



Negotiated Stopping Impact Scoping

Introduction

The brief for the production of this report was to “carry out scoping and mapping desktop research” to identify the reach and impact of Leeds GATE’s work to address issues experienced by Gypsy and Traveller people when they are living “roadside” on unauthorised encampments, focusing particularly on Local Authorities and Police services across the UK, Police and Crime Commissioners, individual politicians and among Gypsy and Traveller civil society. The brief put a specific focus on the spread of the use of the term “negotiated stopping”, which although referring to what in some areas has been a long-standing process, has been coined and promoted by Leeds GATE.

Negotiated Stopping is “a temporary ‘social contract’ which outlines the terms under which families may stay on a particular piece of ground, without being evicted by the authority, for a defined limited period” (<http://leedsgate.co.uk/negotiated-stopping-versus-transit-sites-what%E2%80%99s-difference>). It has been further defined as follows (<https://www.gypsy-traveller.org/wp-content/uploads/2018/10/Negotiated-Stopping-Extended.pdf>):

“Negotiated Stopping involves Local Authority officers making an agreement with Gypsies and Travellers on unauthorised encampments. The agreement allows Travellers to stay either on the land they are camped on or move to a bit of land more suitable for all parties. The length of the agreement can also vary from 2 weeks to several months but tend to be around 28 days. The agreement is a local one and will vary but has so far included Travellers agreeing to leave sites clean and not make too much noise and the Local Authority providing waste disposal and toilets, sometimes showers and water too.

Negotiated Stopping is always a locally agreed solution so might look a bit different in different locations. For Negotiated Stopping to work it has to involve local authorities negotiating with roadside Travellers. They should be talking to and consulting roadside Travellers and working out solutions”

Negotiated Stopping is distinct from:

- Transit site provision: these are built permanent sites, where you are able to stay for a maximum of 3 months and, and for which a local authority will need to apply for Planning Permission and incur development costs.
- Tolerated Stopping: local authorities may decide to tolerate an unauthorised encampment, subject to certain criteria and time restraints (see, for example, https://www.molevalley.gov.uk/media/pdf/c/o/Gypsies_and_travellers_procedure_updated_sept_2011_rev_3_nov_2013_2014_Dec_2018.pdf). This differs from Negotiated Stopping in that it is informal and lacks the guarantees and transparency provided by a Negotiated Stopping agreement.



In order to look at the spread of the term “Negotiated Stopping” across different sectors, this paper has been broken down into the following headings:

1. Media Coverage:
 - “Specialist” media:
 - GRT-focussed
 - “Trade”-focussed
 - General media:
 - Local
 - National
2. Government
 - National
 - Local
3. Individual Politicians
4. Criminal Justice Agencies
5. Gypsy and Traveller Civil Society
6. Accommodation Assessments
7. Europe
8. Potential Barriers

1. Media Coverage

a) Specialist

GRT-focussed

Travellers Times has been very active in promoting Negotiated Stopping- see for example <https://www.travellerstimes.org.uk/news/2017/09/negotiated-stopping-saves-leeds-authorities-nearly-quarter-million-pounds-says-new> “‘Negotiated Stopping’ saves Leeds authorities nearly a QUARTER OF A MILLION POUNDS says new report” (21 September 2017)’; <https://www.travellerstimes.org.uk/news/2018/11/leedsgate-meeting-opens-debate-about-negotiated-stopping> (1 November 2018); and <https://www.travellerstimes.org.uk/news/2014/11/negotiated-stopping-beacon-good-practice> “Negotiated Stopping - a beacon of good practice” (4 November 2014)

In the 21 September 2017 article Travellers Times states that:

“The Travellers’ Times has visited Leeds and talked to Leeds GATE, local Travellers living on negotiated stopping sites, and the local police and council. The TT urges all councils to implement negotiated stopping instead of using wasteful and inhumane ‘evict, evict, evict’ zero tolerance approaches”.

The 1 November 2018 article states that:



“Over the past few years LeedsGATE’s campaign to encourage councils to negotiate over stopping places for Gypsies and Travellers in Leeds has gained a great deal of support and evidenced some good practice”

A “knock on” benefit of Travellers Times coverage is that articles on the Travellers Times website are sometimes picked up by local media (see below), thus helping to disseminate awareness of Negotiated Stopping

“Trade”-focussed

A number of “trade”-focussed websites (i.e. sites that focus on particular sectors or service areas) have given positive coverage to Negotiated Stopping.

Third Sector website featured an article titled “Travellers negotiate an end to 'punitive' evictions in Leeds” on 28 August 2015 (<https://www.thirdsector.co.uk/travellers-negotiate-end-punitive-evictions-leeds/local-action/article/1361424> n.b. this is “member only” content) in which it describes Negotiated Stopping as an agreement that councils elsewhere could follow”.

On 20 December 2016 the National Housing Federation website featured a blog by Jo Richardson, Professor of Housing and Social Research at De Montfort University (DMU), Leicester (<https://www.housing.org.uk/blog/12-recommendations-for-managing-and-delivering-gypsy-and-traveller-sites/>). Referring to the report “Managing and delivering Gypsy and Traveller sites: negotiating conflict” (<https://www.dmu.ac.uk/documents/research-documents/business-and-law/jrf-travellers-gypsies-report.pdf>) lists “Where sites are not already in existence, consider ‘negotiated stopping’, rather than eviction, as a more resource-efficient and humane approach to unauthorised encampments” as one of the 12 recommendations contained in the report.

The Environment Journal website featured an article on 28 September 2018 titled “Report: how ‘negotiated stopping’ is alleviating the housing crisis for Gypsies and Travellers in Leeds” (<https://environmentjournal.online/articles/report-how-negotiated-stopping-is-alleviating-the-housing-crisis-for-gypsies-and-travellers-in-leeds/>). This describes Negotiated Stopping as “an innovative policy which has seen Leeds City Council negotiate with Gypsies and Travellers to allow them to stay on a piece of land for a period of time if they agree to certain conditions around behaviour, health and safety and waste”

b) General

National

An article of 11 September 2018 on the iNews website (“MPs call for action over illegal traveller pitches – but charity claims there is a chronic shortage of sites” - <https://inews.co.uk/news/uk/traveller-laws-mps-charity-claims-shortage-sites/>) cites Lucy Hetherington of Friends Families and Travellers suggesting that one solution to the chronic



lack of site provision and the attendant increase in the number of Unauthorised Encampments could be a 'Negotiated Stopping' approach:

"Instead of spending money on clear up and legal fees when Gypsy or Traveller families pull up in a public space, local authorities could instead employ the 'Negotiated Stopping' approach – where they provide waste and rubbish disposal, agree on the amount of time Travellers can stay in a location, and in turn can direct Gypsy and Traveller families away from contentious locations. "This approach has been found to offer cost savings to local authorities and also greatly improves community cohesion between settled and travelling communities."

Local

References to Negotiated Stopping in local media are becoming increasingly common. Often the text used is identical across different news websites which may reflect them being part of a group structure.

Examples from different parts of the country include the following:

Gazette Community Magazines in Hampshire (<https://www.mlggazettes.co.uk/charity-approaches-hampshire-county-council-with-no-brainer-cost-cutting-solution-for-traveller-encampments/>). on 1st September 2018, lead with:

"Every time you evict a roadside Traveller camp you create another one somewhere else"

An award winning Gypsy and Traveller charity has contacted Hampshire County Council urging them to adopt a negotiated stopping approach when dealing with Traveller encampments – a "no brainer" solution that saves hundreds of thousands of pounds of rate-payers money in clean-up and legal fees"

In Ayrshire the Daily Record website 12 December 2018 features an extremely positive article titled "East Ayrshire to be first to trial legal stopping areas for gypsy / travellers in Scotland" (<https://www.dailyrecord.co.uk/news/local-news/east-ayrshire-first-trial-legal-13724668>) which states that "the area is hoping to pilot the approach, which has been rolled out in Leeds, the council cabinet meeting heard last week". Council leader Douglas Reid is quoted as saying:

"The negotiated stopping arrangement has proved popular with Gypsy/travellers in other areas, who have struggled to maintain their way of life, often finding themselves alienated from other local communities. It's a simple, effective solution and I'm delighted it has been agreed with cross-party support."



The Council's SNP deputy leader Elena Whitham added: "The right to travel and follow cultural background is key. We are trying to reset the compass and make a difference", while a Labour Councillor stated that: "It is a long time coming but if we are getting the right outcome it will be worthwhile."

The article also notes that the Convention of Scottish Local Authorities (COSLA) has been "looking for local authorities to take part in the 'negotiated stopping place pilot' and East Ayrshire is stepping forward".

Also in Scotland the Press and Journal ran a very positive article on 29 November 2018 under the headline "Calls for Moray to be put forward for Scottish pilot scheme to establish negotiated sites for travellers"

(<https://www.pressandjournal.co.uk/fp/news/moray/1620395/calls-for-moray-to-be-put-forward-for-scottish-pilot-scheme-to-establish-negotiated-sites-for-travellers/>). This article quotes the Scottish Traveller Activist and Campaigner as saying:

"What has happened until now is that travellers will move somewhere, a car park of wherever, and council officers will go down there and tell them to move without telling them where to. A negotiated stopping place gives them somewhere to go. "Rather than a cycle of eviction, eviction, eviction, it leads to better relationships being developed with the settled community.

Moray Council convener Shona Morrison, who is also the authority's equalities champion, is quoted in the article as saying:

"For larger authorities, the cost of eviction orders is huge and ends up creating an atmosphere of conflict between travellers and communities.

Negotiated stopping places means they have to sign up to a code of conduct. If there's a nuisance neighbour in a street you evict the neighbour, not the street.

It should be the same with travellers, you should never have to evict an entire camp for the actions of just one of them.

The idea is if it's a place they're happy to be, they will take care of it."

In Devon the Dartmouth Chronicle's "Dartmouth Today" website (<http://www.dartmouth-today.co.uk/article.cfm?id=113174&headline=Nearly%20100%20Traveller%20caravans%20are%20on%20unauthorised%20sites%20in%20South%20Hams§ionIs=news&searchyear=2018>) published an article on 6 July 2018 titled "Nearly 100 Traveller caravans are on unauthorised sites in South Hams" which includes the following:

"Local authorities in Leeds have recently trialled a system of 'negotiated stopping', which has been hailed as a success by Traveller groups. It involves the council negotiating a code of conduct with the Travellers and Gypsies living on roadside camps, and providing water, waste disposal and portable toilets until the Travellers



move on at an agreed date and time. It is estimated to have saved the council thousands of pounds in legal fees”.

In Bristol the BristolLive website (<https://www.bristolpost.co.uk/news/local-news/sites-gypsies-travellers-urgently-needed-2172111>) published an article on 5 November 2018 titled “Task force looks at where gypsy and traveller campsites could go”. This refers to a report to South Gloucestershire council’s scrutiny commission on October 31 which said that “said temporary stopping places could “significantly” reduce the negative impacts of unauthorised camping – but no town or parish. The article notes that the report adds that:

“There needs to be urgency and prominence given to identifying and delivering land that might be suitable for temporary stopping places...The recommendations from the taskforce ask cabinet to investigate the provision of negotiated stopping spaces across the district. However some of the members of the scrutiny commission felt this did not go far enough and asked that “transit sites” also be included”.

In Kent the Isle of Thanet News website (<https://theisleofthanetnews.com/2018/08/06/thanet-council-notified-of-new-travellers-group-at-palm-bay/>) posted an article on 6th August 2018 (“Thanet council notified of new Travellers group at Palm Bay” referring to:

“A recent article in the Travellers Times has suggested unauthorised camps could be dealt with under a ‘Negotiated Stopping’ scheme, which the Leeds Gypsy and Traveller Exchange says reduces costs, community tensions and conflict

The Traveller Times says the solution has been used by Leeds City Council for a number of years, saving the council and police close to £250,000 a year in legal and clean up fees.

‘Negotiated Stopping’ involves a contract between mobile Travellers and councils that allow the Travellers to camp for up to three months on specified areas of vacant council land. The authority would usually agree to provide household rubbish disposal and sanitation. In return, the Gypsies and Travellers sign a contract agreeing to keep the area clean and to move off at the end of the agreed period.

The council also directs Travellers away from contentious public spaces – like playing fields – and onto more appropriate council land in return for a longer stay for the Travellers involved.

Figures from Leeds City Council show that in 2010/11 the authority spent £324,000 dealing with unauthorised camps. Following the negotiated stopping arrangement the costs in 2014/15 were £150,000.



In 2013 Thanet council dealt with two incursions. Last year there were around 40 and so far this year there have been some 35.

Thanet council has been asked for comment”.

This is particularly interesting as it is the local news media raising awareness of Negotiated Stopping and asking the Council for a response.

In Surrey, the SurreyLive website (<https://www.getsurrey.co.uk/news/surrey-news/traveller-charity-criticises-three-year-15396085>), on 12 November 2018, under the heading “Traveller charity criticises three year injunction banning unauthorised encampments in Elmbridge highlights Friends Families and Travellers promoting Negotiated Stopping, with the stating:

“FFT has called for the council to try alternative approaches when dealing with unauthorised encampments set up by travellers.

It has suggested the authority should talk with traveller families and agree on the amount of time they can stay in certain locations and provide waste and rubbish facilities for them.

This idea, which is called 'Negotiated Stopping', would also give EBC the chance to point travellers away from "contentious locations", the charity added.

Instead of spending money on clear up and legal fees when a Gypsy or traveller family pulls up in a public space, local authorities could instead employ the 'Negotiated Stopping' approach," said the spokesman.

This approach has been found to offer cost savings to local authorities and also greatly improves community cohesion between settled and travelling communities."

It added that councils could begin allocating sites for travellers to stop at in their Local Plans”.

2. Government

National

The House of Commons Library “Briefing Paper Number 08083, 8 May 2018 : Gypsies and Travellers” (<http://researchbriefings.files.parliament.uk/documents/CBP-8083/CBP-8083.pdf>) states the following with regard to Negotiated Stopping:

“‘Negotiated stopping’ is an alternative approach to dealing with unauthorised encampments. Under this approach, rather than taking enforcement action to move Gypsies and Travellers on, the local authority identifies appropriate areas where they



may stop temporarily by agreement. Through a process of dialogue and negotiation the local authority aims to reach agreement with travelling families over issues such as where they will stay and for how long, acceptable behaviour and use of waste disposal etc. An evaluation of this approach in Leeds has identified a range of benefits, including: cost savings for the police and local authority, reduced anti-social behaviour, improved community cohesion, and reduced stress and disruption for travelling families”.

This is positive. It is not, however, reflected in Parliamentary debate. In an article in Travellers Times ("MP'S LET US ALL DOWN IN THE GYPSY/TRAVELLER DEBATE IN PARLIAMENT" - 20 October 2017: <https://www.travellerstimes.org.uk/features/mps-let-us-all-down-gypsytraveller-debate-parliament>) Romani campaigner Brigitta Balogh, who was given the opportunity to write a briefing on 'Negotiated Stopping' a House of Commons debate on Gypsies and Travellers on the 9th October 2017 noted, after listening to the debate, that:

“On a personal note, I would like to point out that my briefing on ‘negotiated stopping’ – a practical solution that saves councils money and reduces tensions between nomadic Travelling groups and settled residents was not acknowledged during the debate”.

In Northern Ireland, the Housing Executive, whilst not specifically using the term “Negotiated Stopping”, do have a “Co-operation policy for Travellers” (https://touch.nihe.gov.uk/co-operation_policy) which states that:

“We manage a co-operation policy that allows Travellers to camp on a temporary basis. However, this should not be seen as a substitute for permanent or transit sites. It is meant as a way of dealing with a humane requirement rather than an alternative to the permanent sites.

This policy allows Travellers to remain on public land subject to the following conditions:

- Occupation does not constitute a measurable public health hazard or cause pollution to water supplies - district councils should liaise with the landowner, support groups and Traveller families to ensure services (eg, refuse collection) are in place to eliminate any public health hazard
- Occupation does not create a traffic hazard.
- Occupation does not create a right to long-term use of the site. The situation should be reviewed at regular intervals not exceeding 3 months.
- There is no current or immediate use for the land



- The Travellers behave in a reasonable and orderly manner.

We do recognise that there will always be exceptional cases with special circumstances which would require a different approach”.

In Wales, the Welsh Government’s “Guidance on Managing Unauthorised Camping 2013” (<https://gov.wales/docs/dsijg/publications/equality/131220-guidance-managing-unauthorised-camping-2013-en.pdf>) highlights Negotiated Stopping as an example of good practice.

The Scottish Government’s 5th April 2017 “Managing unauthorised camping by Gypsy/Travellers in Scotland: guidance for local authorities” (<https://www.gov.scot/publications/guidance-local-authorities-managing-unauthorised-camping-gypsy-travellers-scotland/>) whilst not specifically referring to “Negotiated Stopping” by name, does state that:

“[Para. 34]. Some local authorities have developed a code of conduct (or a good neighbour code) for unauthorised camping that details the standard of behaviour expected of Gypsy/Travellers during their stay”.

Further (in addition to discussing transit site provision) it notes that:

[Para. 66] Another approach that has been adopted is to identify particular locations that can be used for unauthorised sites. These are not sites with facilities, but areas of land that the local authority has determined as being suitable for use by Gypsy/Travellers wishing to set up an unauthorised site. Local authorities may want to consider if such an approach would be appropriate in their area.

Local Government

Unsurprisingly, much of the available data regarding local authorities adopting Negotiated Stopping concerns Leeds City Council - see, for example, <https://democracy.leeds.gov.uk/documents/s163293/Item%201%20Gypsies%20and%20Travellers%20Negotiated%20Stopping.pdf> in which it is stated that:

“In 2011 the City Council published the findings of the Neighbourhoods and Environment Scrutiny Panel into Gypsy and Traveller site provision. Included in the 12 recommendations, the Scrutiny Panel suggested that the authority should conduct a pilot ‘negotiated stopping’ scheme and provide permanent pitch provision via the Site Allocations Plan. As part of the pilot negotiated stopping scheme the Kidacre Street site in City and Holbeck was identified. This site has subsequently been granted planning permission for 10 years and forms a part of the Council’s Site Allocations...



Negotiated Stopping provision is required so as to ensure that Leeds has a managed approach to Gypsies and Travellers, who have a Leeds connection but who only require pitch provision for short periods of time. They enable a flexible provision to suit the needs of the travelling community. Negotiated Stopping describes an agreement reached between the local authority and G&T who wish to temporarily visit Leeds. The agreement may apply to a location that G&Ts have chosen themselves to pull onto, or it may be applied to another area of land that the City Council suggests. The agreement is a temporary 'social contract' which outlines the terms under which families may stay on a particular area of land, without being evicted, for a defined limited period. Gypsies and Travellers agree simple terms (such as not lighting large fires, not dumping waste and keeping animals under control). In return, the City Council agrees to provide household rubbish disposal and sanitation (e.g. skips and portaloos). The defining characteristic of Negotiated Stopping sites is that they are not permanently laid out for G&T use...

Through the Site Allocations Plan (SAP) the Council has committed to using sites which can be made available at short notice e.g. currently vacant land pending another future use, which is preferable to the roadside or more sensitive areas where temporary stopping has occurred in the past such as on parks and playing fields. This pool of sites will be continually updated and managed by the Council over the plan period and used to react quickly to meet Negotiated Stopping needs at a given point in time...

Negotiated stopping sites will be used for short periods of time (i.e. less than 28 days) and will not be used again within a 12 month period. This enables a spread of opportunities for temporary sites throughout Leeds rather than in specific wards or communities. This fits with a long standing principle of the Council to encourage smaller more distributed solutions to meeting G&T needs”.

There is, however, clear evidence of other local authorities considering Negotiated Stopping, whether by name or by practice.

Public Health Devon/Devon County Council’s “Housing needs and Planning Policy for Gypsy and Travellers: The approach of Devon local authorities”

(<http://www.devonhealthandwellbeing.org.uk/wp-content/uploads/2018/11/Gypsy-and-Travellers-Planning-Policy-and-the-approach-of-Devon-local-authorities-FINAL.docx>) makes specific reference to Negotiated Stopping, stating that:

“An asset-based community development project ran in Leeds 2014-2017 whereby the local authority, police and community groups worked together to make provisions for negotiated stopped places. The evaluation showed a reduction in the number of unauthorised encampments and a reduction in local authority costs of £105,000 per annum on average (and system wide savings of £238,350)... MDDC [Mid Devon District Council] see the identification of temporary stopping places through the negotiated



stopping method as a key priority and gap in activity from that documented in the local plan”.

Following from the above the “Next steps and recommendations” include the recommendation that:

“The Devon County Council Gypsy and Traveller Liaison Officer plans to work with the 8 District Councils and Highways to create a consistent approach across Devon for the provision of negotiated stopping places. It is anticipated that this will lead to the development of an unauthorised encampment policy”.

In London, the GRT Civil Society organisation London Gypsies and Travellers have been funded (with De Montfort University) to develop a proposal for introducing Negotiated Stopping in London. The Mayor of London/London Assembly website (<https://www.london.gov.uk/decisions/add2277-london-gypsies-and-travellers-negotiated-stopping-research>) notes that:

“The Mayor is committed to providing homes in London that meet the diverse housing needs of Londoners and this includes working to ensure the accommodation needs of the Gypsy and Traveller community are met. This decision form seeks the approval of funding to conduct research to support the development of a proposal for introducing negotiated stopping in London, which should help to manage unauthorised developments and encampments in the capital”.

The objectives of the research are as follows:

- To map out stakeholders and infrastructure involved in managing unauthorised encampments across London boroughs
- To understand the facilitators and barriers for implementing negotiated stopping in different contexts
- To develop relationships leading to political buy-in from local authorities for a negotiated stopping funding stream.

The expected outcomes of the research are:

- A database of contacts across London Boroughs, Metropolitan Police Service and elected representatives involved in unauthorised encampment management
- A report outlining the findings of the research and setting out recommendations for ways forward to implement negotiated stopping in London
- Options for a London Negotiated Stopping Pilot including: scope and time frame; geographical extent; estimated costs and job descriptions for the new role

Overall, the aim of the research is:

“to understand the conditions that would make the introduction of a negotiated stopping approach successful in London. The outcome will provide a robust evidence



base to support the development of the next steps for any negotiated stopping approach”.

Other English local authorities have expressed an interest in Negotiated Stopping. A Salford City Council report of 12 March 2018 (Briefing/Information Item To: Lead Member Environment and Community Safety From: Ben Dolan, Strategic Director Place Date: 12th March 2018 Title: Negotiated Stopping for Travellers:

<https://sccdemocracy.salford.gov.uk/documents/s7695/07e%20Negotiated%20Stopping%20for%20Travellers.pdf>) notes that:

“Rochdale [a nearby local authority] considers Negotiated or Tolerated stopping as a means to manage unauthorised encampments...Salford Council’s Protocol for managing Unauthorised Encampments does include as an option that the most appropriate means of management is that an encampment is permitted to remain for an agreed period of time. This presumes that the site on which the travellers have arrived is non-sensitive and is the site on which they will be permitted to stay. Something which Salford has never tried is pro-actively providing or having a site available to which Gypsy and Traveller families can by agreement be moved onto...Rochdale use tolerated stopping as an option, not a default approach to unauthorised encampments”.

A “local action mini review summary report” (GYPSY AND TRAVELLER WELFARE IN CROYDON) of September 2016 by Councillor Andrew Rendle

(https://democracy.croydon.gov.uk/Data/Scrutiny%20&%20Overview%20Committee/20160906/Agenda/soc20160906_09_02_mini_review_gypsy_andf8aa.pdf?cmte=SOC&meet=16&href=/akscroydon/images/att7706.pdf) states that:

“Looking at ways which might help reduce the number of unauthorised encampments was important. The strategic use of transit sites and/or negotiated stopping places was universally acknowledged by the people I spoke to as a potential way forward for the borough. Transit sites seem to offer many advantages to the settled community - as are negotiated stopping places or tolerated encampments which are becoming recognised as ‘best practice’ elsewhere.

Negotiated stopping places (or temporarily tolerated unauthorised encampments) can offer a pragmatic means of reducing cycles of eviction among Gypsy and Traveller groups with a local connection to the area. The use of ‘social contracts’ can encourage positive behaviour, tidiness of the site and length of stay. This approach is gaining ground as a way forward for many local authorities and Devon County Council has demonstrated it can present considerable cost savings - even taking account of staff, waste services and portaloos costs”.

Consequently Recommendations 12 and 14 of the report are that the Council should:



“12. Consider the immediate use of negotiated stopping places and the use of ‘social contracts’ (as exemplified by Leeds GATE) for Gypsy and Traveller families known to have connections to the borough.

14. Provide Biffa bins, waste services and portaloos to Gypsies and Travellers at unauthorised encampments and negotiated stopping places to help reduce waste and clean-up costs”.

Whilst not specifically referring to Negotiated Stopping a number of English local authorities have adopted a Negotiated Stopping-like approach to Unauthorised Encampments. The Getreading website (18th December 2018: <https://www.inyourarea.co.uk/news/travellers-at-prospect-park-on-the-move-for-christmas/>) states, for example, with reference to Reading Borough Council, that:

“A group of Travellers who set up camp at a popular park in **Reading** have signed a legal agreement to leave and go to a site where a new school will be built...The authority said the group will only be at the site for a temporary period and have agreed to a number of conditions to remain there.

The deal means the council can avoid delays to the eviction process caused by court closures and a lack of resources over the Christmas period.

The Travellers have agreed to stay at the site in Cow Lane until Wednesday, January 2.

The group has also agreed not to cause any disturbance or nuisance to anyone, not to interfere with anyone's access rights and to keep the area clean and tidy.

Councillor Sophia James, lead member for neighbourhoods and communities, said: “This arrangement is a practical and common-sense approach which minimises the risk of further unauthorised incursions happening in other parts of the town over the Christmas period...”

The land off Richfield Avenue is not a residential area and there should be minimal impact on the community.

However, there is a robust agreement in place which must be adhered to for the stay to be guaranteed.”

Similarly, whilst Sunderland City Council’s Unauthorised Encampment Policy of April 2018 (<http://www.sunderland.gov.uk/Committees/CMIS5/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=8tw5ZBsYQeMfZ%2BbnG1JPunSDPsa4asb1yEXd9LQHvboyKBW1Bthow%3D%3D&rUzwRPf%2BZ3zd4E7Ikn8Lyw%3D%3D=pwRE6AGJFLDNih225F5QMaQWctPHwdhUfCZ%2FLUQzgA2uL5jNRG4jdQ%3D%3D&mCTIbCubSFfXsDGW9IXnlG%3D%3D=hFfIUdN3100%3D&kCx1AnS9%2FpWZQ40DXFvdEw%3D%3D=hFfIUdN3100%3D&uJovDxwdjMPoYv%2BAJvYtyA%3D%3D=ctNJFf55vVA%3D&FgPIIEJYlotS%2BYGoBi5oIA%3D%3D=NHdURQburHA%3D&>



[d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJFf55vVA%3D&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFf55vVA%3D&WGewmoAfeNQ16B2MHuCpMRKZMwaG1PaO=ctNJFf55vVA%3D](http://www.leeds.gov.uk/leeds-gate)) makes no specific mention of Negotiated Stopping it does state that:

“Acceptance [of an Unauthorised Encampment] will always be considered if the encampment is situated at a suitable location and is not on land where prevention works have been carried out (this is work that has been carried out specifically to prevent an unauthorised encampment such as boulders being put in place and car parks being gated or locked..) Government guidance suggests that if Gypsies and Travellers only wish to stay for a short time, are on suitable land and co-operative then acceptance should be given...Where the Council agrees to accept an encampment for a period of time, the campers will be provided with a Code of Conduct and Information as to what they can expect from the Council and what will be expected of the encampment (the visiting officer will convey the code of conduct to the encampment to ensure understanding of it). Evidence of failure to follow the code of conduct can result in eviction action”.

There is also growing interest in Negotiated Stopping in Scotland. An item on the COSLA (Convention of Scottish Local Authorities website (http://www.cosla.gov.uk/sites/default/files/documents/18-06-22_cwb_board_item_10_-_improving_gypsy_travellers_lives.pdf), for example, states that:

“Officers have also worked with Scottish Councils Equality Network (SCEN) to begin to identify and evaluate local authority good practice and to support local authorities to learn more about, and in some cases pilot, the negotiated stopping model that David Donaldson highlighted to the Board in May. On 15 June, COSLA officers accompanied Scottish Government officials and representatives from the Youth Assembly to visit the LeedsGATE organisation to learn more about how this approach works in practice.

Officers are further supporting Cllr Whitham and officers from East Ayrshire Council to visit Leeds in late August/early September in order to meet with members of the local council and LeedsGATE to better understand the model and to support plans to pilot this in Scotland. We are keen to extend the invitation to elected members and officers from other authorities who would like to attend”.

Further to this, East Ayrshire Council’s website states, in an article of 7 December 2018 with the heading “Cross-party agreement for new Gypsy/Traveller Service Provision” (<https://www.east-ayrshire.gov.uk/news/article/cross-party-agreement-for-new-gypsy-traveller-service-provision>) that

“East Ayrshire Council’s Cabinet has agreed a new multi-agency approach to service provision for Gypsy/Travellers in East Ayrshire.

Agreed with cross-party support, the new approach between Housing Services, Planning and Vibrant Communities sets out a range of measures to help foster a



better understanding of Gypsy/Traveller lifestyle, including training for the Council's Elected Members, staff, Community Planning Partners and communities.

It also aims to help Gypsy/Travellers better understand the effect they can have on the local area and provide them with a single point of contact within the Council.

A new 'Negotiated Stopping Places' approach to unauthorised encampments is also being piloted in partnership with the Scottish Government and COSLA.

Negotiated Stopping Places are an alternative to the traditional enforcement-based approach to unauthorised encampments that stop on public land.

They involve open dialogue and negotiation between the Council and Gypsy/Travellers who pass through the area, to enable them to stay for an agreed, limited period of time, while adhering to a code of conduct specified by the Council.

The concept is based on similar, successful Negotiated Stopping Place models used in England, helping support Gypsy/Travellers to maintain their way of life, while reducing the number of encampments on unsuitable sites and building positive relationships with the local community.

Welcoming the agreement, Councillor Douglas Reid, Leader of East Ayrshire Council said: "The negotiated stopping arrangement has proved popular with Gypsy/Travellers in other areas, who have struggled to maintain their way of life, often finding themselves alienated from other local communities.

"It's a simple, effective solution and I'm delighted it has been agreed with cross-party support."

Councillor Tom Cook, Leader of the Conservative group added: "The provision of a dedicated Gypsy/Traveller Integration and Engagement Officer, liaising between the Council, Gypsy/Travellers and local communities is a sensible idea and allows for any misunderstandings, or particular needs to be addressed quickly, before these escalate.

"By offering a short-term stay at a site that is suitable, we can all set out key responsibilities and expectations, while still respecting each other's rights. It's a neat solution and I'm happy to support it."

Councillor John McGhee, Leader of the Labour group said: "Similar initiatives in different areas show that an up-front agreement to maintain a clean, litter-free, respectful environment, in return for Council recognition and support is helpful and, in almost all instances, welcome.

"I'm pleased we've been able to agree this new policy."



Councillor Elena Whitham, the Council's Deputy Leader and Cabinet Member for Housing and Communities said: "The new policy recognises the Council's legal obligations under the Equality Act 2010 and draws on best practice defined in Scottish Planning Policy, published in 2014.

"It is modelled on similar agreements already in place in England, which have proved extremely successful in supporting the Gypsy/Traveller community, as well as fostering improved relations with local communities.

"I believe it will make a telling and long lasting impact in how we understand and positively manage Gypsy/Traveller encampments in East Ayrshire."

3. Individual Politicians

The Travellers Times has noted (in a 21st September 2017 article cited above) that

"The Labour Party came out against local authorities using 'zero tolerance' towards mobile Travellers in its 2017 election manifesto, and UKIP MEP James Carver has campaigned for a similar approach to negotiated stopping"

A 2017 post on Jim Carver's website ("Solutions to costly unauthorised Gypsy encampments" -

http://www.jamescarver.org/Solutions_to_costly_unauthorised_Gypsy_encampments--post--477.html) states that in addition to transit sites:

"Another solution to unauthorised encampments was negotiated stopping, a system successfully adopted in Leeds, which has led to a significant reduction in the cost of clearing sites and legal enforcement.

He [Jim Carver] said: "This is proving a really workable solution. Travelling families are able to negotiate to stay, for limited periods of time, on ground where it isn't causing inconvenience.

"They make an agreement with the council about acceptable behaviour, use of waste disposal, and when they will leave.

"I really hope other councils will look seriously at the pioneering schemes in places like Sandwell and Leeds which are saving police and local authorities time and money and resulting in improved community cohesion."

4. Criminal Justice Agencies

A number of Police Forces have made specific reference to Negotiated Stopping. For example, Thames Valley Police and Local Authority Joint Protocol for dealing with Unauthorised Encampments (May 2018 - <https://www.thamesvalley.police.uk/SysSiteAssets/foi->



[media/thames-valley-police/other_information/unauthorised-encampments-protocol-with-local-authorities.pdf](#)) notes that:

“[Para 6.3] Some Local Authorities are also using contracts to agree the length of time that an unauthorised encampment may remain at a particular site e.g. negotiated stopping”.

A West Midlands Police report of June 2017 (updated September 2017), “Why has there been an increase in Unauthorised Encampments within the West Midlands area?” notes that:

“Approaches that tolerate UEs for a limited period of time are found in a selection of LAs across the country encompassing some common features. Typically an agreement is reached between the LA and Gypsies/Travellers which allow them to stay temporarily on a particular piece of land which is not an official site, as an alternative to repeated evictions. In return, the Gypsies/Travellers agree to certain conditions on behaviour, tidiness of the site and length of stay.

The approaches have been found to be beneficial in a number of ways. For example, research commissioned by the Leeds Gypsy and Traveller Exchange (LeedsGATE), supported by the Joseph Rowntree Charitable Trust (JRCT) found that ‘Negotiated Stopping’ in Leeds led to:

- Savings in police time and improved relations between the police and Gypsy/Traveller communities,
- Substantial cost savings for the Council compared with the costs of enforcement action and subsequent clean-up,
- Improved relations between the Council and all parts of the local Gypsy and Traveller community – not just those on the Negotiated Stopping site,
- Benefits to the local settled populations through well-chosen sites which cause the minimum of inconvenience,
- Improved quality of life for Gypsies and Travellers, through having a site they can occupy for an agreed period, free from harassment or the immediate threat of eviction.

The same research found that such agreements are likely to be effective in LAs where:

- There is a Gypsy/Traveller population with local connections which remains in the area for all or part of the year, and for which there is insufficient accommodation on permanent sites, or
- The same Gypsy/Traveller groups regularly stay in the area at certain times of year.



West Midlands Police and regional LAs are currently progressing a 'Regional Strategy for Unauthorised Encampments' which aims to bring together police and partners across the region to have a common approach to the problem. It is understood that part of this strategy will look at enshrining good practice in terms of tolerance of UEs. Considering the findings of this document, it is highly likely that encouraging an approach of negotiated stopping would mitigate some of the damaging effects that UEs can have on local communities and LA finances. It is conceivable that increasingly positive relations between local partners and Travellers would also lead to better engagement and cooperation with future GTAA processes, thus enabling LAs to better predict rises in Traveller numbers and prepare accordingly".

Following from this, Recommendation 9 of the report is:

"Consider placing negotiated stopping or similar approaches as pillars of the Regional Strategy for Unauthorised Encampments, adopting best practice from Local Authorities that pioneer the approach such as LeedsGATE".

Recommendation 11 is:

"Commission research into effects of negotiated stopping and similar approaches on Anti-Social Behaviour levels".

n.b. 2 of the 13 recommendations refer to Negotiated Stopping

A "Briefing note for West Midlands MPs on strengthening powers to tackle unauthorised encampments" produced by the West Midlands Police and Crime Commissioner on 3 October 2017 (<https://cllrkenhawkins.files.wordpress.com/2017/10/briefing-note-for-mps-on-unauthorised-encampments.pdf>) states that:

"'Negotiated stopping', a tactic used in Leeds, found that there was better community cohesion and potential combined savings of £238,350 per year in that city. This tactic is not currently widely used across the West Midlands, but the regional action plan involves developing the option for a standardised process to negotiated stopping".

Negotiated Stopping is identified in the Briefing Note as Best Practice example number 5:

"Negotiated stopping, pioneered by 'Leeds GATE', offers an alternative to the traditional eviction approach, which expands our toolkit for working with unauthorised encampments that are not causing major issues".

Negotiated Stopping was mentioned in at least two of the Police responses to the Government's consultation on unauthorised developments and encampments:

In the National Police Chiefs' Council (NPCC) and Association of Police and Crime Commissioners (APCC) response it states:



The obvious answer to unauthorised development and encampments is the provision of pitches, both public and private, including not only permanent pitches but also transit pitches and emergency stopping places. Additionally there is the concept of 'negotiated stopping' which has been reported on by several agencies, primarily Leeds GATE. The Police still need to be involved in that process with local authorities for it to be conducted successfully.

The Warwickshire Police response notes that:

“Transit sites are proving hard to locate. The settled community are generally reluctant to be close to a site which is going to be occupied for a short period of time which can result in a lack of care of the site and it being left in a messy state at the end of that period resulting in considerable financial outlay to the local authority (and hence to the taxpayer) in clearing the site. Site management is a real issue. Many local authorities have no experience of this and since it is notoriously difficult, do not wish to have the responsibility. Finding an alternative manager is virtually impossible...Politically, it is easy to understand that in acting on behalf of local residents, it is difficult to promote an interest in providing sites, permanent or transit...Warwickshire are constantly managing unauthorised encampments and it is clear from our ongoing experiences that the only effective way to improve this difficult controversial issue is with the provision of adequate and suitable temporary stopping places, along with permanent sites”.

Further to this a Police Officer from the Warwickshire force, interviewed as part of the research leading to a forthcoming Walsall report (“Solving a “problem” or meeting a need? - Engagement with Gypsies and Travellers in respect of need for transitional short stay provision site in Walsall”) stated that Negotiated Stopping is:

“Dealing with a problem and turning it into a positive”

5. Gypsy and Traveller Civil Society

Negotiated Stopping has had a great deal of support from organisations active in Gypsy and Traveller Civil Society.

The promotion of Negotiated Stopping by Friends Families and Travellers via an article in iNews of 11 September 2018 (<https://inews.co.uk/news/uk/traveller-laws-mps-charity-claims-shortage-sites/>) has already been referred to above, as has the research currently being carried out by London Gypsies and Travellers (<https://www.london.gov.uk/decisions/add2277-london-gypsies-and-travellers-negotiated-stopping-research>). London Gypsies and Travellers also recently stated (<https://www.surreycomet.co.uk/news/17367578.council-granted-controversial-powers-to-remove-travellers/?fbclid=IwAR0em4s9jy887ThMEONV1lpsrFJfnLxtpA9->



[zN2OG40tzodLNDulinf9hzi](#)), with regard to the growing use by local authorities of borough-wide injunctions, that:

“LGT is urging local authorities to support the alternative approach of negotiated stopping which has been proved to reduce the costs to councils and improve the lives of Traveller families...It is a more humane response that many local residents would be willing to support”.

The forthcoming report by the National Federation of Gypsy Liaison Groups for Walsall Council referred to above highlights Negotiated Stopping as an option the Council could adopt as a response to Unauthorised Encampments.

In a Travellers Times article of 19 October 2018 (“Negotiated Stopping is a Step Back says Violet Cannon” - <https://www.travellerstimes.org.uk/features/negotiated-stopping-step-back-says-violet-cannon>) the Director of York Travellers Trust writes:

“25% of Gypsies and Travellers in England were homeless the last time anyone bothered to check, for the vast majority of those people a permanent home is the answer, and I will always say that as to be a priority.

But that leaves a burning question, what do we do for those who are not homeless or don't want to live in a site or in a house?

Do we allow the injunctions to continue, banning persons unknown from being able to stop in an area of importance to them, do we ban their children from feeling they belong within a group? Do we allow ourselves to be villainised? Or do we begin to look at what's been working? Do we come up with a unified alternative to the divisive narratives? Do we, as Gypsy and Traveller people start a conversation to put the brakes on?

I personally feel I have a duty to.

And that's why I'm saying negotiated stopping is a step back. It's a step back to what my parents did. Sometimes we have to recognise that pushing forward isn't always the right direction.

I support Negotiated Stopping”.

6. Accommodation Assessments

Negotiated Stopping is getting a significant amount of promotion through GTAA's (Gypsy and Traveller Accommodation Assessments). This varies from merely mentioning Negotiated Stopping to recommending that the local authority for whom the assessment has been carried out adopts it. For example Opinion Research Services (ORS) GTAA for Elmbridge Council of January 2017 recommends that:



“In the short-term the Council should consider the use of short-term toleration or negotiated stopping agreements to deal with any encampments, as opposed to taking forward an infrastructure-based approach”

A year later ORS recommended to Runnymede Borough Council of January 2018 ([https://www.runnymede.gov.uk/media/17664/Gypsy-and-Traveller-Accommodation-Assessment-January-2018-/pdf/Runnymede GTAA January 2018.PDF](https://www.runnymede.gov.uk/media/17664/Gypsy-and-Traveller-Accommodation-Assessment-January-2018-/pdf/Runnymede_GTAA_January_2018.PDF)), with slightly different wording, that:

“In the short-term, the Council should consider the use of management arrangements for dealing with unauthorised encampments and could also consider the use of Negotiated Stopping Agreements, as opposed to taking forward an infrastructure-based approach”.

This has become standard wording for ORS GTAA's. See also, for example:

ORS North Somerset Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) Final Report August 2017 - <https://www.n-somerset.gov.uk/wp-content/uploads/2015/12/Gypsy-Traveller-and-Travelling-Showpeople-Accommodation-Assessment-GTAA-for-North-Somerset.pdf>

ORS East Hampshire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment Final Report August 2017-
<https://www.easthants.gov.uk/sites/default/files/documents/2017%2009%2009%20East%20Hampshire%20GTAA%20Final%20Report%20inc.%20TN.pdf>

ORS Eastleigh: <https://www.eastleigh.gov.uk/media/1658/gypsy-and-traveller-accommodation-assessment.pdf>

ORS Uttlesford: [https://www.uttlesford.gov.uk/media/7120/Uttlesford-Gypsy-and-Traveller-Accommodation-Assessment-Need-Summary-Report-June-2017-/pdf/Gypsy and Traveller Accommodation Assessment.pdf](https://www.uttlesford.gov.uk/media/7120/Uttlesford-Gypsy-and-Traveller-Accommodation-Assessment-Need-Summary-Report-June-2017-/pdf/Gypsy%20and%20Traveller%20Accommodation%20Assessment.pdf)

ORS Vale of Glamorgan -
<https://www.valeofglamorgan.gov.uk/Documents/Living/Housing/Gypsy-and-Traveller-Accommodation-Assessment.pdf>

ORS Essex, Southend-on-Sea & Thurrock -
<https://www.rochford.gov.uk/sites/default/files/2018%2001%2018%20Essex%20GTAA%20oint%20Methodology.pdf>

ORS Brentwood - <http://www.brentwood.gov.uk/pdf/20112017104603000000.pdf>

ORS Medway -
<https://www.medway.gov.uk/download/downloads/id/3371/gypsy-traveller-and-travelling-showpeople-accommodation-assessment-2018.pdf>

ORS Spelthorne - [https://www.spelthorne.gov.uk/media/18161/Gypsy-and-Traveller-Accommodation-Assessment-2018/pdf/Gypsy and Traveller Assessment Final Report.pdf](https://www.spelthorne.gov.uk/media/18161/Gypsy-and-Traveller-Accommodation-Assessment-2018/pdf/Gypsy%20and%20Traveller%20Assessment%20Final%20Report.pdf)

ORS Cambridgeshire, King's Lynn & West Norfolk, Peterborough and West Suffolk-
https://cambridgeshireinsight.org.uk/wp-content/uploads/2017/10/2016_10_05_cambridgeshire_gtaa_final_report_0.pdf



ORS Mole Valley - <http://futuremolevalley.org/wp-content/uploads/2018/02/Mole-Valley-GTAA-Final-Report.pdf>

ORS - Aylesbury Vale, Chiltern, South Bucks and Wycombe District Councils https://www.aylesburyvalec.gov.uk/sites/default/files/page_downloads/2017%2004%2024%20Buckinghamshire%20GTAA%20Final%20Report.pdf

ORS Hertsmere - <https://www.hertsmere.gov.uk/Documents/09-Planning--Building-Control/Planning-Policy/Local-Plan/New-LP-2017-09-28-Hertsmere-GTAA-Final-Report.pdf>

ORS Colchester - https://www.braintree.gov.uk/download/downloads/id/6923/cbc002412_%E2%80%93_colchester_gypsy_and_traveller_accommodation_assessment_june_2017.pdf

ORS Hampshire wide - <http://www.winchester.gov.uk/assets/attach/16091/2017%2010%2003%20hampshire%20gtaa%20summary.pdf>

ORS Central Bedfordshire - http://www.centralbedfordshire.gov.uk/Images/gypsy-traveller-accommodation-assessment-2_tcm3-18781.pdf

ORS Cheshire East, Cheshire West and Chester, Halton and Warrington - <https://www.warrington.gov.uk/download/downloads/id/16407/cheshire-gypsy-traveller-and-travelling-showpeople-accommodation-assessment-gtaa2018.pdf>

ORS Leicester City and Leicestershire - <https://www.leicester.gov.uk/media/183586/gypsy-traveller-and-travelling-showpeople-accommodation-assessment-report.pdf>

n.b. regarding a Rutland Council interviewee the report says “The officer confirmed that the Council will not be providing any formal transit provision but are considering the ‘negotiated stopping’ model as developed by Leeds City Council”. Additionally it states that :

“The recommendation for the provision of public transit sites needs to be balanced off against the use of managed approaches to dealing with unauthorised encampments as opposed to infrastructure provision. This could include continued use of tolerated stopping or consideration of the introduction of Negotiated Stopping Agreements for short-term encampments along with formal public transit sites”.

In its Black Country and South Staffordshire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment 2016 (produced May 2017) (<http://blackcountrycorestrategy.dudley.gov.uk/EasysiteWeb/getresource.axd?AssetID=300163&type=full&servicetype=Attachment>) another Research Organisation (RRR Consultancy Lt) states the following:

“It is...recommended that the study area local authorities adopt a negotiated stopping place policy to meet the needs of transiting Gypsy and Traveller families.

It is recommended that there is transit provision which takes the form of each authority having their own corporate policy to enable them to put in place negotiated stopping places with transiting families as and when they arrive.

[Councils should] Consider an approach to setting up negotiated stopping arrangements to address unauthorised encampments for set periods of time at agreed locations”.



Similar recommendations were made by RRR in the Mansfield District Council Gypsy and Traveller Accommodation Needs Assessment 2017 Final Report of February 2017 <http://www.mansfield.gov.uk/CHttpHandler.ashx?id=9663&p=0> (which includes the recommendation that “the council should also consider the application of ‘negotiated stopping places’ whereby negotiated arrangements allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time”) and the Gypsy, Traveller, Travelling Showpeople and Boat Dwellers Accommodation Needs Assessment (ANA) for Babergh, Ipswich, Mid Suffolk, Suffolk Coastal and Waveney of May 2017 https://www.ipswich.gov.uk/sites/default/files/accommodation_needs_assessment_final_report_may_2017.pdf (which states that “in relation to transit provision, it is recommended that all 5 study area authorities, through corporate agreement, set up a negotiated stopping places policy”).

7. Europe

The Centre for European Policy Studies (CEPS) identified Negotiated Stopping as a “promising practice” in its May 2017 report “Combating Institutional Anti-Gypsyism - Responses and promising practices in the EU and selected Member States” (https://www.ceps.eu/system/files/RR2017-08_AntiGypsyism.pdf) where it is noted that:

“the new ‘negotiated stopping’ approach is leading to better cooperation between Roma civil society, the local authorities, local police and members of the “settled” community”

The benefits of Negotiated Stopping are also highlighted in the forthcoming European Commission report “Civil society monitoring report on implementation of the national Roma integration strategies II in the United Kingdom: Assessing the progress in four key policy areas of the strategy”, which notes that “the idea of negotiated stopping has actually been in place in many areas whereby families will negotiate time with a land owner or local authority, however as land becomes squeezed and traditional stopping places disappear the family group sizes have often grown and it is this factor which makes it difficult”

8. Barriers

It is evident that Negotiated Stopping is being widely promoted, not least by organisations carrying out GTAAAs, but also through GRT Civil Society and both specialist and general media. A number of potential barriers to implementation can, however, be identified. These include:

- Viewing Unauthorised Encampments as a problem that must be got rid of rather than as reflecting a need that should be met.
- Related to the above is a focus on providing what have been described as “dummy” transit sites (that is sites that have effectively been designed not to be used) as these enable the Police to use Section 62 powers. This has been particularly evident in the



West Midlands (see, for example, <https://www.westmidlands-pcc.gov.uk/media/498588/Combined-Report-of-PCC-Unauthorised-Encampments-Summits-100217-and-210917.pdf>)

- Further to this, there is a lack of certainty regarding the status of Negotiated Stopping in relation to Section 62 i.e. there is uncertainty as to whether or not there would still be access to the same legal recourse if a local authority used Negotiated Stopping rather than developed a transit site). This has, however, been addressed in a Travellers Times article of 19th January 2019 (<https://www.travellerstimes.org.uk/features/lawyers-opinion-police-powers-and-unauthorised-camps-travellers-motor-vehicles-and>) which includes legal opinion which concludes that:

“I don’t see that negotiated stopping sites would apply re s62A because, by definition, that is a site where an agreement has been negotiated between the local authority and the Travellers in question”.

- A difficulty in grasping what exactly Negotiated Stopping is as it is a process rather than a “thing” (cf Transit Site provision, where Councillors can point to a specific site as evidence of the actions they have taken)

These barriers are not insurmountable but they do indicate “fine tuning”/clarification that may be needed if the use of Negotiated Stopping is to spread more widely.

Adrian Jones, January 2018