

# Cottenham Residents Association

Mr John Ballantyne – CEO  
South Cambridgeshire District Council  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne, Cambridge, CB3 6EA

Arrived on  
2 June 05

31st May, 2005

Dear Mr Ballantyne,

**Re: Travellers at Pine View, Smithy Fen, Cottenham.**

I write on behalf of the CRA and in so doing warrant that the line taken by the Association has, from the acknowledgements of four separate public meetings, the support of at least 20% of the households of Cottenham – we have no intention of over-stating the level of 'actual' support we enjoy and trust you will accept that in all of our dealings we act with honest intent, we ask that you, too, remember not: "to believe all that you read in the press".

You raise three issues for comment:

1. Factors concerning "needs" which should be considered by you.
2. Issues which affect the 'appropriateness' of continued (Traveller) residence in Cottenham.
3. Other points relevant to the position at Pine View.

You do not, in fact, solicit any suggestions for a solution to these issues at Smithy Fen. However, we offer our solution in anticipation of your demonstrating the same open minded approach shown by the Select Committee to the House of Commons when it accepted our evidence on Travellers even though at total variance with the guidelines given.

## **(a) Important Background.**

Every so often it is suggested to us that: "a reminder of the past is unhelpful, we must look forward". Such is an admirable notion *providing* any mistakes of the past have been acknowledged and necessary steps taken to prevent reoccurrence. Clearly it is inappropriate at this time to address the nature of SCDC/CRA disputes, however, when considering our position as stated below please be mindful of the fact that:

**we were notified by the Legal Advisor to SCDC that:**

- planning disputes involving Travellers 'could' take time to resolve (a minimum of two years post a planning decision was mentioned on several occasions)
- 'to win at appeal' was no guarantee that direct action (eviction) would automatically follow (SCDC and the Courts had to reconsider the humanitarian affects of forced removal especially if no alternative sites were available)
- 'the Council's case at appeal could only be enhanced by a strong representation from local residents' and that it was: 'better (in his opinion) that those residents presented their case in a natural manner and without the formality of legal procedure or formal representation'.

The 'advice' of the Legal Advisor prompted our seeking an alternative solution to the problem in Cottenham – **not because his comments suggested any lack of commitment from SCDC but because the comments imparted inferred that SCDC would have no alternative but to conform with the law (no matter how perverse the law might appear to us).** Bearing in mind that we have but one objective (peace and stability for the village) it became obvious to us that:

- a 'win' was no guarantee that Cottenham's Traveller population would be stabilised
- a 'win' offered no guarantee that the Travellers would not move away for a while and then return to repeat the whole process, or alternatively sell the land on that A.N.Others might pursue the retrospective process in their stead
- the only certain way to ensure a stabilised, maximised, size of site in Cottenham was to reclaim the land unlawfully occupied
- we couldn't afford to buy the land; the Council would not be able to compulsory purchase the land; the Travellers were of no mind to 'gift' the land and certainly would not move without an alternative (and lawful) place to go.

In July 2004, just a week prior to the opening of the Pine View inquiry and after having bounced a broad idea of land swap across the desk of some SCDC councillors, we learned at a meeting of SCDC representatives, Cottenham Parish Council, and ourselves (CRA) that:

- SCDC had no alternative site(s) for Smithy Fen Travellers
- had no alternative policy (in the event of victory) to direct action (eviction)
- no amount of lobbying, post the appeal decision, for eviction (should we win) could influence SCDC – SCDC would act appropriately, and in Cottenham's best interests, but ultimately the Courts would decide.

**Seven days to appeal and to 'win' might bring the same, ultimate, result as to 'lose'!**

**(b) Relevant matters to be considered at Smithy Fen.**

With regard to the factors, the issues and the points against which you seek comment we would, most respectfully, suggest your consideration of the following:

1. The Office of the Deputy Prime Minister (ODPM) supported the findings of the Inspector in that, broadly:
  - the presence of the Travellers on Pine View was an unacceptable contravention of the Local Plan and the 'needs of the Travellers' were insufficient to outweigh all 9 conditions of the Plan (HG23)
  - the Travellers had failed to demonstrate any 'real need to be in Cambridgeshire', had in fact acknowledged that: "Coventry would be OK if they owned the land"
  - in accordance with the Convention, the human rights of the settled community (and especially the residents of Smithy Fen) cannot be violated by the persistent anti-social behaviour of some Travellers
  - the behaviour of the Travelling community, legitimate or otherwise, residing at Smithy Fen was the source of a real fear for safety to the residents of Cottenham, and such was also a material consideration to the outcome of the appeal.
2. The Inspector (in the Pine View appeal) goes on to suggest that his findings should apply to any/all development on Smithy Fen, that he fully expects his findings to set a precedent (never previously acknowledged by Inspectors we understand) and the ODPM makes no effort to disagree with, or contradict, him.

3. There can be no justification for SCDC to attempt, without the full understanding, involvement, and unanimous agreement of **all** interested parties, to modify or otherwise alter the decision of the ODPM. **Put simply: SCDC has no mandate for such action.**

That said we will assume from your letter that all comments received will be used to fashion SCDC's strategy at forthcoming meetings involving such as the Commission for Racial Equality (an organization likewise bound to ensure that there is no "arbitrary judgement" when determining the future of a village), the Parish Council, Traveller Groups and ourselves. Thus:

4. From the first we have argued that the source of friction twixt the (so named) Irish Travellers and the settled community has been one of numbers. With a caveat for behaviour and peaceful integration we have argued (as has SCDC) for a maximisation of site size at 15 – 20 pitches. We already have two such sites on Smithy Fen which, we argue, is disproportionate to the size of the village **but**, being lawful, we have vowed to strive for peaceful integration with the lawful numbers. These numbers:

- (i) 18 pitches on Setchell Drove allowing 18 chalets, 18 touring caravans, 18 day rooms.
- (ii) 15 pitches on Water Lane (unfettered) with councillor after councillor and officers alike assuring us of no expansion and confirming at the Parish Council. AGM 28<sup>th</sup> April 2005 that each pitch was licensed to a maximum of 1 chalet, 1 touring caravan 1 day room and, it was also added, there would be no increase in the number of licenses.
- (iii) Boswell: 4 pitches and 12 caravans etc per the Mr Roberts ruling.

The Irish Travellers (and unlike the Romany Gypsies) seek larger sites for the benefit of the extended family, there is no specific rationale save for a statement of inter-dependence and a desire to live together. We see this reference to larger sites as a "wish" and not a "need" and as such irrelevant.

**Our view is that the decision of the ODPM is correct and there is no specific need for the Travellers to be in Cottenham. The village has accepted that it must sustain, even though considered too many, the 37 official pitches but any increase beyond that would be totally disproportionate and would further swamp the settled community of Smithy Fen. Furthermore we expect the Council to use its powers of enforcement fully and properly in order to contain numbers to the permitted maximums as shown above and to fulfil its promise to Cottenham that there will be no increase to the number of licences on Water Lane (meaning that two need to be revoked!)**

5. There are no issues, as determined by the ODPM, sufficient to outweigh the best interests of the village or to undermine the importance of the LPA's local plan. **We are, naturally, happy with this conclusion and suggest that there is no need for further consideration of the personal issues raised by the Travellers at the appeal.**
6. We feel that there are other areas of importance and relevant to all Gypsy & Traveller matters, we see these as under:
  - a) **Cost.** SCDC spent (we are told) circa £400,000 in 2004/05 on Traveller issues. Several appeals with associated legal, bailiff and other administrative costs, yet at the end of it all (and despite good wins at Chesterton Fen and Cottenham) no final solutions and certainly nothing to dissuade more Travellers settling in the District (see Great Shelford/CEN 28<sup>th</sup> May 2005).
  - b) **Humanity.** Some Travellers are guilty of anti-social behaviour and, perhaps, various social crimes, but not all. In any event the law sees Travellers as an ethnic minority and as such allows an element of preferential treatment by way of Race Related legislation, but the simple truth is that eviction/direct action is anachronistic, solves nothing, simply transfers a problem and should only be used as a last resort.

- c) **Quantitative Need.** New guidelines are due out this year but hitherto nothing but the caravan count (we are told) has given any insight into Gypsy & Traveller numbers. Like most other LPA's South Cambs. basically ignored circular 1/94 and decided not to effect any QN assessment. However, the caravan counts do give SCDC a base from which to determine the apparent, current, need (by combining lawful and unlawful numbers) and thus, by using the history of the count, it could make a reasonable effort to project future needs.
  - d) **Use of Pitches.** Water Lane has 6, possibly more, official pitches which have been vacant for at least a year. The 'Boswell' site (the Roberts decision) allowed 4 pitches to named individuals - one such pitch has been unoccupied for over a year. The argument levelled by all groups supporting Gypsies & Travellers is that there is a desperate need for 'accommodation', they have 'no-where else to go', **but** on Smithy Fen official plots remain vacant whilst others reside unlawfully.
7. We are aware that the O'Briens' living on plots 1-6 Pine View would prefer to remain in Cottenham. We know that three at least of these families have integrated well with the village. We believe it is possible for the decision of the ODPM to be met in full whilst finding a humanitarian solution to the O'Brien dilemma.

We are aware of the Commission for Racial Equality's interest in **how** you will handle June 11<sup>th</sup> and we know forced removal is difficult and expensive. We know that the Court can levy fines but may show reluctance if humanitarian aspects are not properly observed.

Working on the assumption that new money spent by SCDC must be well spent, we suggest that SCDC **either** buys the vacant plots above mentioned (compulsory purchase at land registry values perhaps) and 'swaps' 6 of these pitches for **ALL** of the O'Brien land (the land applicable to the 'Baldock' appeal) **or** SCDC locates, buys, and develops to the point of main services, new land (in or outside of the District) within 6 months and relocates the 6 families of O'Brien again taking **all** of the 'Baldock' appeal pitches in exchange. (It is probable that the 6 O'Briens can buy-out family members from the remaining appeal pitches, indeed would have to as their part of the 'bargain').

Relocation will doubtless mean a cost to SCDC but (as at Chelmsford DC **which has** land-swapped) it should be manageable relative to eviction costs and as **the land returned by the O'Briens' is the same land whether swapped or sequestrated there is no added detriment to SCDC.**

Action in the form of swap, or relocation, satisfies the O'Briens' accommodation needs and, even if left on Smithy Fen official plots, helps to stabilise the situation in Cottenham.

8. **Land swap does not create a honey-pot whereas inaction always will.** The moment the concept is adopted Council makes a statement to all Gypsies & Travellers:

**"We accept land swap as a retrospective option to resolve some if not all unlawful, and private, developments existing as at, (say), June 11<sup>th</sup> 2005.**

**In accordance with legislation, old and new, we are effecting a quantitative need assessment and in the near future we shall have identified land, and or areas, appropriate for Gypsy & Traveller sites development.**

**Gypsies & Travellers seeking to reside in the District are asked to conform to government guidelines and discuss their needs with the planning department.**

**Land swap will not be applied to any unlawful development occurring after, (say) June 11<sup>th</sup>."**

We appreciate having been asked to contribute and whereas we may well have over-stepped the mark by commenting beyond the parameters of your letter we ask that you give appropriate weight to our comments representing, as they do, some 20% **at least** of the 2300 households in Cottenham.

We look forward to reading of your decisions and will be happy to participate in any meetings should you so wish.

Yours sincerely,

K.S. Kelso - Chairman  
Cottenham Residents Association  
Fen End Farm  
Smithy Fen  
Cottenham,  
Cambs. CB4 8PT



8 Manor Farm Close  
Oakington  
CAMBS  
CB4 5AT

2<sup>nd</sup> June 2005

Dear John

Thank you for your letter of 26<sup>th</sup> May asking for my views on the planning situation at Pine View, Smithy Fen. I welcome this opportunity to bring to your attention a number of issues which I believe have, hitherto, been largely overlooked, and which I feel deserve consideration and debate.

### **Background**

You have, in your letter, set out the context of the Deputy Prime Ministers decision with regard to Pine View, but I feel it would be useful to cast our minds back a little further to widen the context, and to also consider the background of Victoria View, which will help to set out the likely expectations of the settled community.

In the case of Victoria View, we have an almost identical situation to Pine View. Planning applications were made and refused. Appeals were undertaken and dismissed by the Inspector. Deadlines for vacating Victoria View came and went. At the time this was happening the council set aside a sum of, initially, £250,000 (June/July 2004) and set up the "Direct Action Sub-Committee" (DAS) in order to make preparations for evicting any travellers who remained on site after the final deadlines. As you know, full council were subsequently asked to increase this sum, and in the Autumn of last year did so to the tune of £450,000. During the run up to the deadline dates, where the travellers were required to vacate the site, a number of letters were sent out by this council detailing the position, and advising the travellers that they must vacate the site by the required deadline or the council would evict them. (Not quite in those terms, but that was the message). This resulted in the travellers launching a last gasp attempt to stop eviction by calling for a Judicial Review (JR). The legal advice given to the DAS at the time was that we would lose the JR because the original enforcement notices were not robust enough to stand up to detailed scrutiny by the legal experts. The DAS therefore decided to postpone (and it was a postponement, not a cancellation) Direct Action until we had re-issued the enforcement notices. This we did, and they of course were promptly appealed. The appeals are due to be heard later this year. Should we win these appeals (again) I fully expect the settled community to demand that we continue with our plans to evict the travellers from Victoria View.

So, last year, both the travellers and the settled community were under no illusion that it was this council's firm intention to evict the travellers from Victoria View should they have remained on site after the deadline. Not only this but both communities were quite aware that the period of time between making the decision to evict, and being ready to do so was around five months.

## **Councils Approach**

Now, as you have set out in your letter, the Cabinet have "reaffirmed" its commitment to taking legal injunctive action against named individuals who are persistently in breach of planning enforcement notices. To date I have seen no evidence that the Cabinet have been informed of, discussed, or debated alternative action in the event that travellers remain on site after June 10<sup>th</sup>, and in this respect I feel this council is ill being rather short sighted. My real concern though is that any well informed person might well look at the councils approach of injunctive action and come to the conclusion it is neither effective nor rational. The questions of effectiveness and rationale might be put as follows:

- Is it rational for this council to adopt a policy of injunctive action just for travellers who are in breach of enforcement notices? Is this not discriminating against them, if we do not take the same action against any other member of the public who breaches an enforcement notice?
- Was it effective when this council took injunctive action against 2 travellers some time ago, both of whom were committed to jail, but both of whom are to this day still walking free, and where no Direct Action has been taken to remedy the breach of planning law on the land they own?<sup>1</sup>
- Was it effective or rational when this council took injunctive action against 2 other travellers, both of whom were young ladies and both of whom had just had babies, and yet these travellers have had no further action taken against them, and they continue to live on site?<sup>1</sup>

Your wording in your letter that the Cabinet have "reaffirmed" its commitment to injunctive action also gives the impression that this course of action has always been the Cabinets preferred approach. Our council policy, adopted last July, makes no mention of the use of injunctive action and it is only recently that this course of action was deemed to be favourable by the Cabinet. We run the risk of misleading the public into thinking we have had this preferred approach for some time, where clearly we haven't. Indeed one could be forgiven for thinking that Direct Action has always been this council's preferred approach in light of the overwhelming support of full council last year to allocate nearly half a million pounds to evict travellers from Smithy Fen. The public perception is naturally going to be one of the council reneging on its commitment last year to evicting travellers.

## **Alternative Approaches**

Injunctive Action is of course a valuable weapon in our legal armoury for dealing with breaches of planning control. However, as I have already indicated, injunctive action has failed to improve the situation at Smithy Fen previously, and it is difficult to see how this can do anything to improve matters in the future. At the recent presentation made by Chelmsford Borough Council, where we were told us of their experiences in taking direct action, they were quite clear that they had already tried

injunctive action and it simply hadn't worked. I am also very concerned that the Cabinet's desire is to take injunctive action against named individuals. This has certainly proved ineffective in the past, due to the mobile nature of travellers, and was the reason this council changed its strategy to one of taking out injunctive action against "persons unknown." Targeting named individuals, rather than persons unknown, will be seen as another way of not being able to follow through the injunctive action effectively, and we will undoubtedly be seen as sidestepping the issue.

I do feel there are a number of other courses of action this council should consider, some of which could be embarked upon concurrently and some sequentially. I am unaware that any of these scenarios have been formally considered by Cabinet. Some examples of alternative action are:

### **1. Prosecution for breach of an enforcement notice.**

This course of action is quite often a very useful and effective method of preventing continued breaches of planning control.<sup>1</sup> Whilst the first occasion a prosecution is brought is unlikely to result in a significant fine, prosecutions can be brought forward for each and every breach, and that means every day a traveller remains on site they can be prosecuted. Each prosecution will result in an increased fine, which could eventually ramp up to a maximum of £20,000. I liken this to the Japanese water torture. A dripping tap on the forehead is no punishment at all, but leave it there for a few days, or weeks, and it will eventually drive you mad. Prosecuting breaches of enforcement notices again and again might just ensure Travellers move from the site willingly, and for good.

### **2. Compulsory Purchase.**

Our age old argument for refusal of planning permission for the Victoria View and Pine View sites has been our desire to see this land maintained as a green section of open land separating the current legal sites of Water Lane and Setchell Drove. The legal sites at Smithy Fen are just as entitled to our consideration of Community Development as any other section of the community. I feel there is a very strong case for this council to acquire the Pine View and Victoria View sites under compulsory purchase powers to allow us to provide a valuable section of amenity land between Water Lane and Setchell Drove for the benefit of the travellers who are on lawful sites. Having acquired this land it could then be cleared and we could provide a number of facilities such as a small play area, community gardens, allotments, or any other such amenity facilities that the travellers on lawful sites themselves would benefit from. The other advantage is that once the land is owned by the council, removal of unlawfully sited travellers is quite simple under trespass laws, and it would not be a costly and lengthy process for the council.<sup>1</sup>

### **3. Direct Action.**

Our current legal advice suggests that Direct Action is inappropriate and that Injunctive Action would be far preferable. However, we are being told that the timeline between starting injunctive action and actually clearing the site is some 19 months. This is in comparison to 5 months for direct action alone, as we experienced last year. If the settled population of Cottenham knew (as I believe they should do) that it would be a further 19 months before a resolution could be found it would cause uproar. We must not forget the first enforcement notice was served in 1999. The



settled community feel that having had 6 years to sort this out the council do not deserve a further 19 months. One has to sympathise with the public perception, and I feel not enough weight has been given to this factor in coming to the decision to favour injunctive action on this site, over direct action.

Regarding the extended timescales we have been given, my view is that our current legal advice is falling short of the high standards we should be demanding. A second opinion is the minimum we should be seeking, from a completely independent and suitable firm of solicitors. The simple fact is that it was possible to take Direct Action at Chelmsford, and so it should be possible for us to do it to, if that is our desire.

#### **4. Additional site provision**

I feel very strongly that we should resist any call by central government to allocate more sites in our district. It is quite clear from the most recent ODPM Caravan Counts that we have already made ample provision for travellers in our district and we should not consider any further allocation until all other authorities have made some provision themselves. If all the other authorities made even a small provision, then the unlawfully sited travellers in our area would have somewhere else to go, and no doubt would willingly do so.

In summary I am sure there are other options available to this council to remedy these breaches in planning control. Rather than trying one course of action, and if it fails, follow another course. I think we should embark on action on all fronts simultaneously. This might even result in travellers leaving the site earlier than expected as a result of, for example, prosecution for breach of enforcement notices, and thus saving us vast amounts of money in following through 19 months of legal process to take injunctive action.

Whatever we do, we owe it to the people of Cottenham, who have suffered 6 years of utter misery in their lives, our dedicated, immediate and committed attention to this issue in order to resolve the problem in the shortest possible timescale.

Yours faithfully

Simon Edwards

Local Member for Cottenham, Rampton, Oakington and Westwick.

P.S. My views and observations are ones which I have no objection to being shared as widely as you deem necessary.

<sup>1</sup> This information was given to me by Chris Taylor during an informal discussion in February 2005.

Copy to [unclear] 185

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Mr. J. Ballantyne,  
South Cambridgeshire District Council,  
South Cambridgeshire Hall,  
Cambourne Business Park,  
Cambourne,  
Cambridge. CB3 6EA



2<sup>nd</sup> June, 2005

Dear Mr. Ballantyne,

**Pine View Travellers Site, Smithy Fen, Cottenham**

Thank you for your letter dated 26<sup>th</sup> May. I must first express concern over your heading "Pine View Traveller Site". May I remind you that Pine View is only part of the Traveller site at Smithy Fen, your wording implies it is somehow separate from the rest.

Whilst I appreciate you are dealing with the Pine View area at present I wish to take this opportunity to remind you that residents of Cottenham and Smithy Fen have been assured on numerous occasions that SCDC are committed to taking whatever legal action is necessary to halt the breach of planning enforcement notices. To this end I must state that I am appalled to learn that there have been additional licences granted on Water Lane resulting in an increase of the official pitches from 15 to 17 with no notification to Parish Council, the Residents Association or indeed householders at Smithy Fen.

One of Cottenham's arguments at the Pine View appeal was the impact from unplanned families on the amenities and facilities of the Village. For Officers of SCDC to ignore this is, I consider, a total disgrace and as CEO, I expect you to personally stand by the promises made by senior Officers and Council's Cabinet (as recently at the Parish Council's AGM 28<sup>th</sup> April, 2005) and ensure that no additional licences are granted, indeed that the two recently approved are revoked.

With regard to Pine View specifically, I have read the Cottenham Residents' letter and concur that it is not for SCDC to modify or alter the ODPM decision but to ensure that the law is enforced to the full and in the correct manner. If, as your officer's say, there are six official pitches which have been and continue to be unoccupied then, as recommended by the Residents' Association, I believe SCDC should compulsory purchase these and transfer ownership to Mr. O'Brien and his extended family in exchange for the entire area of land covered in the "Baldock" appeal.

Yours sincerely,

John Ballantyne  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne CB3 6EA

Dear Mr Ballantyne

Thank you for the opportunity to give our views over the traveller sites on Pine View, Smithy Fen.

We feel that the law must be upheld and cannot sanction any action, or indeed inaction, that does not see the due process of law through to its logical conclusion. In specific response to your letter and the 3 points you raise we respond:

1. The needs of the settled residents have not been considered in the past over this site on Smithy Fen but now they have been acknowledged by the appeal judgement of 11 March 2005. Our needs are for unfettered access to our homes and for our businesses and this we have not had, and continue not to have, with the large numbers of travellers using the access via Setchell Drove. Obstructive behaviour continues and will continue to be a problem whilst the site exceeds that of the original legal pitches.
2. The travellers in question on Pine View may well express a desire to remain near Cottenham, in the main it is indeed a desirable area to live, but they have no longstanding connection to the area and it is unrealistic to claim one. I would note that their claim is only bolstered to some degree by the time it had taken for SCDC to act on this illegal encampment.
3. The Pine View site is illegal.

In conclusion our view is that if some residents of Pine View do not comply with the legal ruling then they should be evicted. The site must be returned to its former open field aspect as soon as possible to help avoid further breaches of planning law.

Yours sincerely

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Dear Mr Ballantyne

Ref: Pine View Smiddy Fens.

We are totally against the illegal Pine view travellers remaining in Smiddy Fen Gttenham.

At every Council, resident, Parish, Traveller liaison meeting that we have attended, the council has said "it needs government directive" Now for once you have it for all our sakes act on it! either on June 11<sup>th</sup> or through the Courts if this is the best way.

Just because the travellers say "we don't want to go" your questioning a government decision! What more do you need?

In the inspectors report he states "In children in School there was none in Secondary School and the children in juniors, the attendance was only 50% when the traveller norm is 75% which is considerably less." If schooling for their children was important to them they would have sent them to School.

They may wish to stay in Gttenham but a thorough

appeal has decided they do not need to be in Cambridge let alone Smithy Fen.

Therefore they should have to respect the verdict and move on.

We would have no regrets if the decision had gone in their favour.

We put ourselves on the line giving evidence, and continue to get intimidation against us because of it.

Don't let us down again. We have enclosed a copy of our list of events we have suffered as a family. please take the time to read it and when you have bet your glad you don't live here!

P.S. If you use the correct procedure to evict you will send a clear message that SDC is not a soft touch.

If they don't abide with Guts decisions they will have to pay fines, costs ect. could you then contra the land against the fines that way you get the land back. Please remember Smithy Fen already had more than double the recommended size for trailer sites.

38 plots is already too many for our safety.

Copy also sent to New Leader. S.K.



Dear Sir,

1. My family and I moved to Smithy Fen, Cottenham 4 years ago and until February 2003 we had found our dream home with friendly neighbours that included English Travellers.
2. Then overnight heaven became hell. The original Travellers had been replaced by new ones and when the unlawful and anti-social behaviour began I assumed South Cambridgeshire District Council and the Police would do all they could to protect us. I soon realised we were on our own.
3. I have been brought up to believe you only phone the police when you are desperate but when you are told by officers that the night shift only has two patrol cars for 51 villages or that they have already been notified of the problem and are dealing with it, you feel very vulnerable and insecure in your own home when no one turns up. I have since learnt to ask for incident numbers to ensure my calls are logged and recorded.
4. My two elderly parents live with me and my husband, my mother is registered disabled and my father has a heart condition, diabetes and prostrate trouble. Both are now frightened of living here and in the dark winter evenings they are scared to go out because of the intimidation we have experienced.
5. On many occasions the single track fen road has been blocked either by articulated lorries delivering to the site, or by the travellers in their vans and cars. With my parents both in need of medical attention I am concerned that emergency services will be unable to attend when needed. My mother has already had to wait 8 days for an appointment at the Doctor's surgery because their resources are so stretched, and the police themselves have admitted being unable to access the Fen because of the congestion.
6. My husband does not get home from work until late evening and he is never sure if he will get past the bridge without incident. We should not have to live our lives in fear, this is not a question of English or Irish Travellers it is the concentration of numbers that is the problem. The site must be of a manageable size and at 37 plots, 226 persons, I believe it is already too big.
7. I regularly clear up rubbish dumped on the grass verge outside my house which includes used condoms, dirty nappies, soiled sanitary towels, human excrement and drug related litter. I know it is the Travellers who drop it because I have watched them doing it.

8. On the attached pages I have listed some of the incidents I personally have witnessed and experienced which have affected my family and made it necessary for me to make this statement. Many of the villagers and neighbours have suffered, too, but are too frightened to give evidence. I am also fearful but I am more frightened of what the future holds if I don't stand up for my rights.

9. Please help us; our future safety is in your hands.

Yours faithfully,

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## LIST OF INCIDENTS IN DATE ORDER

- 12<sup>th</sup> April, 2003 \* Loss of electricity supply for 12 hours due to a traveller's Ferrari crashing into the electricity pole.
- 12<sup>th</sup> April, 2003 Witnessed and rang the police as 5 traveller children abandoned a car in the middle of the road when it caught fire. Fire crew and police attended.
- 13<sup>th</sup> April, 2003 Dangerous driving and speeding up and down the fen drove for hours on end. Police Incident No. 400/13/4.
- 14<sup>th</sup> April, 2003 Woken in the middle of the night by horns blasting, revving car engines and loud music. Police Incident No. 826/13/4.
- 15<sup>th</sup> April, 2003 Phoned the police 3 times to report dangerous driving, noise and anti-social behaviour. Advised they were already aware of the situation.
- 22<sup>nd</sup> April, 2003 Car set on fire. Police helicopter flew over – no further action taken. Burnt out car still there one week later.
- 23<sup>rd</sup> April, 2003 12.30am Mercedes<sup>+</sup> transit racing up and down the drove at high speed with loud music blaring, horn blasting and the drivers drinking. Police Incident No. 39/23/4.
- 28<sup>th</sup> April, 2003 Another night of car racing, horns blasting, loud music and shouting. Police Incident No. 722/28/4.
- 30<sup>th</sup> April, 2003 Police helicopter over the site from 3.50-4.30pm and again 7.30-7.55pm.
- 1<sup>st</sup> May, 2003 Police helicopter and cars back and forth due to lorry with £850,000 of contraband cigarettes on traveller site.
- 600,000 cigs -  
3<sup>rd</sup> August, 2003 My neighbour and I were riding our horses at 6.30pm and were driven at by a young traveller at high speed. We could see he wasn't slowing down so we pulled the horses off the road onto the grass verge which has deep drainage ditches running along side them. The traveller slammed on his breaks and skidded the car until he was facing us. My horse took off in fright and it took all my strength to regain control of it. The traveller then threw open his door shouting "get off" as he grabbed the reins of my neighbour's horse, "I want to ride it". My neighbour was frightened and I could hear the panic in her voice when she told

CAF

him No. She challenged the traveller asking him if he was trying to kill us, his reply to this was "Yes".

There was a girl in the passenger seat of the traveller's car and she called to him; he got back in the car, slammed the door and drove away wheel spinning as he left. Again my horse bolted and I struggled to gain control.

My neighbour and I returned home as quickly as possible in case he returned and once home safely I was physically sick through fear.

Still shaking I telephoned the police who arrived 40 minutes later. I knew the car had not passed my house and was still up the Fen and I told the police I wanted to take the matter further and was prepared to make a statement if they arrested the man. They tried to dissuade me by pointing out how intimidating it would be were I to give evidence in court but I was determined to make a stand.

The police arrested the traveller, charged him and then released him on bail pending court appearance the next day. Needless to say he didn't turn up and the case was dropped.

14<sup>th</sup> August, 2003

In the middle of the night Traveller transit vans facing both ways parked outside my house horn blasting and shouting at each other to get out of the way. A fight then broke out. I was very frightened and phoned the police. Incident No. 826/14/8.

31<sup>st</sup> August, 2003

Late afternoon, two traveller boys drove into the drainage ditch as the result of wreckless driving. Telephoned the police who arrived 45minutes later. The car was still there 8 weeks later.

10<sup>th</sup> September, 2003

Whilst driving home I was run off the fen drove by a traveller in a transit van. Having regained composure I continue home only to find another traveller defecating on the drove verge.

13<sup>th</sup> September, 2003

I was riding my horse on the Fen Drove with my husband on his bicycle beside me when a young woman traveller with 4 children started to shout at me "Bitch, Bitch, Bitch" for no reason that I could see except she had to slow down because of my horse.

1<sup>st</sup> October, 2003

Traveller children no more than 10 years of age driving transit vans up and down the fen. Telephoned the police but no action taken.

Sep 2007  
Oct 2007

- 7<sup>th</sup> October, 2003 Transit vans driven by travellers racing up and down the drove beeping horns and drinking beer whilst driving. This occurred again on the 18<sup>th</sup> and 19<sup>th</sup> of October.
- 25<sup>th</sup> October, 2003 Fen road blocked by 6 limosines in the early evening to collect travellers for a night out. They returned in the early hours of the morning and from 2.20-6.40am about 10 vehicles raced up and down the Drove with music blaring and horns blasting.
- December, 2003 During this month a mobile police station was parked by Smithy Fen bridge as a result of the murder of Peter Stone. I experienced the first uninterrupted nights sleep since April 2003.
- 3<sup>rd</sup> February, 2004 The police have left and the travellers begin their night time car races again.

There are many more incidents of wreckless driving and anti-social behaviour during the day and night and well into the early hours of the morning with over 40 vehicle registrations already given to the police.

AS



Proof of Evidence part 2 . 4<sup>th</sup> June 05 .

Dear Mr Taylor

I wish to include the following into my evidence as nearly a year has passed since it was submitted.

Unfortunately I would like to be able to say things were better, but this is not the case and fear, intimidation and despair continue to enter my life daily, through incidents that happen to me and my family, but also my friends and neighbours.

I know I am only supposed to list events that happen to myself and my family but when incidents happen to friends and neighbours it still has an effect on our lives as it is upsetting and unerving.

On a regular basis four to seven times a week, travellers park outside my home at night and in the night and can stay there for anything from five minutes to two hours. Although nothing has happened other than full beam headlights and loud music & beer having animals outside you feel very vulnerable, if you ask them to leave you receive abuse and more beeping, you scared to go to sleep just in case something does happen it's all unerving; especially if you have had an encounter that day, or the appeals have finished & it's in the reports because you have given evidence.

As a promised I have now been an all so stressed Mr

health problems, which the doctor advises are stress related.

With the size of the site still being developed and more and more applications for planning permission being received (respectively) for us to come on, the whole situation feels out of control and totally immoral.

Please keep our site at 38 plots this is already more than twice the recommended size for travellers.

Only <sup>settled</sup> families live at the fer, please protect us, and livelihoods at Smithy fer, that rely on people not being too scared to come down here, because of site and traveller behaviour.

Chron. Continues attached.

Use of incidents Constructed from previous statement

Date

8 Feb 04: Husband went to tell Speeding travellers to Slow down,  
Blue Passat nearly Mowed him over. Police Inc No 3138/2.

21 Feb 04 Returning to my vehicle at local Market heard some Show  
Irish accent as I looked at the van and number plate  
02-30-11820 white I recognized it from the site on  
the fer, The driver saw me looking and swerved the  
Vehicle at me I had to jump out of the way and  
he was laughing with the passengers it Shook me up.

March and April More racing up and down porches, Mercedes, BMW, Vans  
loud music days night Incident S30 28/5.

15 <sup>th</sup> May 04.	Blue Transit #1703MF?	Racing up & down
	Vauxhall Omega Green T108LOM.	Loud music.
16 <sup>th</sup> May 04	AS above both vehicles	~ ~ above.

28 <sup>th</sup> May 04	Pen Green Sm car EK 52UP.	No response.
	Silver Subaru WR52? Silver Subaru.	1 Incident S30/28/5.

28 <sup>th</sup> May 04.	Dumped Rubbish	Rang Council Ref. 44714 + 44624.	No Response.
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30<sup>th</sup> May 04. Helicopter over site 10.20pm 5 minutes.

June 04 Odd racing Van but not on usual Scale.

17<sup>th</sup> July 04. Burg. Transit 03-44401 Racing up & down.

19<sup>th</sup> July 04. Pale Blue Sporty Car. NK 02222 1845 ~ ~

Aug 04. Odd Racing up & down.

- 17<sup>th</sup> Sept 04 Police Helicopter air site 15.29
- 22<sup>nd</sup> Sep 04. Black Passat T408 TBU. Racing 1.30-2.00pm + 14.35pm.
- 26<sup>th</sup> Sep 04. Silver Range Sluggo. X451 HG-F 8.12pm. Racing loud <sup>noise</sup>
- 3<sup>rd</sup> Oct 04. Police Helicopter 10 o'clock pm (see lots of racing jets ~ ~)
- 6<sup>th</sup> Oct 04. Silver Range Rover 2-72-10 17.39pm. ~ ~
- 17<sup>th</sup> Oct 04. Silver Sabao AV04 ENW 3.15am ~ ~
- 31<sup>st</sup> Oct 04 03-LK 926 + 03-LK 279 Red + Silver TRANSITS UP/DOWN ~ ~
- 24<sup>th</sup> Nov 04 Y676 02: large BK Sabao 1am to 1-30 ~ ~
- 1<sup>st</sup> Dec 04 03-C 933 Red Transit 1pm up down racing  
FLS170m car 7.19 ~ ~
- BDS3 WMX Silver car 4.05pm Staring + Intimidating  
AF 04 2JB Navy 4x4 3.42pm } all racing up + down  
BDS3 PLX 3.18pm. } Beeping

Note date above end of last appeals preview.

- 2<sup>nd</sup> Dec 04. EX04 EXD JAGUAR 10.16 Racing up + down
- 9<sup>th</sup> Jan 04. LD04 F Silver Cortina Type 6.13pm. ~ ~
- P132 TAG car 8.23pm. ~ ~
- ATS4 XZU Navy people carrier 2.06pm ~ ~
- 17<sup>th</sup> Jan 05 Police Helicopter air site 2.30am.
- 20<sup>th</sup> Jan 05. Road Block entering for Police dogs 16 police Transporter.  
Spm.
- 25<sup>th</sup> Jan 05. FDS3 AWF Silver Corsa Type 1.07pm young child driving <sup>12-14</sup>
- 23<sup>rd</sup> Jan 05. 11 o'clock pm Helicopter air site: 11.30 Blue van Irish plates  
driving dangerously.
- 2<sup>nd</sup> Feb 05. LK 05164 Blue Transit 2/2 Inc 659
- 5<sup>th</sup> Feb 05 05-KK-846 ~ ~ 8.23pm. Racing <sup>4</sup>/down
- 05-C 384 Red Transit 8.23 racing up + down

18<sup>th</sup> Feb 05. DeB SS4 MJL Car 9.23pm. Dark Cab Racing  
20<sup>th</sup> Feb 05 X752 NKL Silver Car 7.05pm.

20<sup>th</sup> March 05 BT04 PPU Silver people carrier. Staring

26<sup>th</sup> March 05 3 Teawater girls large Terrier type dog in my  
Garden being abusive when told to get out wouldn't pick  
dog up or put it on a lead 5pm.

28<sup>th</sup> March 05 OS-UK-493 Am+Pm White low top Transit Van. Racing up

30<sup>th</sup> March 05 OS C3384 Red Transit on + off all day + eve

31<sup>st</sup> March 05 AF02 Green/Silver 4x4 parked outside loud music  
Neighbour Paul Smith + tractor stored police called.

1<sup>st</sup> April 05 OS-C-3384 Red Transit  
K387 GVT Gold Cab

OSK 493 White low top Van. 7pm - 11.19 + in the night  
OS UK --- Silver Van Police incident S46. 2/1 +  
No response!

2<sup>nd</sup> April 05. OS-C 3384 Red Transit Racing up + down again  
+ Incident with Tractor + Neighbours Horse.  
+ 2 police cars Police helicopter not related to above!

3<sup>rd</sup> April 05. 2.30am beeping for 10 minutes as raced up + down  
Couldn't get number light out on reg.

5<sup>th</sup> April 05. OSC 3384 Red Transit. 10.30am 2-3 youngsters <sup>14 yrs</sup>

10<sup>th</sup> April 05 BT04 VVB Red Transit 16.15 to 16.50 <sup>music beeping</sup> Racing up/down

16<sup>th</sup> April 05 Silver Grey Transit 2100056. Racing up + down  
day + night neighbour Paul Smith called police did attend



17<sup>th</sup> April 05 Con. friend visiting were driven off when leaving fen by white van - Irish plates

Bad day on the fen.

18<sup>th</sup> April 05. E004 m77 Yodock Navy people carrier driver Intimidate Red TRANSIT OS C 801 19.57 - 21.00. + Yellow Car.  
Beeping racing ect ect.

19<sup>th</sup> April 05 Drugs found outside house on the verge in packet!

20<sup>th</sup> April 05 L004 FRA SILVER VW 8am. Racing + loud music

28<sup>th</sup> April 05 Blue Transit O3Rn405 ~ ~ ~

29<sup>th</sup> April 05 Blue Transit O3EW405. on all at day - early eve.

Blue People carrier AJS+XZU. 19.15 - 19.35. 2 Blonde Girls

30<sup>th</sup> April 05 OS-C-3384 Red TRANSIT, 3.15 pm up + down <sup>Racing!</sup> Speeder.  
W418LEL Silver Carlton Type.

1st May 05. L554 WAV Blue TRANSIT Driver in 30's! <sup>Racing up + down Loud music</sup> 8.07 - 8.15 am

3rd May 05 O3-C-801 Burg TRANSIT 11am Intimidating

4<sup>th</sup> May 05 OS-LK-1222 Blue TRANSIT 19.51-20.00pm Racing + Music low

5<sup>th</sup> May 05 5 police cars on the fen in orgo! Pick up lorry onto Site <sup>take corner</sup>

9<sup>th</sup> May 05. BJ 04 EW4 Navy TRANSIT. White Volvo-type Car Racing up + down

11<sup>th</sup> May 05 OS-LK-1751 <sup>7.15!</sup> SILVER TRANSIT 5.56pm - 6.37pm ~ ~ ~

5<sup>th</sup> June 05 11 Octalish Police car + Helicopter all over place and on site

This may seem a lot of incidents but there are lots more not listed as they have happened when I haven't had pen + paper  
DABM



June 2005

Dear Mr Ballantyne

RE PINE VIEW TRAVELLERS SITE, SMITHY FEN

Ref A: Your letter dated 26 May 2005

1. I am concerned that you are being very selective as to who you have sent the above letter to. Do the people of Cottenham not deserve a say?
2. As a Cottenham resident I must object to the fact that you do not appear to be complying with the Directive of the ODPM. You (the council) have spent much of your time telling us (the residents of Cottenham) that you needed direction from the ODPM! Now you have it you are still prevaricating. We have also been told on many occasions, including being mentioned on the TV that you have a £450,000.00 fund to cover any evictions. We do not expect you to move them on the 12 June but we do expect you to move them! After all they have had three months notice to move. They are breaking the law. When we threatened to withhold our council tax we certainly weren't given 3 months grace but there again up until then we were law abiding tax paying residents of this country. You obviously find it more difficult to take action against travellers than to take action against us.
3. Travellers, according to the Oxford Concise Dictionary are "**A person who travels or is travelling**". Residents, "**A permanent inhabitant, not a visitor**". If these people are not travelling they must be residents and bound by the same laws as us, they cannot have it both ways!

This is my view of how I see things:

- a. If they are travellers they should travel and not use our liberal laws against us to occupy land illegally. Cottenham has had a traveller's site for many years without too many problems. It is only the last couple of years since the "ethnic Irish minority" moved in en-block that the trouble has arisen. I understand we can do nothing about the legal plots but even the gypsy council agree that the legal plots constitute a site that is too large.
- b. I understand the schools, doctors and dentists are all full which means anyone now moving to Cottenham who is a law abiding tax paying resident will have to go out of the area to get their children in schools and medical treatment, surely this cannot be right!
- c. Some of the travellers who have been here two years are still driving around with Irish number plates on their vehicles, can I ask how they do this as I would like to save over £100 per year. I see they do not have to abide by the law as they do not

use seat belts and pack in as many people as they can in the front of their vehicles, children included, usually with the children stood up leaning on the dashboards. This really shows their children mean a great deal to them, or so they would have us believe.

4. Just as a matter of curiosity, can you tell me where the nearest site of travellers is to the council member's homes? In their village? Their town? Or perhaps they say not in my back yard thank you very much!

~~Yours sincerely~~

A handwritten signature consisting of a stylized, cursive letter 'A' or similar shape, written in dark ink.



Hi

Yes, I am quite happy for my opinions to be read out loud.

## Re-SMITTY FEN

1) I do not think that there are any needs of travellers to be taken into account but I do most strongly think that you should begin to consider the legally settled tax paying residents not only who live close to Smitly Fen but those people whose lives have been changed so dramatically during the last 2 1/2 years. Simon Mcintosh has told me of his visits to Smitly Fen and his personal talks with travellers - how many people in the village has he afforded this chance to express fears etc etc.

2) No, there are no needs for travellers to be in or near Cottenham they will be granted the same conditions etc wherever they go in the country.

It is inappropriate for them to stay here because the law of this country has told them to go.

to go.

2/

we spent lots of money - time etc to get Prescotts office to wake up and make a judgement on this issue, now he has. it would be criminal not to enforce it.

3) Please take into account that you are in office to carry out the laws of the land - had John Prescott found in favour of travellers I am quite certain you would have used that fact many times against our arguments. If these people have to leave they will find other sites with plenty of spaces in other counties - they just need to find one where the council is ~~at~~ as lax as SDC has been.

Also please note that you and the local police are responsible for any racism that has arisen by finding in travellers favour time and time again - and of course the police never charge them with anything. Your performance has created the horrible atmosphere in Cottenham.

In Cottenham in the last week there have been at least 16 instances of motoring / parking / obstruction offences but not one charge or ticket issued.

Yours



My ref: mw/jh  
Your ref:

Date: 8 June 2005

Contact: Margaret Wood  
Direct dial: 8700  
E Mail: Margaret.Wood@cambridgeshire.gov.uk

Office of Children and Young People's Services  
Deputy Chief Executive, Gordon Jeyes

John Ballantyne  
Chief Executive  
South Cambridgeshire District  
Council  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB3 6EA

Cambridgeshire Race Equality and Diversity Service  
Team for Traveller Education

Box No: ELH 1605  
CPDC  
Foster Road  
Trumpington  
Cambridge  
CB2 2NL



Tel: 01223 508700  
Fax: 01223 506013

Dear Mr Ballantyne

Pine View Travellers Site, Smithy Fen, Cottenham

I am writing in response to your letter of 26 May sent to Jenny Loaker and Kate D'Arcy, who are two of my team colleagues in Cambridgeshire Race Equality and Diversity Service Team for Traveller Education.

The Travellers at Pine View, along with other families living on Smithy Fen, have had their children enrolled at local schools for some time now. The children are settled in education, making progress and there is no doubt that their education would be disrupted if they were to move out of the area.

The Cambridgeshire Team for Traveller Education have been supporting the local schools and the Traveller pupils and their families in order to promote as continuous an education as possible.

We are also a partner in a Local Public Service Agreement (LPSA), along with City & South Cambs PCTs, SCDC and others, which is intended to improve public services. Our target is to improve the educational achievement of Irish Traveller children throughout the county, many of whom live on Smithy Fen and indeed some on Pine View. The agreed public service targets involve the Traveller pupils achieving higher than expected rates in numeracy and literacy. There has already been tremendous commitment shown by the local schools, the Traveller families and the Traveller Education Team as well as partners in the health service, the Care and Education Partnership, pre-school providers, the voluntary sector and the Libraries Service, to enable these children to benefit fully from the educational opportunities and support available locally.



There has also been some considerable progress in enrolling some of the secondary age children from Smithy Fen at Cottenham Village College. Within the LPSA the children will be major contributors in meeting the public service targets, but most importantly by achieving at these levels, they will ultimately benefit their own community and the wider community in South Cambridgeshire.

I am happy for these views to be made public.

Yours sincerely,

*Margaret Wood*

Margaret Wood, Team Manager  
Traveller Education

Cambridge City and South Cambridgeshire  
Primary Care Trusts

Our ref: SS/CM/TB  
Your ref:

Please reply to  
Heron Court  
Ida Darwin  
Fulbourn  
Cambridge  
CB1 5EE

Mr John Ballantyne  
Chief Executive  
South Cambridgeshire District Council  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB3 6EA

Switchboard: 01223 884008  
Direct Tel: 01223 885718  
Fax: 01223 885728

Email: [sally.standley@southcamb-pct.nhs.uk](mailto:sally.standley@southcamb-pct.nhs.uk)  
Website: [www.camcity-pct.nhs.uk](http://www.camcity-pct.nhs.uk)



08 June 2005

Dear Mr Ballantyne

I am writing in response to your letter of 26th May 2005 regarding the Pine View Travellers Site, Smithy Fen, Cottenham and the pending expiry date of 11th June. Thank you for giving us the opportunity to comment on this issue.

The PCT will continue to meet its duty to provide and commission health services for the population of Cottenham and South Cambridgeshire, regardless of the decisions made relating to Traveller sites.

However, as you are no doubt aware, as part of the Local Strategic Partnership, the PCT is signed up to the Local Public Service Agreement targets. This includes targets relating to improving the educational achievement of Irish Traveller children and young people in the county. Moreover the Traveller population generally suffers from poor health; our efforts to improve the health of this community can be hampered by a lack of continuity of care. We would therefore support any efforts that would enable this important work to continue.

Yours sincerely

Sally Standley  
Chief Executive



7th June 2005

re: Pineview Travellers Site, Swithney Fen, Cottenham.

Dear Mr. Ballantyne,

Thank you for your letter dated 26th May 2005.

I am not given to whinging or complaining but I can say categorically that I am not happy with this letter. In the 1st instance, whoever sent this letter (in your name) did not even give me the courtesy of a name. Surely when you are at SCDC given so much time, it appears, to help the needs of the travellers, I and my family could be given enough consideration for someone bothering to write "rather than Dear \_\_\_\_\_"

I could write a lengthy missive with regards to the situation here on this fen; but, surely if you bothered to read the files on the appeal sites the information is already with you in black and white. I have enclosed a copy of the statement that my husband gave, in person at the last appeal. Perhaps you could read it? Nothing here has changed except we have another appeal pending for yet more travellers, will it ever end, not unless you do something

My opinion is as follows: -

It is not the job of the residents to sort out the travellers, it is the responsibility of the District Council and by writing a letter like this you are trying to shift the blame for any decisions to the public. How many people who are affected by the travellers received this letter? Indeed not even all those living in the fen itself?

The law, is the law. The travellers have no planning permission and have been through the legal system, and a lengthy appeal. John Prescott, has made a decision based on our Human Rights in clearly states that those people on Pineview have no proven need to be in Cottenham, or even in Cambridgeshire. So why would you not evict them? Why are you even debating this?

This letter serves not your council well at all, not in the way it has been sent out, worded, its content, nor what it is trying to do.

I can only hope and trust that eventually SCDC will do what is right!

Yours faithfully,

Dear Sir,

By allowing any part of the appeal site to remain in situ, you will be putting the whole of "Bullocks Haste Common" (150 acres of arable land) at risk from flooding.

I offer the following objections to the appeals:

### 1. Drainage.

The Common drains south through a main pipe which runs beneath the middle of the appeals site and under several different plots (approx 17). This pipe is now under hundreds of tonnes of rubble and hardcore etc; should it become fractured, blocked or broken it would be virtually impossible to find and/or repair it.

The Old West Internal Drainage Board have informed me that this drain is not its responsibility but is the responsibility of those under whose land the pipe runs. If appeal is granted it is essential that the full names of the owners are made together with any alternative 'home' addresses.

### 2. Abuse of Land.

The owners of the plots at the north east end of the appeal site have filled in the drainage ditch and made an earth bank above it. The boundary of one of my fields is some 8 feet the site side of the hedge, this is now under some 8-10 ft. of earth. Whatever the appeals outcome I must ask that you order that the bank be removed and the ditch reinstated.

### 3. Safety and Welfare.

As a small family farm of just over 110 hectares we have been encouraged by government to diversify. This we did some 5-6 years ago. We set-up a plant/shrub nursery and also sell our own potatoes as 'Farm Gate Sales'. The business increased year on year until last spring (2003) when a number of our customers experienced difficulties coming into/going out of the Fen. Such difficulties took the form of being blocked-in by vans or cars, with some travellers offering verbal abuse to them when refusing, having been asked, to move/pull over.

The affect of this became most apparent last winter (2003-2004) when we were selling potatoes at £3.50 per bag (the cheapest in the area) and we were lucky to sell ½ tonne per week whereas in previous years it had been 3-4 tonnes per week. Customers, to whom we have spoken, have admitted that they are now afraid to drive into Smith Fen for fear of what they may encounter from the travellers.

This spring (2004) our sales from shrubs and plants have dropped to approx £50 per week compared to earlier years of sales between £200-£400 per week. This cannot be allowed to go on. I (the family) have invested £200,000 in this farm over the past 8 years!

Since the massive and unauthorised increase in the site, courtesy of the new Irish Travellers, the running of our business has become extremely difficult. Problems occur almost daily and include:

1. our field adjacent to the site on its north east boundary having been burned out
2. the gates to our grass field (livestock) on Setchell drove being burned
3. vast amounts of rubbish - including chairs, sofas, household waste - having been dumped in our field gateways and roadside drainage ditches
4. children jumping from the drives onto the back of my farm machinery
5. children throwing stones at me/my tractor whilst passing the site
6. joy riders, on off-road motor cycles, biking through my crops.

As a family, and over the past 18 months, we have found ourselves increasingly bickering, more argumentative, short tempered and generally at odds with one another. The quality of our lives has changed: we fear for the safety of one another if on the Fen unaccompanied, we are drained, constantly tired. The sleepless nights are now to numerous even to estimate, the result of travellers in vans and/or cars either racing up and down, or simply cruising with music blaring and car horns blasting, or arguing and shouting ... the disruption in whatever form is carried into the early hours of the morning without any regard for the welfare of those living on the Fen.

It is now necessary to have one member of the household at the house/farm 24 hours a day. We can no longer go out together as a family unit.

#### 4. Conclusion.

Smithy Fen has, in my opinion, become a blighted area with houses, buildings and land well below true value. If further expansion of the traveller site is allowed this Fen will become even more blighted, property will become unsaleable.

I ask you to consider the Health, Welfare and Safety, and Human Rights of the residents of Smithy Fen and those of North Cottenham. Free us from the hassle and abuse that we are forced to endure, reject the current appeals, close the site to further expansion. Alternatively find us new homes new lands that will support a return to the peaceful, uninterrupted, way of life that is our right!

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Sent: 10 June 2005 21:49  
To: cllr.ballantyne@scambs.gov.uk  
Cc: Deborah Roberts; mikemason  
Subject: Response to your letter re Pine View deadline - 11th June

Dear Councillor Ballantyne

My apologies for sending this in so late, but it will technically be within the deadline. Further, my apologies for length and repetition, I have been busy appealing the enforcement notice as well as other things, and haven't given this enough time to tidy it up. So here it is.

First I would comment that while welcoming an attempt to consult with people as to our opinions regarding removal of the travellers from Pine View I am a little surprised at the way this has come to us, and I have reservations as to why it has been sent.

This is because the Inspector reported at length after the 8 day public enquiry on this site, and made his decision about the needs of the travellers and the needs of the residents. The very first thing I would ask you to do is to read his report, not just the summary but the whole report. I would also ask that you make sure you read the submission from the Residents' Association, as well perhaps as my own, tho mine is harder to read and concerns more difficult issues at times.

I also would like to point out that despite many attempts to work with the Residents' Association over the last year, they have consistently kept me out and not involved me either in helping to put their evidence together or in policy making or in information gathering, and this for no good reason, but the impact of this is that while they get to go to meetings such as the one you had with the CRE and the Ormiston Trust and the travellers and the Vicar, I do not, yet I am - unfortunately - an integral part of this problem and need to have the same information and contact with travellers as everyone else. There are at least two other important families on the Fen who are in a similar position to me.

I am concerned that this exercise is more of a public relations job, tho I trust that it is not. As I say, the Inspector and John Prescott made it clear that these particular travellers do not have a specific need to be on Smithy Fen, near Cambridge, or indeed in Cambridgeshire. They are highly mobile, and their total breaking of the law in the manner both of their arrival here and behaviour while initially on the site, as well as being the probable destroyers of my 300 fruit trees, does not endear me or anyone with an ounce of fairness in their bones towards them nor does it incline us in any way at all to give them leeway. They have had two years of illegal leeway.

Add to this that this is the second biggest site in England; that the residents of Smithey Fen and Cottenham in 1987 signed two petitions asking to keep the site to 12 pitches - about right for the resident population of this Fen - but year after year the Council let things become worse and worse for us residents, sometimes on appeal but often not, and often through dismal failure to enforce planning law - the same planning law this council now wishes to enforce against me, by the way.

Cottenham does not need to carry the burden of these travellers any longer and those of us living on the Fen - I have recently been camping in my cottage that I left at one point because I felt too vulnerable - get daily and weekly intimidation and harassment. This is not an exaggeration.

So our need is for this site to be reduced to its original legal size, a size that is now in dispute because subdivision of plots that was not foreseen apparently by the council have allowed several more pitches (over 10 I believe) to come into being on the authorised land to the eastern end of the site. That is another battle to be sorted, but at least, at the very least, we need no more than the original authorised area, which until recently was occupied by 38 pitches.

There is a fundamental need that is not being achieved by tinkering and it is this; we need that the travelling community be fairly treated and fairly settled. That is not, I hope, in dispute. I know from a very reliable source indeed that the levels of alcoholism and domestic abuse are high among the travellers on Smithy Fen, and none of us wants that to continue, certainly I do not. But from saying 'these people have miserable lives' to saying 'these people must be allowed to break planning law, take over someone else's land and defend themselves with violence, be party to the massive littering of the fen droves, to violent attacks on a resident taking people out for rides as is her business, to damage to residents property on a regular basis, to keeping vulnerable and elderly residents under strain from deliberately creating noise and mayhem on the road outside, and so on and so on, there have been blockings in, I met couple who live at Smithey Fen farm and their children do not want to come to visit them now out of fear, even if that fear is not always matched by circumstance, nonetheless it is well-founded.

So we need them out NOW. Now, now now. Not next week, or next month, or next year. Two years of this is far too much, and people are suffering huge strain living with this issue, yet tend to cover it up because it is a little like the little boy who 'only does it to annoy because he knows it teases'. If you let the travellers know they are getting to you, they will intensify the pressure. On the whole. I can give you a whole personal account of how I have been subjected to what I would maintain is prosecutable under the Criminal Damage and PUblic Order ACt, on my own land. This year, in the pursuit of delivering legal notices to travellers of a hearing for a possession order.

But we need them out firmly and not with violence, unless they absolutely insist in creating it. I hate violence, I believe in non-violent action, I believe that you can more or less remove non-violent people without mayhem, but if anyone on either side is intent on provoking violence it may be difficult to avoid. I don't believe the bailiffs I have met would want to create violence, and mostly I have seen the travellers do their utmost to provoke you into violence, because they can then look innocently at you and say, SEE, I'm not violent, You are. I lost my temper once with a traveler who was actually denying me right of entry to my land, unfortunately. I won't do it again. He knew exactly what he was doing.

They are not all in his mould, thank heavens. But for people like him you need firm but thoroughly non-aggressive action, it is, I would suggest the only way.

We need a solution that will leave both sides feeling good, even if it comes with a lot of protest and disgruntlement on the way. We need a solution that respects the law, and redresses unfairness. I cannot redress the many years of abuse and vagabondism that some travellers and gypsies will have suffered, it's not in my power. I do not have to suffer their being on my land because someone else feels sorry for them. To let them get away with that is to invite abuse.

Giving the travellers things doesn't work, unless you want to give it to them. If it is a personal act of generosity, that is fine, but not giving someone else's time, freedom, land, peace and quiet etc. without their consent or willingness.

I believe you should take these people within a week or two, to get yourselves together, and put them over the border of Cambridgeshire and tell them not to come back, except to work the land should they want to accept it as agricultural land. Failing that I believe you should simply put them out of S. Cambs. because this district has too many travellers already.

I don't believe that they all come from the UK. At least one family has come recently from S. Ireland, and I believe that many more have done the same. The UK should not be putting up Eire's escapees. And S. Cambs in particular should not be leaving them in Smithey Fen.

We have the money set aside for an eviction, and I believe we should use it. Firmly, nicely but very very definitely.

They need somewhere to go, but wonder if they don't already have a very good idea of where to go. Apparently S. Cambs is known in Rathkeal as a soft Council. They came here of their own volition and broke all our laws and have been belligerent and have lied consistently. I like travellers, believe it or not. What I hate is having to have these arguments about them. I know how they tick, I would not mind their way of life without the violence and alcoholism of course. They have charm and a sense of humour. But go their way, because Smithey Fen and Cottenham must not have them any longer. Full stop.

What I believe could facilitate this process would be some kind of meeting ground between travellers and residents. I don't mean the Parish Council, because they don't live on the Fen or near it. I mean all the people who have been hurt over the years on and near the fen; and the travellers who have their own stories of hurt to tell. In a neutral place, with no agenda, no desire to achieve anything other than to hear each others' stories.

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About my land, and the enforcement and so on:

As for my piece of land, first I began to take practical action geared towards court action before this enforcement notice came my way; second, it blames me, which I will never ever accept and is blatantly aimed at me; third, I went to court because having appealed it, I knew it was no longer effective, and thought that since the Council had imposed this without consulting with me, which it should have done, and I had appealed it, the travellers would need to know that there was some higher authority working on getting them out, so I went for the possession order. I have asked the council to withdraw this order, which came out of the blue and for no justifiable reason; they have not acceded. I have asked for a meeting with Mr. Taylor since the middle of January, both by letter and via a councillor, and got nowhere. I have asked that the Council use trespass legislation if it wishes to help this situation, and while Mr. Taylor has acknowledged that they could he has then insulted me by saying that I would only want them to do it again and again. I would be overjoyed if they would do it just once.

While the appeal continues on my Enforcement Notice, the notice is in abeyance. I have postponed action that would involve the Court bailiffs for various reasons:

- a) a total failure of the council to talk to me about this and discuss what is happening on the site and what could be happening; we are after all both dealing with illegal occupants of land
- b) the upcoming uncertainty over whether or not the council will evict from Pine View next week or thereafter, should eviction be needed. While you do not act as soon as your enforcement notice comes into force (tomorrow) I don't think you can ask me to do the same, do you?
- c) were I to evict while surrounded still by many unauthorised sites and people on them who can form gangs in no time flat and enjoy doing it, it would be a phenomenal waste of effort, for the long thin strip that is mine is far too easy to invade, even if I were to put up large fences and notices. They are nothing to determined travellers, nothing at all. It would be a sheer waste of money and I know whereof I speak. I do.

Finally I will not at this point rehearse the reasons why I feel that this Enforcement Notice is an insult to me. Most of Cambridgeshire does understand that, believe me. And people who have had long term experience of travellers on the fen know exactly what I mean. Over the years this Council has been party to the expansion of both legal and illegal sites on the Fen, and it has been with the density of travellers and the placing of legal plots on my boundary that my orchard became untenable. This is not my fault, and no-one in their right mind would say it was, because anyone who knows about travellers knows how difficult it is - once the site reaches a certain size - to stop them from expanding into neighbouring land whether it belongs to them or not.

There are good sites, very good sites. They belong to different kinds of travellers.

\*\*\*\*\*

More on needs

Now I will come to another need of the residents: smallholdings like mine need to be away from travellers. We don't have the same resources that farmers have to physically defend our land; you can't move trees for a year and bring them back; you can't be there the whole time to protect the land. We need planning protection. At present it won't happen, as the law stands. But the law was not made for this situation.

On to what no doubt Mr. Macintosh may regard as something more constructive: travellers need intelligent help, not soft landings help. The Ormiston Trust sounds as if it is doing good work. But you need tough love, not goeey love. Find these people - the willing ones that is - sources of help for living their lives despite the conditions they are in. That will be more important than schools in a way, because many of them take their children out of schools very young. Still, any education that can be achieved will be helpful, but they are always going on about their children and their education and then they move on and take them out of school, and no it isn't always because they are being evicted.

I believe we need a contract of behaviour for the travellers who stay on the fen and the residents. I would like to draft - with others - a residents' contract, what our expectations are or would be, and some questions too for the travellers

I believe that we shall need a police station on the fen, personally. If we are ever to get good law and order. I was willing to lend the end piece of my land for that purpose, and still would be.

I apologise for the length of this but it is done in a hurry and with very little time for editing

Thank you for your attention

Joanna Gordon Clark  
Ivy Cottage, Smtihey Fen, Cottenham Cambs. CB4 8PT

## Cable Angela

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**From:** McIntosh Simon  
**Sent:** 13 June 2005 11:38  
**To:** Cable Angela  
**Cc:** Wetherfield Tim; Simmons Kirsty; Jones Gareth; Ballantyne John  
**Subject:** FW: Re letter from John Ballantyne dated 26th May 2005



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df

Angela,

Please register this as a response to the Pine View consultation. Can you also bring me a copy of the attached report.

thanks  
simon

-----Original Message-----

**From:** Sherry Peck [mailto:sherry.peck@ormiston.org]  
**Sent:** 09 June 2005 16:42  
**To:** McIntosh Simon  
**Subject:** Re letter from John Ballantyne dated 26th May 2005

Dear Simon

Could you forward the attached research which details the facts about the situation for Travellers in the Eastern Region and comments to John since I dont have his email address

Ormiston children and Families Trust considers the situation for children as being of paramount importance. We would hope that when the council considers its response to the situation at Smithy Fen it too considers the impact on the many children living there.

Regards

Sherry Peck  
Ormiston Children & Families Trust  
sherry.peck@ormiston.org  
01480 496010  
07866300503  
<http://www.ormiston.org>



# COTTENHAM VILLAGE COLLEGE

Mr J Ballantyne  
Chief Executive  
South Cambs District Council  
South Cambs Hall  
Cambourne Business Park  
Cambourne  
Cambridge CB3 6EA

9 June 2005  
AJCooper/cd

Dear Mr Ballantyne

In response to your letter dated 26 May re: Pine View Travellers Site, Smithy Fen, Cottenham, I am writing to confirm that there are no educational issues which would indicate a need for travellers to remain in or around Cottenham.

The number of travellers on role from Smithy Fen is only seven out of a total of nearly 1,000 students. Their attendance rate is well below that of the majority of students at the College.

Yours sincerely

Tony Cooper  
Headteacher



Specialist Schools Trust  
EXCELLENCE AND DIVERSITY



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INVESTOR IN PEOPLE



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ENGLAND



SPORT  
ENGLAND  
SPORTSMARK GOLD



SCHOOLS CURRICULUM  
AWARD

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# COTTENHAM PARISH COUNCIL

CLERK: Mrs J.M. Groves  
44 Victory Way Cottenham Cambridge CB4 8TF  
Tel 01954 202928 email [Julie.groves@ntlworld.com](mailto:Julie.groves@ntlworld.com)

10<sup>th</sup> June 2005

Mr J Ballantyne  
Chief Executive  
SCDC  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB3 6EA



Dear Sir  
**Pine View Travellers Site, Smithy Fen, Cottenham**

Cottenham Parish Council were very disappointed to receive your letter of the 26<sup>th</sup> May 2005 seeking their view on how to deal with the travellers currently occupying pitches 1-17 Pine View.

In March the ODPM dismissed the appeals on this site and as you have stated gave these travellers until the 11<sup>th</sup> June 2005 to leave this site. Cottenham Parish Council are dismayed that South Cambridgeshire District Council has waited until this period of compliance has ended before consulting ourselves when considering possible actions to ensure that these travellers leave.

Cottenham Parish Council presumed that during this three-month period South Cambridgeshire District Council would have been actively working towards a speedy conclusion to this matter. Whilst the Parish Council shares your view that eviction should be the last resort please note the enclosed statement from the Parish Council, where you can clearly see that they actively support eviction if no other action results in the travellers leaving these unauthorised plots.

To receive a letter from you asking for the Parish Councils views on such matters as the educational needs of traveller children and asking the Parish Council if they feel whether it is appropriate, or not, for the travellers concerned to stay in Cottenham is somewhat surprising. Cottenham Parish Council has always maintained the same stance in regard to recent planning applications for this site, that the number of authorised pitches is already too many and they do not support any further applications. Please refer to the evidence submitted by the Parish Council for the Pine View Appeal.

Please find enclosed Cottenham Parish Councils Statement of Case for the next set of Appeals due to begin on the 12<sup>th</sup> July 2005. This document clearly outlines the Parish Councils views on further developments at Smithy Fen.

The Parish Council, along with other local stakeholders, has consistently asked the District Council to take a pro-active role in dealing with this problem. The Parish Council finds it astonishing that

the latest recommendations to the Planning Committee are proposals that the Parish Council have been suggesting for months if not years.

Please feel free to share these points with all relevant parties.

Yours sincerely

Julie Groves.

Julie Groves  
Clerk

## **Statement from Cottenham Parish Council**

### **Direction Action at Smithy Fen**

Cottenham Parish Council (CPC) wishes to clarify it's position on the prospect of evictions at Smithy Fen.

CPC supports the eviction of travellers on land without planning permission where the appeal has been dismissed. We believe that this is also the wish of the majority of residents of the parish of Cottenham.

We would hope that a negotiated withdrawal from the unauthorised pitches could be achieved, with all parties using the next 3 months for identify a more suitable piece of land. However eviction should be the final sanction and also the last resort.

As previously stated we believe that Government needs to change the planning system for travellers and gypsies. The Government needs to force planning authorities to provide sites for travellers. It also needs to increase the level of control planning authorities have.

Cottenham Parish Council

12<sup>th</sup> April 2005

**Statement of Case**  
**Cottenham Parish Council**

**Planning and Enforcement appeals concerning land at Smithy Fen, Cottenham**

**Appeals by:**

**Mr and Mrs McCarthy**

**Bridget Gemmill, Ann Sheridan, Elizabeth Sheridan and Kathleen Sheridan**

**Margaret Quilligan**

**Michael Hegarty**

- (1) Cottenham Parish Council will recognise that there is a national and local need for gypsy sites but will show that the expansion of existing individual sites at Smithy Fen is not of benefit to either the travelling or settled community and that this is because there is a significant impact on a wide range of amenities of the local residents and adjoining land use and unacceptable highway access problems.
- (2) The Parish Council will demonstrate that allowing the appeals would fatally undermine the probability of creating a successful mixed and inclusive community of settled and traveler residents in Cottenham contrary to PPG3.
- (3) It will show that such development is contrary to Policy HG23 of the South Cambridgeshire Local Plan:
  - Criterion 2 - 'The site would have minimal impact on the amenities of existing local residents and adjoining land uses; concentration of sites will be avoided'; and/or,

- Criterion 5 - 'The use of the site would not give rise to unacceptable parking, highway access or service provision problems'; and/or
  - Criterion 9 - 'The use would not detract from convenient, safe and enjoyable use of a public right of way'
- (4) The Parish Council will demonstrate that allowing the appeals will have a significant adverse impact on the amenities of local residents. For example it will demonstrate that an intensified use of the land gives rise to an increased number of incidents reported to the police and a consequent fear of crime and anti-social behaviour.
- (5) Further, the Parish Council will contend that allowing the appeals would have a significant adverse effect on major services in Cottenham. For example the Parish Council will demonstrate that:
- a. Across the whole age range of educational provision in Cottenham all of the educational establishments are practically full to capacity. All predict that any additional development within the village would cause severe problems and contend that unexpected demands, both peaks and troughs, are very difficult to manage within the educational environment.
  - b. The General Practitioner surgeries experience difficulties in administering to a large and changing population.

- (6) The Parish Council will demonstrate that there is already a concentration of sites at Smithy Fen and that it is just too big.
- (7) Further or alternatively it will demonstrate that allowing the appeals will create a concentration of sites at Smithy Fen.
- (8) It will demonstrate that the existing concentration of individual sites at the Smithy Fen site and the potential for further concentration in the future is the major concern of the Parish Council and residents of Cottenham.
- (9) It will demonstrate that allowing the appeals will increase the potential for dramatic, unplanned, detrimental and unsustainable population swings at Smithy Fen due to the Traveller lifestyle.
- (10) Further, it will contend that the issue of concentration of sites in criterion 2 should be considered in relation to the main village of Cottenham - between 2-4km in distance from the appeal sites – and in relation to the settled community on Smithy Fen.
- (11) The Parish Council will demonstrate that the local highway network as deficiencies in that the roads close to the sites are too narrow, there is no provision for pedestrians or cyclists, there is insufficient forward visibility on Smithy Fen Bridge and Lockspit Hall Drove and Setchell Drove is of very poor construction.
- (12) The Parish Council will contend that the personal circumstance of the appellants is not sufficient to justify allowing the appeal.



(13) The Parish Council will contend that imposing conditions if sites receive consent is a problematic approach, as the conditions need to be enforceable. It is contended that conditions are unenforceable in the first instance, if only due in part to the resource implications on the local planning authority in monitoring any site in perpetuity.

**Cottenham Parish Council**

**May 2005**

13<sup>th</sup> June 2005

Dear Mr Ballantyne

**Re: Pine View Travellers Site, Smithy Fen, Cottenham**

Further to your letter dated 26 May in connection with the above seeking our views on what action the Council should consider taking and in particular consideration of needs of the travellers and also needs of the settled community.

We are aware that authorised traveller sites have been existence on the fen for many years, however we are primarily concerned about the un-authorised developments that have taken place since February 2003 and which are a fundamental breach of planning legislation and are in fact illegal developments.

We believe that there are a number of factors concerning the needs of travellers and the settled community that must be taken into consideration:

Impact on the settled community

- The increased number of travellers, since the first influx in February 2003, has resulted in some of the worst anti-social behaviour that we as residents of Smithy Fen, who have lived here for over 10 years, have ever seen. This anti social behaviour has impacted on us as a family.
- We are concerned about the impact of the additional volume of traffic on the fen, which is primarily served by a single-track road. Entrance to the fen is via a small bridge and the significant increase in volume of traffic is causing problems. We have experienced many near mishaps on this bridge as vehicles driven by travellers are often at great speed with scant regard given to safety.
- A direct result of increased travellers on the fen has resulted in a higher incidence of speeding vehicles often driven by individuals who appear to be significantly below the legal age limit
- A further detrimental impact to life on the fen has been the significant increase in the amount of litter and fly tipping that is spoiling the environment.
- The travellers are still running businesses from these plots with large European container lorries delivering a supply of sofas and other furniture.
- The size of the site has a direct impact on local services such as schools, doctors and dentists unable to cope with the increased unplanned demand for services.
- The site looks unsightly and is sprawling across the open countryside. At night the site looks more like Blackpool with bright street lighting, which is not at all in keeping with the fen environment.

Whilst we appreciate that in recent months the behaviour by some of the travellers appears to have become more controlled and we have not experienced such severe anti-social behaviour, this really does depend on which individuals are on the site at any given time. As a family we have come to easily recognise when the "*trouble makers*" are back on site and primarily it is for this reason that

we are against any further development. No authority is able to police this situation, the elder travellers themselves are unable to control the younger travellers, and we have little satisfaction from the Police who consistently fail to respond or take appropriate action against individuals.

The increased numbers of travellers only causes more problems, we would prefer that the site remain with the authorised plots as at December 2002 with no increases in numbers.

Traveller needs:

- We feel that there is a shortage of approved traveller sites across the district and indeed across the whole of the UK. All Local Authorities, not just SCDC, need to identify suitable land for development of approved traveller sites and it is this increasing failure to identify land for either private ownership or to operate Council maintained sites that has led to the aggravated situation as at Smithy Fen and other unauthorised sites across the UK.
- Travellers obviously need access to services such as health provision and education for their children and we would not wish to see any traveller deprived of these important facilities, however these services are available in every County and this is not reason enough alone to justify the expansion of numbers at Smithy Fen.
- Travellers themselves do not welcome living on large sites and we are surprised that given many recent reports that such a large site as could potentially be developed on the fen would be considered.
- The Council should explore opening closed traveller sites in the region or develop new sites in liaison with neighbouring local authorities that are failing in their duty to provide sufficient traveller sites.

We are not aware of any particular need for the travellers currently on the unauthorised plots to remain at this site. We agree with the findings of the ODPM report that there is no evidence to say that these particular travellers have to stay at Smithy Fen, their business, hawking furniture, can be carried out anywhere in the country. Whilst some of the travellers claim to have family on the fen this is not reason enough to justify them remaining. If for example a resident in the settled community wanted to apply to develop a property for their immediate family on their land they would have to apply under current planning legislation and abide by any decisions made by the local authority. Why should this be any different for a member of the travelling community? It would appear that there is direct discrimination against people in the settled community who abide by planning legislation and those in the traveller community who do not and who by their very actions undertaking unauthorised development cause significant financial costs to the local council tax payer and local authority. We are well aware that there is a severe shortage of affordable housing for people and many individuals are unable to own a home of their own but they don't go around developing sites with impunity.

We support action to be taken to remove the illegal developments at Smithy Fen and if this results in eviction of the unauthorised travellers then we are in agreement to this course of action. We are disappointed with the Council's proposal to take injunctive action as this will only delay the process and in the meantime the travellers will remain on site and increase in numbers. We would respectfully ask that the officers of the Council are more diligent in ensuring that where possible enforcement

notices are served at the earliest opportunity, stop notices are served on all unauthorised developments, further licenses are not issued to plots on the site unless they are for authorised sites, the council monitors the site on a regular scheduled basis for fly tipping and unauthorised trading in particular carrying out the business of selling furniture and using plots to store furniture on ceases.

Yours sincerely

Copy Sme . KS.

My Ref: 05.06.14gordonlister.ec.doc  
Your Ref:  
Date: 14<sup>th</sup> June 2005  
Please ask for: Ian Stewart  
Direct Dial No: 01223 717090  
Fax No: 01223 717096  
Switchboard: 01223 717111  
E-mail: [ian.stewart@cambridgeshire.gov.uk](mailto:ian.stewart@cambridgeshire.gov.uk)



Cambridgeshire  
County Council

John Ballantyne Esq  
Chief Executive  
South Cambridgeshire District Council  
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Box RES 1109  
Shire Hall  
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Chief Executive's Office

Dear John,

**Pine View, Smithy Fen Travellers' Site, Cottenham**

Thank you for your letter dated 26 May 2005 addressed to Jessica Miller. I am grateful for the opportunity to offer views on action your Council may take should Pine View not be vacated in compliance with the enforcement notice and the ODPM decision.

You have asked for comments on three points and I will deal with them in turn:

1. *Are there any factors concerning the needs of the Travellers or the needs of settled residents which we think should be considered in the decision on action at this site?*

It is encouraging to hear that you are negotiating with the Travellers affected by the enforcement notice to assist them to comply with it. The complexity of the issues and difficulties your Council is currently seeking to address are understood and appreciated. The negotiation of a solution will benefit both the settled community and the Travellers and help to reduce the risk of continuing conflict. It is hoped that this approach proves to be successful.


2. *Are you aware of any issues which would indicate a need for the Travellers to remain in or around Cottenham. Or any issues which you feel would indicate that remaining in Cottenham is appropriate?*

As you will be aware the Council has had no direct contact with the travellers affected by the enforcement proceedings. However, a number of children from Smithy Fen attend local schools. You will no doubt be considering the social welfare and health impacts of any proposed action in the same way as you would for any unauthorised encampment and will consider this along with other factors before making any decisions. We are not aware of any other issues of this kind that you should be taking account of in making your decision.

3. *Are there any other points, relevant to the situation at Pine View which you would wish us to take into account?*

If you are successful and achieve your objective of removing Travellers subject to enforcement proceedings from Pine View it may result in generating greater anxiety in the settled community elsewhere who may believe that encampments may occur near to them as a result. I am sure your open approach to communication will enable some of this anxiety to be addressed. However, any action will generate demands on limited staff resources because of heightened sensitivities and concern and I would hope that the channels of communication between our organisations will be used to the full to ensure all are aware of issues as they develop.

I hope my comments are of help to you. Please let me know if I can be of further assistance.

Yours sincerely  


Ian J Stewart  
Chief Executive