshire, I have a number of settled small-scale travelling communities in my constituency who integrate well and are part of the community. However, we are extremely concerned about the issues raised during the debate regarding the conditions and activities carried out on certain sites, as well as the impact that unauthorised encampments can have on settled communities, especially when they give rise to criminality.

We promote a tolerant society in which people, whatever their background, can live, work, learn and socialise together, based on shared rights, responsibilities and opportunities, but we will not and should not sit by when people are breaking the law. The Government remain committed to ensuring that all communities, regardless of their ethnicity, are treated fairly, with equality under the law a fundamental tenet of our society, as my right hon. and gallant Friend the Member for Rayleigh and Wickford pointed out. Our aim is to ensure fair and equal treatment for Travellers in a way that facilitates their traditional and nomadic way of life while respecting the interests and rights of the settled community.

I will take in order some of the broad themes raised by hon. Members. First, on unauthorised encampments, in the spring we launched a consultation on the effectiveness of powers for dealing with unauthorised development and encampments, alongside colleagues in the Ministry of Justice and the Home Office. The document sought views on a range of issues—from the powers available to local authorities and the police, to the provision of authorised stopping places and the impact that a change in existing powers could have on travelling communities.

The consultation, which closed on 15 June, allowed the Government to hear views from everyone with an interest—settled and nomadic communities, organisations and individuals, and public authorities—on how best to address unauthorised encampments. We have received a substantial response, with over 2,000 representations, which signals how strongly people feel about this issue. We are grateful for the time that people have taken to engage with us, and we remain committed to working with the Home Office and the Ministry of Justice to consider all representations before deciding on the way forward.

Several Members, not least my hon. Friend the Member for South West Bedfordshire, raised the Irish model. It may be of interest to Members that my right hon. Friend the Housing, Communities and Local Government Secretary recently met the Irish Government to discuss their approach to

trespass and unauthorised encampments. We will provide a formal response to the consultation in due course.

James Duddridge (Rochford and Southend East) (Con)

Was there a case against the Irish option?

Kit Malthouse

I have to confess that I was not privy to the meeting, but I understand that the pros and cons of the Irish model were discussed in some detail, and I think there are some cons as well as pros.

The second broad issue that was raised, quite rightly, by my hon. Friend the Member for South West Bedfordshire was the living conditions on sites. He made an important point about the conditions on existing authorised sites, some of which, I hear, are unsuitable for habitation. I agree that they are, frankly, disgraceful. I would remind the House that, under the Caravan Sites and Control of Development Act 1960, private caravan sites in England, which may include owner-occupied and rented Traveller sites, must have planning permission and a site licence issued by the local authority. It is an offence to run a site without a licence. Housing that is not fit for habitation is not acceptable under any circumstances.

Andrew Selous

The difficulty is that planning permission tends not to align with the red line of legal land ownership on a map. The difficulty for really good local authority officers, who want to have good enforcement, is that the law is not fit for purpose, however well-intentioned it may have been. I have really good officers who try endlessly to get this right, and it is really hard under current law.

Kit Malthouse

I do recognise the problem that my hon. Friend raises, and I would be more than happy to sit down with him and discuss what specific changes he thinks are required to planning legislation to deal with some of these anomalies. Anything we can do to facilitate correct planning enforcement, particularly on some of these condition issues, would obviously be welcome. I am happy to give him that undertaking.

Site licence conditions can govern matters such as the permitted number of caravans on the site, the provision of roads, utilities, sewerage and fire equipment, and spacing distances between homes. Local authorities can serve compliance notices on the park owner if they fail to meet the conditions stipulated in the site licence, and can prosecute them if they fail to comply. If the site owner is convicted—if local authorities can identify the site owner—they may face an unlimited fine. Of course, when the health and safety of residents is at risk, a local authority can enter a site and do the necessary works without taking the owner to court. The authority will in any of these cases often seek to recover all its enforcement costs, including for court cases, and charge interest on the expenses claimed from the site's owner.

Sandy Martin

If it is that much more attractive to have Travellers on properly regulated and enforced sites—I think we can all agree that it is—is it not necessary to make sure that there are enough of these sites? At the moment there are very many unregulated and unenforceable sites, and as long as there are not enough planned sites, Gypsies and Travellers will continue to use unplanned and illegal sites.

Kit Malthouse

I will move on to planning issues in a moment, so I will address the hon. Gentleman's question then, if I may.

The third area that my hon. Friend the Member for South West Bedfordshire raised was educational outcomes. He made a very important point. It is shocking when we consider the educational outcomes of Gypsy, Roma and Traveller children. I am concerned by the findings of the Children's

Commissioner for England that he mentioned. Every child has the right to access all the opportunities that modern-day Britain has to offer, including an adequate education. We expect schools to have data and evidence-led approaches to support all their pupils, whatever their background. Parents are responsible for ensuring that children of compulsory school age receive a suitable full-time education. One way they can do that is through home education, rather than regular school attendance, and the Government support the right of parents to home education. However, if it appears that a child is not receiving a suitable education at home, local authorities can enforce school attendance through school attendance orders.

However, as my hon. Friend mentioned, there is more to do. That was why in January this year the Department for Education established the Gypsy, Roma and Traveller stakeholder group to inform policy development. In March we launched a review of exclusions, exploring why certain pupil groups, including Gypsy, Roma and Traveller pupils, are over-represented in exclusion statistics. In January my Department launched a 2018-19 pilot programme to improve the integration of Gypsy, Roma and Traveller communities, including by raising educational outcomes. As part of the Department for Education's careers strategy, all those groups and their young people were listed as one of three target groups in a £1.7 million call for projects testing ways of providing vulnerable groups with guidance on routes into careers.

Andrew Selous

I am delighted to hear that the Minister is engaging with the Gypsy and Traveller community, but does he not accept that there might be adults in the community who quite like the current system because it gives them quite a lot of freedom, and that it is actually the children who are missing out? Children might not stick their hands up and say that they want to be in school full time, but we in this place have a duty to do what is right for all children so that they can fulfil their God-given aspirations and talents and become the scientists and engineers we need for the future.

Kit Malthouse

I completely agree with my hon. Friend but, as he knows, the subject of home schooling and the rights of parents over the rights of the state is a matter of debate at the moment, and something that I know the House will want to opine on in future. That is pertinent to this area in particular. I have inquired of Gypsy communities in my constituency whether their children are at school, and they are being home educated, which at the moment is perfectly legal. The question is whether that education is of an acceptable standard, and therefore whether a local authority feels able to enforce.

The fourth area that my hon. Friend raised was planning policy. He described the imbalance between the number of sites in some areas compared with others, particularly in his county. The Government's planning policy for Traveller sites confirms that our aims include that local planning authorities should make their own assessment of need for the purposes of planning and, working together with neighbouring authorities, identify land for sites. Local planning authorities should consider the production of joint development plans that set targets on a cross-authority basis to provide more flexibility in identifying sites. The policy is clear that local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community. In exceptional cases when a local planning authority is burdened by a large-scale unauthorised site that has significantly increased its need, and where the area is subject to strict and special planning constraints, there is no assumption that the authority has to plan to meet its Traveller site needs in full. With regard to helping to improve outcomes for Travellers, local planning authorities should also ensure that Traveller sites are economically, socially and environmentally sustainable.

Andrew Selous

I will try to make this my last intervention. Is it not possible for a local authority to plan for enough houses for everyone in an area so that there is one general housing needs assessment that provides

enough accommodation for everyone? Some 76% of Travellers live in houses built from bricks and mortar anyway. There is nothing in their culture that prevents that from happening while respecting absolutely their history and culture, which we all want to celebrate. Does the Minister not think that there is something odd, outdated and failing about this continuing policy of separation and segregation, which has such terrible outcomes for everyone?

Kit Malthouse

I acknowledge the issue my hon. Friend raises with regard to segregation, but notwithstanding the percentage he mentions, a significant percentage of the travelling community still wishes to live a nomadic lifestyle. The question is how we best facilitate that, so that the impact of that lifestyle on existing communities is minimised, while at the same time allowing those who do wish to travel from place to place to live as peacefully and harmoniously as possible, with their children in particular getting the outcomes he desires.

The final area, which was raised by a number of Members, is that of enforcement. Several hon. Members spoke about the difficulties of enforcing the law and gave examples of cases in which the police are unable to act. The consultation underlined that illegal behaviours, such as industrial fly-tipping, can be difficult to address. We have seen that a multi-agency approach is vital in dealing with these incidents successfully. Local authorities, the police and other agencies should work together to find appropriate solutions. In some areas, such as Sandwell, we have seen that that can work. The majority of Gypsies and Travellers are entirely law-abiding, but we take very seriously the significant incidents that we have heard of involving a minority of individuals. We should not allow them to tarnish the reputation of Gypsy, Traveller and travelling show people and communities. We want to prevent local residents from suffering when a problematic unauthorised encampment occurs and to improve the outcomes of the most vulnerable in British society. We are funding a programme to improve outcomes for Gypsy, Roma and Traveller community groups in educational attainment, health and integration, and we are working closely with the Department of Health and Social Care and the Department for Education to maximise the impact of our projects. I acknowledge—I think both sides of the House agree—that more needs to be done to ensure harmonious relations between our communities. We recognise that the problem is by no means simple. We are giving these issues our urgent attention and we will publish a response to the consultation in due course.

My hon. Friend has expressed his frustration with Government action thus far and calls for significant change. I have no specifics for him tonight, but I fervently hope that, through my actions and the actions of the Department over the months to come, we can obviate the need for a fourth such debate.

Question put and agreed to.

10.26 pm

House adjourned.