

**Urgent Action Appeal**  
**UNITED KINGDOM: Forced Eviction of Gypsies and Travellers of  
Hovefields and Dale Farm**

18 August 2010

Dear friends,

More than 20 families living in chalets, mobile-homes and caravans at Hovefields Drive, nearby the largest Romani Gypsy and Irish Traveller community in the United Kingdom, Dale Farm, Essex County, are facing imminent forced eviction. The families received a 28-day notice issued by Basildon District Council to vacate their pitches and leave by 31 August or otherwise face eviction by the bailiff Company Constant and Co. Six families were evicted from Hovefields Drive community on 29 June, when the bailiff company, acting as agents of the Basildon Council, arrived at the site in the early hours of the day accompanied by Essex police officers and gave occupants one hour to pack up and leave. Heavy digger machines dig up the six plots where there was no-one living at the time as the families were travelling. No previous notice of this work had been given and a utility unit used as a lavatory was demolished. Children were able to move freely about the sites shortly before the utility was demolished by a heavy digger. Health and safety regulations were totally ignored during the eviction operation and the police did nothing to guarantee compliance with human rights law although a meeting between senior police officers, the Dale Farm Housing Association and the Essex Human Rights Clinic had taken days before the eviction. Those families who were travelling cannot return to their plots because Basildon District Council obtained a court injunction that prevent them to do so. No alternative accommodation was offered, no compensation for the destruction of utilities was paid, and these families are now homeless.

In the case of Dale Farm, approximately 1,000 people have been residing on the estate for more than seven years, including many children. The community has been resisting forced evictions attempts by Basildon District Council since May 2005 when it voted to clear a large part of the settlement. Although all residents hold land ownership titles, sections of the site had no planning permission and Basildon Council has subsequently refused all attempts to regularise the situation, preferring the enforcement option.

In March 2010 the UN Committee on the Elimination of Racial Discrimination (CERD) issued a letter urging the UK Government and its institutions to consider suspending any planned eviction until an adequate solution is achieved, with the meaningful participation of the community to guarantee protection of their housing rights, including the provision of adequate alternative accommodation ([http://www2.ohchr.org/english/bodies/cerd/docs/UK\\_12.03.2010.pdf](http://www2.ohchr.org/english/bodies/cerd/docs/UK_12.03.2010.pdf)). Basildon Council has offered nothing but brick and mortar houses or apartments, which are unsuitable for Gypsies and Travellers. Furthermore, the Council has refused to engage in conversations with the community.

The new UK Coalition Government has cancelled the central funding of much-needed new caravan parks for nomadic Gypsies and Travellers and removed the requirement to designate land for their accommodation. Many thousands of Gypsy families are thus forced to live illegally on land they have purchased but where they have been denied through strict planning laws to set up permanent

homes. Thus another generation of Gypsies and Travellers are in danger of losing the chance of a regular education, while the old and the sick are deprived of the care and medical attention.

The wishes of the residents are to remain where it is and not to be split up. There is a strong communal ethic, with the elderly being cared for by the younger generation and small children protected. Gypsies and Travellers feel that having lost the possibility to follow the old nomadic life-style, it is essential to the preservation of their culture and ethnicity to keep Dale Farm and Hovefields communities intact. In line with the Housing Act 1996, it is incumbent on the BDC to consider the claim of the occupants to not be evicted as the families threatened with forced removal have no place to go.

The community is therefore seeking your support to urge the Basildon Council to:

- Put on hold the imminent forced eviction of Hovefields community and the planned eviction of Dale Farm, and engage in meaningful consultation discussions with the residents and their representatives for the purpose of seeking to achieve an amicable solution;
- Consider both the possibility of a) issuing planning permission to allow their permanent residence on their present properties; or b) utilising the € 4 million set aside for the eviction to provide an alternative area to which the residents can relocate;
- Respect and protect the housing, property and family rights of the Gypsy and Traveller communities, in particular the rights of the children.

## Suggested Action

Please send an appeal letter by e-mail or fax to the addresses listed below requesting the Basildon Council to stop the eviction. Sample letters and further background information are provided below.

### To:

#### **Basildon District Council**

Mr. Bala Mahendran, Chief Executive  
Basildon Centre  
St. Martins Sq, Basildon, SS14 1DL, UK  
Tel:+44 1268 533333  
[bala.mahendran@basildon.gov.uk](mailto:bala.mahendran@basildon.gov.uk)

#### **Commission for Equalities and Human Rights**

Mr. Sean Risdale  
Policy Advisor,  
3 More London, Riverside Tooley Street  
London, SE1 2RG  
Tel: +44.20 3117 0235  
[Sean.Risdale@equalityhumanrights.com](mailto:Sean.Risdale@equalityhumanrights.com)

### CC:

#### **Department for Communities and Local Government**

Communities Secretary Eric Pickles  
Zone 7/J9  
Eland House  
Bressenden Place  
London SW1E 5DU  
[gypsies@communities.gsi.gov.uk](mailto:gypsies@communities.gsi.gov.uk)  
[Contactus@communities.gsi.gov.uk](mailto:Contactus@communities.gsi.gov.uk)

### BCC:

Essex Human Rights Clinic  
Email: [losori@essex.ac.uk](mailto:losori@essex.ac.uk)

Dale Farm Housing Association  
[dale.farm@btinternet.com](mailto:dale.farm@btinternet.com)

## Sample Letter

Dear Mr. Bala Mahendran, Chief Executive of Basildon District Council,

### Re: Negotiation instead of Evictions

I have heard of the problems affecting the Hovefields and Dale Farm communities who are facing imminent forced eviction from their pitches and homes and who fear they will become homeless. I/We ask the Basildon Council to halt all eviction plans in the area and take immediate steps to facilitate a fair and peaceful negotiation with the residents as to achieve a solution that complies with human rights standards and meets their needs. The United Kingdom is a State party to the International Covenant on Economic Social Cultural Rights (ICESCR) and under Article 11(1) all authorities in the UK are therefore obliged to refrain from the practice of forced evictions, and to prevent homelessness. Evictions can only be justified under very exceptional circumstances and these include, among others, the provision of alternative affordable and culturally adequate accommodation, and adequate compensation for the loss of homes and land. A great deal of public money and effort could be avoided in the of this duty by simply granting planning permission for the unauthorised pitches already in existence at Dale Farm and Hovefields.

I/We therefore urge you to intervene in this matter and to ensure that no evictions take place, and instead peaceful negotiations are established with the residents of Hovefields and Dale Farm until an acceptable agreement for relocation and/or compensation is reached.

Yours sincerely,  
[Name]  
[Address]  
[and/or Organisation]  
[Country]  
[Email]

---

### Background Information

Dale Farm, in Crays Hill, Essex, is the UK's largest 'Travellers' community, consisting of nearly a hundred separate properties, lying well outside the village and made up of extended family plots or yards. Hovefields Drive, located nearby, has ties with the extended families of Dale Farm community. Most pitches are owned by Travellers of Irish heritage, although some Romani families also own yards. The estate is divided in two sections, the front part (about 45 plots) has planning permission; while the back part (52 plots) despite numerous applications and appeals, has been refused planning consent. The Council's main argument has hinged on the statement that the placing of caravans and mobile homes on the site is "inappropriate development", which is harmful to the Green Belt and should not be approved except in very special circumstances. Although BDC has taken into account some of the residents' personal circumstances – such as individual health issues and attendance of school (but has been unaware of others), we noticed it has failed to give full attention to the residents' special needs and rights as a minority ethnic group, such as the importance to live in a community and in the company of their extended families. Basildon District Council has argued that it is not possible to rezone the area as the

impact upon the Green Belt by reason of the inappropriateness of the development continues to weigh against permitting Dale Farm to remain.

However, the planning history of the area has shown that the site had been used without planning permission since early 1990's for a variety of industrial uses. In 1992 BDC issued Enforcement Notices against various unauthorised commercial activities that were being pursued on the site. Part of the land at the east side of the site was previously the subject of two temporary consents for the breaking of motor vehicles, sale of vehicle parts and dealing in scrap metals. This use ceased following the vacation of the land by the business proprietors in 2001.

When the unauthorised development of the application site first came to the Council's attention in September 2003, the land to the east of the site had been used as a scrap yard from 1978 until 2001 under a permission granted by the Council to be used as such. If an exception was allowed for the scrap metal yard, surely an exception can be made for a vulnerable minority group to continue to live there, particularly given that many of them have already been through traumatic experiences of forced eviction.

In May 2005, the BDC voted to take direct action, setting aside some three million euro for an eviction and demolition operation. Residents sought a Judicial Review of this decision and won in the High Court. This judgment was overturned by the Court of Appeal on 22 January 2009. An appeal to the House of Lords was denied on 14 May 2009. After extensive research into the needs of Travellers and Gypsies in the UK, on 20 July 2009 the Department for Communities and Local Government informed BDC and the Gypsy Council that the District Council is required to provide sufficient land for 62 (sixty two) additional pitches. However, the new UK Government coalition has recently withdrawn this obligation.

**For additional information or queries, please contact:**

Leticia Osorio  
Essex Human Rights Clinic  
Email: [losori@essex.ac.uk](mailto:losori@essex.ac.uk)

Grattan Puxon  
Dale Farm Housing Association  
Email: [dale.farm@btinternet.com](mailto:dale.farm@btinternet.com)