# Traveller family secures landmark court ruling to stay at Kent car park



A family of travellers from Kent has achieved a pivotal ruling allowing them to remain at a former park-and-ride site, a decision that underscores the ongoing struggle for the rights of the travelling community in the UK. The group, consisting of 15 adults and 14 children, occupied the Wigmore Coach Park off the M2 in July 2023, after initially receiving permission from Medway Council to stay temporarily. However, the council issued an eviction notice last October, claiming plans to sell the site, which had served as a park and ride for commuters, were imminent.

This recent judgement from the courts recognised that the council had unlawfully interfered with the family's rights. The ruling represents what some legal experts have described as a landmark case, the first of its kind in a decade. Julie White, one of the group members, expressed her elation at the decision, saying, "It’s like winning the lottery.” However, despite this temporary victory, the family still faces the uncertainty of not having permanent residency rights at the site.

Oldy Herring, the eldest member of the family at 67, articulated the profound impacts of their housing crisis, saying, "There's nowhere else we can go. If this place is not fit for us, then where is fit enough?” His sentiment reflects a harsh reality shared by many in the travelling community who encounter barriers to housing and acceptance. As numerous reports indicate, local councils across Kent often fall short of meeting the accommodation needs of travellers, despite legal obligations to do so.

The conditions imposed by Medway Council upon their arrival were stringent, including prohibitions on work and anti-social behaviour, while requiring that the area remain tidy. The family believes they have complied with these requirements, highlighting concerns over their potential eviction as not only unjust but damaging to their children's mental health. Marie Conde, a member of the family, voiced her fears about the impact of moving children from their school, where they have begun to settle and form friendships.

The community of travellers in Kent is notably significant, with over 5,400 individuals identifying as Gypsy or Irish Traveller, comprising 0.3% of the population, according to recent data from the Office for National Statistics. This demographic reality is further compounded by the fact that many lack fixed addresses, limiting their access to essential services like healthcare and education.

The travellers' plight is emblematic of broader issues faced by similar communities across the country, as evidenced by recent rulings against councils for unlawful evictions and data breaches affecting travellers' private information. In a separate case in 2023, a Court of Appeal decision highlighted the necessity for councils to provide proper notice and follow due process before attempting to evict travellers from public land. Such judicial outcomes signal an increasing recognition of the need to balance the rights of local authorities with the rights of marginalised communities.

The Medway Council’s statement following the judgement conveyed disappointment and a commitment to considering its next steps, yet it remains to be seen whether the council will alter its approach to travelling families residing within its jurisdiction. Cllr Louwella Prenter, Medway's Portfolio Holder for Housing and Homelessness, indicated that the car park was never intended for permanent habitation, expressing the council's view on the suitability of the site for such use.

As this family navigates the complexities of local governance and societal perceptions, their resolve to secure a permanent home illustrates a poignant narrative of resilience within the context of a legal and social landscape fraught with challenges. In sharing their story, they bring light to the often-overlooked issues facing the travelling community, advocating not only for their own rights but for recognition and respect for a way of life that has often existed on the fringes of societal acceptance.

### 📌 Reference Map:

* Paragraph 1 – [[1]](https://www.dailymail.co.uk/news/article-14743717/Traveller-family-WIN-car-park-battle-council-human-rights-Kent.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[2]](https://www.solicitorsjournal.com/sjarticle/the-rights-of-travellers-facing-eviction-from-public-land)
* Paragraph 2 – [[1]](https://www.dailymail.co.uk/news/article-14743717/Traveller-family-WIN-car-park-battle-council-human-rights-Kent.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[4]](https://gardencourtchambers.co.uk/court-of-appeal-quashes-an-unlawful-notice-served-by-local-authority-seeking-eviction-of-irish-travellers-from-a-temporary-site-in-ramsgate-harbour/)
* Paragraph 3 – [[1]](https://www.dailymail.co.uk/news/article-14743717/Traveller-family-WIN-car-park-battle-council-human-rights-Kent.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[2]](https://www.solicitorsjournal.com/sjarticle/the-rights-of-travellers-facing-eviction-from-public-land), [[5]](https://www.kentonline.co.uk/canterbury/news/travellers-no-longer-face-jail-threat-for-pitching-up-237365/)
* Paragraph 4 – [[1]](https://www.dailymail.co.uk/news/article-14743717/Traveller-family-WIN-car-park-battle-council-human-rights-Kent.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[6]](https://premium.kentonline.co.uk/medway/news/council-humbled-as-driver-wins-battle-over-parking-permit-315296/)
* Paragraph 5 – [[1]](https://www.dailymail.co.uk/news/article-14743717/Traveller-family-WIN-car-park-battle-council-human-rights-Kent.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[3]](https://www.bbc.com/news/uk-england-essex-11720566)
* Paragraph 6 – [[1]](https://www.dailymail.co.uk/news/article-14743717/Traveller-family-WIN-car-park-battle-council-human-rights-Kent.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[5]](https://www.kentonline.co.uk/canterbury/news/travellers-no-longer-face-jail-threat-for-pitching-up-237365/)
* Paragraph 7 – [[1]](https://www.dailymail.co.uk/news/article-14743717/Traveller-family-WIN-car-park-battle-council-human-rights-Kent.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[2]](https://www.solicitorsjournal.com/sjarticle/the-rights-of-travellers-facing-eviction-from-public-land), [[4]](https://gardencourtchambers.co.uk/court-of-appeal-quashes-an-unlawful-notice-served-by-local-authority-seeking-eviction-of-irish-travellers-from-a-temporary-site-in-ramsgate-harbour/)
* Paragraph 8 – [[1]](https://www.dailymail.co.uk/news/article-14743717/Traveller-family-WIN-car-park-battle-council-human-rights-Kent.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[4]](https://gardencourtchambers.co.uk/court-of-appeal-quashes-an-unlawful-notice-served-by-local-authority-seeking-eviction-of-irish-travellers-from-a-temporary-site-in-ramsgate-harbour/)

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## Bibliography

1. <https://www.dailymail.co.uk/news/article-14743717/Traveller-family-WIN-car-park-battle-council-human-rights-Kent.html?ns_mchannel=rss&ns_campaign=1490&ito=1490> - Please view link - unable to able to access data
2. <https://www.solicitorsjournal.com/sjarticle/the-rights-of-travellers-facing-eviction-from-public-land> - This article discusses a significant case in April 2023 where the Court of Appeal ruled in favor of a young traveller fighting eviction. The case involved a group of Irish travellers facing eviction from their temporary stopping site in Ramsgate, Kent, following Thanet District Council’s decision to direct their removal from Ramsgate port. The judgment highlights the need for effective and proper notice prior to commencing removal proceedings against travellers occupying council-owned land with consent, emphasizing the importance of protecting the rights of the travelling community.
3. <https://www.bbc.com/news/uk-england-essex-11720566> - In this BBC News article, an Essex council was ordered to pay damages to two traveller families after releasing sensitive family information. The families had provided confidential details to Basildon District Council, which were subsequently made public. The ombudsman ruled this was 'illegal' and awarded the families £300 in damages. Despite the council's refusal to pay, the High Court mandated the payment, highlighting the importance of protecting personal information and the rights of the traveller community.
4. <https://gardencourtchambers.co.uk/court-of-appeal-quashes-an-unlawful-notice-served-by-local-authority-seeking-eviction-of-irish-travellers-from-a-temporary-site-in-ramsgate-harbour/> - This article reports on a Court of Appeal decision that quashed an unlawful notice served by Thanet District Council, seeking eviction of Irish travellers from a temporary site in Ramsgate Harbour. The court found that the council failed to give reasonable notice to the travellers that consent for their occupation had been withdrawn before issuing a direction for them to leave. This case underscores the necessity for local authorities to follow proper procedures when evicting travellers from council-owned land.
5. <https://www.kentonline.co.uk/canterbury/news/travellers-no-longer-face-jail-threat-for-pitching-up-237365/> - KentOnline reports that Canterbury City Council's injunction powers, which previously made it illegal for unauthorised travellers to set up encampments on council land, have been ruled invalid by a judge. The High Court deemed the council's measures too strict and stated they should only be granted in exceptional circumstances. This ruling is a significant development for the Gypsy and Traveller community, as it challenges the legality of such injunctions and their impact on the right to roam.
6. <https://premium.kentonline.co.uk/medway/news/council-humbled-as-driver-wins-battle-over-parking-permit-315296/> - KentOnline reports on a case where a resident, Richard Payne, won his case against Medway Council after it revoked residents’ parking permits following 20 years of issuance. The council was found 'at fault' for treating the resident unfairly, highlighting the importance of fair treatment and due process in council decisions affecting residents.
7. <https://www.telegraph.co.uk/news/uknews/law-and-order/10648196/Village-wins-four-year-battle-against-illegal-travellers-site.html> - The Telegraph reports on a Lancashire village's four-year battle against an illegal travellers’ site. Residents faced issues such as noise, road safety concerns, and potential drops in property values due to the presence of the site. The case highlights the challenges communities face when dealing with unauthorised encampments and the legal complexities involved in such disputes.