

# Gypsy and Traveller and Travelling Showperson Accommodation Assessment

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Bromsgrove District  
2019 Addendum Report

Final Report  
December 2019

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**Main Contact:** Dr Michael Bullock  
**Email:** [michael.bullock@arc4.co.uk](mailto:michael.bullock@arc4.co.uk)  
**Telephone:** 0800 612 9133  
**Website:** [www.arc4.co.uk](http://www.arc4.co.uk)

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Registered Address: arc4, 41 Clarendon Road, Sale Manchester M33 2DY

Email: [contact@arc4.co.uk](mailto:contact@arc4.co.uk) [www.arc4.co.uk](http://www.arc4.co.uk)

arc4 Limited Registered in England & Wales 6205180 VAT Registration No: 909 9814 77

Directors - Helen Brzozowski – Michael Bullock

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## Executive Summary

### Introduction

The Bromsgrove District 2019 Gypsy and Traveller Accommodation Assessment (GTAA) Addendum analyses the latest available evidence to identify the accommodation needs of Gypsies and Travellers across the district. This document updates the 2014 GTAA and has drawn upon the following evidence:

- Existing (secondary) data;
- Site management data, housing register and turnover information;
- Interviews and data obtained for 27 Gypsy and Traveller households out of a total of 27 households (representing an overall 100% response). Specifically, 20 interviews were achieved, basic household information was identified for 6 households using site management data and information for one pitch was based on the 2014 household survey data.

This range of information has been analysed to provide a picture of current provision across the district and an assessment of future need. The findings of the study provide an up-to-date, robust and defensible evidence base for policy development.

### Current provision and activity

The 2011 Census identified a total of 23 households in Bromsgrove District where the Household Reference Person had a 'White: Gypsy or Irish Traveller' ethnicity. Of these 7 lived in a caravan or other mobile or temporary structure and 16 households lived in bricks and mortar (house, bungalow, flat, maisonette or apartment).

The bi-annual DCLG Traveller caravan count has identified an average of 33.7 caravans over the last six counts across Bromsgrove District. The annual Travelling Showperson caravan count (undertaken each January) found zero caravans in Bromsgrove, although there is a Showperson's yard located in the District.

In terms of Gypsy and Traveller site provision, in Bromsgrove District there is one Housing Association site (23 pitches), one private authorised site (1 pitch) and one unauthorised site (3 pitches). There is one Travelling Showperson's yard comprising four plots.

The triangulation of secondary data, Council records and fieldwork survey has identified a total of 27 Gypsy and Traveller pitches in Bromsgrove and 4 Travelling Showperson plots.

### Planning policy requirements for needs assessments

Planning policy for traveller sites (PPTS) (first published in March 2012 and updated in August 2015) requires an assessment of the current needs of Gypsies and Travellers and Travelling Showpeople and a projection of future needs. The calculation of pitch/plot requirements in the GTAA 2018 is based on established DCLG modelling methodology, as advocated in *Gypsy and Traveller Accommodation Needs Assessment Guidance* (DCLG, 2007). Although this Guidance was formally withdrawn in December 2016, in the absence of any updated guidance

on the subject it continues to provide a standard approach for needs modelling employed by most local planning authorities and also confirmed by inspectors at public inquiries. This approach comprises an assessment of the current needs of Gypsies and Travellers and Travelling Showpeople and a projection of future needs. The Guidance advocates the use of a fieldwork survey to supplement secondary source information and derive key supply and demand information.

### **‘Cultural’ and ‘PPTS need’**

A major change in planning policy, introduced by PPTS 2015, was the amended definition of the group to which the policy applies. The definitions of both ‘Gypsy and Traveller’ and ‘Travelling Showperson’ have been amended to exclude, for planning purposes, anyone who has stopped travelling on a permanent basis. It continues to include those who have ceased to travel temporarily. Essentially, this created a more restricted ‘PPTS 2015’ definition which applies to those who follow a nomadic habit of life.

This GTAA expresses two levels of need for pitches: a ‘cultural’ and ‘PPTS’ need. This is to ensure that the overall needs of the Travelling community are fully reflected in the evidence base which needs to accord with planning and wider policies.

Paragraph 61 of the 2019 NPPF recognises the need to assess a range of community needs including those of Travellers. The September 2018 Planning Practice Guidance which accompanies the NPPF states ‘the household projections that form the baseline of the standard method are inclusive of all households including Gypsies and Travellers as defined with Planning Policy for Travelling Sites’<sup>1</sup> The NPPF states that the PPTS sets out how travellers’ housing needs should be assessed for those covered by the definition in Annex 1 of that document. The planning policy therefore differentiates between ‘travelling’ and ‘non travelling’ Gypsies and Travellers.

For non-travelling Travellers, their needs should also be met by the requirements of the NPPF as non-travelling households are a component of overall housing need. Additionally, the Human Rights Act 1998 and the Equalities Act 2010 protects the cultural choice of Gypsies and Travellers to live in mobile accommodation and therefore there is a need to plan for this type of accommodation. The Housing and Planning Act 2016 section 124 also makes specific reference to the needs of households living in caravans.

Therefore, our GTAAs establish an overall ‘cultural’ need for pitches which accords with the overall need for the Travelling community and takes into account the Human Rights Act 1998, the Equalities Act 2010 and the Housing and Planning Act 2016 section 124. A PPTS ‘policy filter’ is then applied to identify the level of need associated with those households meeting the definitions set out in the PPTS Annex 1. It is our understanding that the needs arising from the PPTS analysis establishes the level of need against which a 5 year land supply is assessed but Councils should be mindful of a wider obligation to consider overall ‘cultural’ need.

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<sup>1</sup> Paragraph: 020 Reference ID: 2a-020-20180913

## Gypsy and Traveller pitch requirements:

For the Local Plan Period (to 2030) the GTAA has identified the following Gypsy and Traveller pitch needs: cultural need of 28 pitches and a PPTS need for 24 pitches. The key driver is the number of children expected to form households over the plan period in addition to needs arising from an unauthorised site. Needs figures are broken down into time periods as follows:

<b>Bromsgrove District</b>	<b>Cultural need</b>	<b>PPTS NEED</b>
<b>5yr Authorised Pitch Shortfall (2019/20 to 2023/24)</b>	<b>22</b>	<b>19</b>
<b>Longer-term need</b>		
<i>Over period 2024/25 to 2028/29</i>	3	2.4
<i>Over period 2029/30</i>	3	<b>2.4</b>
<i>Longer-term need TOTAL</i>	6	<b>5</b>
<b>TOTAL NET SHORTFALL 2019/20 to 2029/30</b>	<b>28</b>	<b>24</b>

As part of the GTAA analysis, potential turnover on the Rooftop Housing Association site at Houndsfield Lane and the expansion/intensification of existing sites is considered.

In Bromsgrove District, turnover on the Housing Association site is low but each year at least 1 pitch comes available for occupancy. There is no scope to expand/intensify existing authorised sites in the district.

The overall impact of turnover and additional provision has the potential to help address identified need and reduce the pitch shortfall for Bromsgrove District is as follows:

<b>Table ES1 Addressing Gypsy and Traveller pitch need</b>		
	<b>Cultural need</b>	<b>Of which: PPTS need</b>
<b>TOTAL pitch need for the five year period 2019/20 to 2023/24 (excluding turnover)</b>	<b>22</b>	<b>19</b>
<i>Pitches expected to become available through turnover on pitches on Housing Association site 2019/20 to 2023/24</i>	5	5
<b>Residual need 2019/20 to 2023/24</b>	<b>17</b>	<b>14</b>
<b>TOTAL pitch need for remainder of the plan period 2024/25 to 2029/30 (excluding turnover)</b>	6	5
<i>Pitches expected to become available through turnover on pitches on Housing Association site 2024/25 to 2029/30</i>	6	6
<b>Residual need 2024/25 to 2029/30</b>	0	0
<b>TOTAL pitch need for the plan period 2019/20 to 2029/30 (excluding turnover)</b>	<b>28</b>	<b>24</b>
<i>Pitches expected to become available through turnover on pitches on Housing Association site 2019/20 to 2029/30</i>	11	11
<b>Residual need 2019/20 to 2029/30</b>	<b>17</b>	<b>13</b>

Therefore, the Local Plan should recognise an overall need for 28 pitches (cultural) and 24 PPTS. The shortfall would reduce to 17 (cultural) and 13 (PPTS) by factoring in turnover on the Housing Association site.

### Travelling showperson plot requirements:

For the Local Plan Period (to 2030) the GTAA has identified the following Travelling Showperson plot needs: cultural need of 2 plots and a PPTS need for 2 plots. The key driver is the number of children expected to form households over the plan period. There is potential to intensify the existing yards in the borough to accommodate this need.

### Transit site requirements

Council evidence shows a downward trend in the number of unauthorised encampments and number of caravans reported over recent years. This would indicate a weakening in the potential demand for pitches from households on unauthorised encampments. This evidence would suggest that a transit site is not a particular priority for Bromsgrove at present but this situation should be continually monitored.

# 1. Introduction

## GTAA 2019 addendum report overview

- 1.1 In February 2019, arc<sup>4</sup> was commissioned by Bromsgrove Council to provide an addendum to their 2014 GTAA. The purpose of the addendum report is to update the evidence base of the need for Gypsy and Traveller pitches and ensure that the evidence base reflects the requirements of the National Planning Policy Framework (NPPF) and the Planning Policy for Traveller Sites (2015).

## Who the study covers

- 1.2 The GTAA 2019 addendum report adopts the definition of ‘Gypsies and Travellers’ set out within *Planning policy for traveller sites* (PPTS), which was published by the Government in August 2015. This sets out the following definition of ‘Gypsies and Travellers’:

*‘Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such.’<sup>2</sup>*

- 1.3 In addition, PPTS 2015 provides the following ‘clarification’ for determining whether someone is a Gypsy or Traveller:

*‘In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*

- a) *whether they previously led a nomadic habit of life*
- b) *the reasons for ceasing their nomadic habit of life*
- c) *whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.’<sup>3</sup>*

- 1.4 The following definition of ‘Travelling Showpeople’ is set out in PPTS 2015:

*‘Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.’<sup>4</sup>*

<sup>2</sup> DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 1

<sup>3</sup> DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 2

<sup>4</sup> DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 3

1.5 In addition:

*‘For the purposes of this planning policy, “pitch” means a pitch on a “gypsy and traveller” site and “plot” means a pitch on a “travelling showpeople” site (often called a “yard”). This terminology differentiates between residential pitches for “gypsies and travellers” and mixed-use pitches for “travelling showpeople”, which may/will need to incorporate space or to be split to allow for the storage of equipment.’<sup>5</sup>*

1.6 For the purposes of this study, therefore, Gypsies and Travellers live on pitches on sites, whilst Travelling Showpeople live on plots on yards.

1.7 This GTAA expresses two levels of need for pitches: a ‘cultural’ and ‘PPTS’ need. This is to ensure that the overall needs of the Travelling community are fully reflected in the evidence base which needs to accord with planning and wider policies.

## Report structure

1.8 The GTAA 2019 addendum report structure is as follows:

- **Chapter 1 Introduction:** provides an overview of the study;
- **Chapter 2 Policy and local context:** presents a review of the policy context which guides the study, including a consideration of the specific local context of Bromsgrove;
- **Chapter 3 Methodology:** provides details of the study’s research methodology;
- **Chapter 4 Review of current Gypsy and Traveller population and provision of pitches:** reviews estimates of the Gypsy and Traveller population across Bromsgrove and existing site provision;
- **Chapter 5 Pitch/transit requirements:** focuses on current and future pitch requirements. This chapter includes a detailed assessment of drivers of demand, supply and current shortfalls across the study area; and
- **Chapter 6 Conclusion and strategic response:** concludes the report, bringing together the different strands of the research and identifying headline issues, including recommending ways in which these could be addressed.

1.9 The report is supplemented by the following appendices:

- **Appendix A** which provides details of the legislative background underpinning accommodation issues for the Travelling community;
- **Appendix B** Review of policy, guidance, reports and best practice notes;
- **Appendix C** Fieldwork questionnaires;
- **Appendix D** Glossary of terms.

<sup>5</sup> DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 5

## 2. Policy and local context

- 2.1 This study is grounded in an understanding of the national legislative and planning policy context that underpins the assessment and provision of accommodation for Gypsies and Travellers and Travelling Showpeople.
- 2.2 Appendix A sets out the legislative background that is relevant to accommodation issues and Appendix B provides a review of Government policy and guidance that has been published in recent years, alongside other key reports and best practice advice.
- 2.3 This chapter sets out the policy context within which this GTAA has been prepared, including a consideration of the local context of Bromsgrove District..

### Government policy and guidance

#### Gypsy and Traveller Accommodation Needs Assessments Guidance 2007 (withdrawn)

- 2.4 The calculation of pitch/plot requirements in the GTAA 2018 is based on established DCLG modelling methodology, as advocated in *Gypsy and Traveller Accommodation Needs Assessment Guidance* (DCLG, 2007). Although this Guidance was formally withdrawn in December 2016, in the absence of any updated guidance on the subject it continues to provide a best practice approach for needs modelling. This approach has also been adopted by arc4 in other Lancashire authorities.
- 2.5 This approach comprises an assessment of the current needs of Gypsies and Travellers and Travelling Showpeople and a projection of future needs. The Guidance advocates the use of a fieldwork survey to supplement secondary source information and derive key supply and demand information.

#### Planning policy for traveller sites, PPTS 2012

- 2.6 In 2012, the Government published both the National Planning Policy Framework (NPPF)<sup>6</sup> and its accompanying National Planning Practice Guidance (NPPG) documents covering a range of topics. They also published some separate planning policy documents, including *Planning policy for traveller sites*<sup>7</sup> (PPTS 2012). These documents replaced all previous national planning policy in respect of Gypsies and Travellers and Travelling Showpeople.
- 2.7 Previously, local planning authorities had been required to set aside enough land for Gypsy and Traveller sites, with their targets set in regional plans. However, the Coalition Government abolished regional planning under the provisions of the Localism Act 2011. The approach set out in PPTS 2012 instead encouraged local planning authorities to form their own evidence base for accommodation needs in their area and use this to set their own pitch and plot targets for their Local Plan.

<sup>6</sup> DCLG National Planning Policy Framework March 2012

<sup>7</sup> DCLG *Planning policy for traveller sites* March 2012 (now superseded)

## Written Ministerial Statement, July 2015

- 2.8 Technical adjustments were made to paragraphs 49 and 159 of the NPPF by a Written Ministerial Statement (WMS) on 22<sup>nd</sup> July 2015<sup>8</sup>, following a High Court judgement (Wenman v Secretary of State).
- 2.9 In relation to paragraph 49, the WMS stated that those persons who fall within the definition of ‘traveller’ under the PPTS, cannot rely on the lack of a five-year supply of deliverable housing sites under the NPPF to show that relevant policies for the supply of housing are not up to date. Such persons should have the lack of a five-year supply of deliverable traveller sites considered in accordance with Planning Policy for Traveller Sites.
- 2.10 Regarding paragraph 159, the WMS clarified that the PPTS sets out how ‘travellers’ accommodation needs should be assessed. However, those who do not fall under that definition should have their accommodation needs addressed under the provisions of the NPPF.

## PPTS 2015

- 2.11 An updated *Planning policy for traveller sites* (PPTS 2015) was published in August 2015<sup>9</sup>. PPTS 2015 introduced some key changes to policy, including by changing the definitions of ‘Gypsy and Traveller’ and ‘Travelling Showperson’ by deleting the word ‘permanently’ in relation to their travelling habits, so that for planning-related purposes the definitions of Gypsies and Travellers and Travelling Showpeople have been changed to exclude those who have permanently stopped travelling. In addition, the following ‘clarification’ was added:

*‘In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*

- a) *whether they previously led a nomadic habit of life*
- b) *the reasons for ceasing their nomadic habit of life*
- c) *whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.’<sup>10</sup>*

## Planning policy statement, August 2015

- 2.12 Alongside the publication of the revised policy document on 31<sup>st</sup> August 2015, a letter and accompanying planning policy statement were issued by the DCLG Chief Planner (Steve Quartermain)<sup>11</sup> to Chief Planning Officers in England. The letter and planning

<sup>8</sup> <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Lords/2015-07-22/HLWS167/>

<sup>9</sup> DCLG *Planning policy for traveller sites* August 2015

<sup>10</sup> DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 2

<sup>11</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457632/Final\\_Chief\\_Planning\\_Officer\\_letter\\_and\\_writing\\_statement.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457632/Final_Chief_Planning_Officer_letter_and_writing_statement.pdf)

policy statement dealt specifically with the issue of *Green Belt protection and intentional unauthorised development*. On 17<sup>th</sup> December 2015, the Minister of State for Housing and Planning (Brandon Lewis) made a Written Statement confirming the changes to national policy set out in the letter and statement.<sup>12</sup>

### *Intentional unauthorised development*

- 2.13 The planning policy statement issued with PPTS 2015<sup>13</sup> (and confirmed by Ministerial Statement<sup>14</sup>) makes clear that if a site is intentionally occupied without planning permission this would be a material consideration in any retrospective planning application for that site. Whilst this does not mean that retrospective applications will be automatically refused, it does mean that failure to seek permission in advance of occupation will count against the application.
- 2.14 In addition, PPTS 2015 (paragraph 12) makes clear that in exceptional cases where a local authority is burdened by a large-scale unauthorised site that has significantly increased their need, and their area is subject to strict and special planning constraints, then there is no assumption that the local authority will be required to meet their Gypsy and Traveller site needs in full. This is intended to protect local planning authorities with significant land constraints from being required to provide for additional needs arising directly from large sites such as Dale Farm (a large unauthorised site in Essex).

### *Draft Guidance to local housing authorities on the periodical review of housing needs: caravans and houseboats, March 2016*

- 2.15 In March 2016, the DCLG published *Draft guidance on the periodical review of housing needs: Caravans and Houseboats*. The draft Guidance related to Clause 115 of the Housing and Planning Bill, which has become Section 124 of the Housing and Planning Act 2016 (passed in May 2016).
- 2.16 The draft Guidance explains how Government wants local housing authorities to interpret changes to accommodation needs assessments (as required by Section 8 of the Housing Act 1985), specifically in relation to caravans and houseboats.
- 2.17 In the carrying out of accommodation needs assessments, the draft Guidance stresses the importance of close engagement with the community. The use of existing data along with conducting a specialist survey is recommended.
- 2.18 The draft guidance has been taken into account in the planning, preparation and undertaking of this GTAA for Ashford Borough Council.

<sup>12</sup><http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-12-17/HCWS423/>

<sup>13</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457632/Final\\_Chief\\_Planning\\_Officer\\_letter\\_and\\_written\\_statement.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457632/Final_Chief_Planning_Officer_letter_and_written_statement.pdf)

<sup>14</sup><http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-12-17/HCWS423/>

## Revised National Planning Policy Framework (NPPF), July 2018 and February 2019

- 2.19 In July 2018, the Ministry of Housing, Communities and Local Government published the Revised National Planning Policy Framework (NPPF), with a further update published in February 2019. Updating the original NPPF which was published in 2012, the Revised NPPF sets out 17 topic-based chapters which reflect the Government's development priorities. There is a particular focus on delivering solutions to the housing crisis through the plan-led system. The Written Ministerial Statement of July 2015 has subsequently been included in the changes to the NPPF.
- 2.20 Chapter 5, *'Delivering a sufficient supply of homes'*, sets out the Government's objective of significantly boosting the supply of homes including meeting the needs of groups with specific housing requirements (paragraph 59). It states that in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment. This should be conducted using the standard method unless there are exceptional circumstances and also taking into account any needs that cannot be met within neighbouring areas (paragraph 60).
- 2.21 It is then set out in paragraph 61 that:
- 'Within this context, policies should identify the size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.'*
- 2.22 An additional footnote to the word *'travellers'* provides further definition:
- 'Planning Policy for Traveller Sites sets out how travellers' housing needs should be assessed for those covered by the definition in annex 1 of that document'*

## Planning policy context: 'cultural' and 'PPTS' need

- 2.23 Further to the publication of updated PPTS in August 2015, the 2007 GTAA Guidance was withdrawn and there was considerable confusion regarding what accommodation needs should be assessed and the best methodological approach.
- 2.24 A major change in planning policy, introduced by PPTS 2015, was the amended definition of the group to which the policy applies. The definitions of both 'Gypsy and Traveller' and 'Travelling Showperson' have been amended to exclude, for planning purposes, anyone who has stopped travelling on a permanent basis. It continues to include those who have ceased to travel temporarily. Essentially, this created a more restricted 'PPTS 2015' definition which applies to those who follow a nomadic habit of life.
- 2.25 This GTAA expresses two levels of need for pitches: a 'cultural' and 'PPTS' need. This is to ensure that the overall needs of the Travelling community are fully reflected in the evidence base which needs to accord with planning and wider policies.

- 2.26 Paragraph 61 of the 2019 NPPF recognises the need to assess a range of community needs including those of Travellers. The September 2018 Planning Practice Guidance which accompanies the NPPF states ‘the household projections that form the baseline of the standard method are inclusive of all households including Gypsies and Travellers as defined with Planning Policy for Travelling Sites’<sup>15</sup> The NPPF states that the PPTS sets out how travellers’ housing needs should be assessed for those covered by the definition in Annex 1 of that document. The planning policy therefore differentiates between ‘travelling’ and ‘non travelling’ Gypsies and Travellers.
- 2.27 For non-travelling Travellers, their needs should also be met by the requirements of the NPPF as non-travelling households are a component of overall housing need. Additionally, the Human Rights Act 1998 and the Equalities Act 2010 protects the cultural choice of Gypsies and Travellers to live in mobile accommodation and therefore there is a need to plan for this type of accommodation. The Housing and Planning Act 2016 section 124 also makes specific reference to the needs of households living in caravans.
- 2.28 Therefore, our GTAAs establish an overall ‘cultural’ need for pitches which accords with the overall need for the Travelling community and takes into account the Human Rights Act 1998, the Equalities Act 2010 and the Housing and Planning Act 2016 section 124. A PPTS ‘policy filter’ is then applied to identify the level of need associated with those households meeting the definitions set out in the PPTS Annex 1. It is our understanding that the needs arising from the PPTS analysis establishes the level of need against which a 5 year land supply is assessed but Councils should be mindful of a wider obligation to consider overall ‘cultural’ need.
- 2.29 Our assessment methodology is set out in Chapter 3 and the outworking of this approach for the boroughs is set out in Chapter 7.

## Strategic context

- 2.30 Despite the revocation of regional spatial strategies, the need for strategic planning remains, especially to ensure coherent planning beyond local authority boundaries. To this end the Localism Act 2011 and the National Planning Policy Framework (NPPF) set out that public bodies have a duty to cooperate on planning issues that cross administrative boundaries (NPPF, paragraph 24).
- 2.31 National planning practice guidance (NPPG) includes a guidance document specific to the *Duty to cooperate* (March 2014). This states that duty to cooperate is not a duty to agree, but local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination (paragraph 1). In addition, it states that the duty to cooperate seeks to ensure that local planning authorities lead strategic planning effectively through their Local Plans, addressing social, environmental and economic issues that can only be addressed effectively by working with other local planning authorities beyond their own administrative boundaries (paragraph 8).

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<sup>15</sup> Paragraph: 020 Reference ID: 2a-020-20180913

- 2.32 PPTS 2015 sets out that the preparation of Local Plans and setting of pitch and plot targets should be undertaken by local planning authorities working collaboratively with neighbouring planning authorities (paragraphs 8 and 9). It reiterates that local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries (paragraph 10).

## Local context

- 2.33 The Bromsgrove District Local Plan 2011 to 2030 was adopted in January 2017. The previous 2014 GTAA informed BDP11 Accommodation for Gypsies, Travellers and Travelling Showpeople:

BDP11.1 Safeguarding existing authorised sites; Existing authorised sites for Gypsies and Travellers that are suitable located within the District will be safeguarded unless it is proved that they are no longer required to meet identified needs

BDP11.2 Sustainable locations for Gypsy and Traveller accommodation: Proposed sites should be in sustainable locations that provide good access to essential local facilities e.g. health and education. Site should accord with the sustainable development principles set out in BDP1.

BDP11.3 If additional sites are required land will be identified through a Local Plan Review.

- 2.34 The Council are in the initial stages of reviewing their Local Plan and the 2019 GTAA addendum report will provide up to date evidence to inform the level of pitch need.
- 2.35 Whilst the 2014 GTAA evidenced no immediate 5 year need, it indicated a need for permanent pitches after 2019/20. This addendum report is therefore reviewing the extent of need in the light of the evidence presented in the 2014 GTAA.

### 3. Methodology

- 3.1 In order to achieve a clear and transparent evidence base and deliver the requirements of the study, the following methodology was developed based on the requirements of current Government policy<sup>16</sup> and following an established and approved approach<sup>17</sup>.
- 3.2 The methodology for the GTAA 2019 has comprised:
- Desktop analysis of existing documents, including data on pitches/sites, plots/yards and unauthorised encampments;
  - The collection of primary data, including a fieldwork survey and household interviews with Gypsies and Travellers and Travelling Showpeople; and
  - An assessment of accommodation needs taking into account all available data and information.
- 3.3 The information gathering has been carried out in three phases, as outlined below:
- Phase 1: Literature/desktop review and steering group discussions;
  - Phase 2: Fieldwork survey (including census) and interviews with Gypsies and Travellers and Travelling Showpeople; and
  - Phase 3: Needs assessment and production of the final report.

#### Phase 1: Literature/desktop review and steering group discussions

- 3.4 This phase comprised a review of available literature, including legislative background and best practice information; and analysis of available secondary data relating to Gypsies and Travellers and Travelling Showpeople in Bromsgrove District.
- 3.5 Relevant regional, sub-regional and local information has been collected, collated and reviewed, including information on:
- The national policy and legislative context;
  - Current policies towards Gypsies and Travellers in the Borough (drawn from Local Authority policy documents, planning documents, housing strategies and homelessness strategies); and
  - Analysis of existing data sources available from the Council.
- 3.6 This information has helped to shape the development of this report, and in particular the review of the legislative and policy context set out in Chapter 2.
- 3.7 The project steering group was fully consulted regarding the most appropriate methodology for undertaking the assessment work, including site fieldwork, and provided stakeholder contact information for undertaking the stakeholder survey.

<sup>16</sup> DCLG Planning policy for traveller sites (PPTS), August 2015 and planning policy statement of 31<sup>st</sup> August 2015, as reviewed in Chapter 2.

<sup>17</sup> DCLG Gypsy and Traveller Accommodation Needs Assessments Guidance, October 2007, cancelled in December 2016, but providing a standard and approved approach, as reviewed in Chapter 2.

## Phase 2: Fieldwork survey and interviews with Gypsies and Travellers and Travelling Showpeople

- 3.8 The primary fieldwork for this study comprised survey work with Gypsies and Travellers. The questionnaire (Appendix C) was designed by arc<sup>4</sup> in consultation with the project steering group and builds upon our standard questionnaire.
- 3.9 The household survey was undertaken by arc<sup>4</sup>. The overarching aim of the fieldwork was to maximise the number of interviews secured from Gypsy and Traveller and Travelling Showpeople within the District. Consulting with the project steering group prior to the fieldwork survey ensured that the fieldwork team had a good understanding of the local issues facing Gypsies and Travellers and Travelling Showpeople and helped to maximise the community's participation in the study.
- 3.10 The cultural needs of Gypsies and Travellers and Travelling Showpeople differ from those of the rest of the population and consideration of culturally-specific requirements such as the need for additional permanent caravan sites and/or transit sites and/or stopping places (or improvements to existing sites) are key to this study. The research has therefore explicitly sought information from Gypsies and Travellers and Travelling Showpeople from across the Borough living in different types of accommodation.
- 3.11 The main period of fieldwork Interviews for Gypsies and Travellers took place between February and March 2019. Travelling Showpeople were interviewed in October 2019. Responses achieved are presented in Table 3.1.
- 3.12 The site observation and fieldwork survey confirmed that there are 26 Gypsy and Traveller households living on sites and 6 Travelling Showpeople households living on plots across Bromsgrove District.
- 3.13 Across the district, interviews were achieved with 20 Gypsy and Traveller households and additional household information was achieved for 6 households from site management data., resulting in overall data response from 100% of households. Interviews were achieved with all 6 Travelling Showperson households.
- 3.14 The 2011 Census identified a total of 23 households in Bromsgrove District where the Household Reference Person had a 'White: Gypsy or Irish Traveller' ethnicity. Of these 7 lived in a caravan or other mobile or temporary structure and 16 households lived in bricks and mortar (house, bungalow, flat, maisonette or apartment). The 2011 Census data has been used along with some statistical assumptions regarding the typical proportion of need arising from bricks and mortar households (based on other arc<sup>4</sup> studies)(see Chapter 6).

Table 3.1 Household responses achieved by tenure and type of accommodation					
Gypsies and Travellers: Bromsgrove					
Tenure and type of site	Pitch numbers			Household numbers	
	Total pitches	Total vacant	Occupied pitches	Total households	Interviews achieved
Council (permanent) authorised	23	0	23	23	17+6
Private (permanent) authorised	1	0	1	1	1
Unauthorised	3	0	3	3	3
<b>Total Gypsy and Traveller</b>	<b>27</b>	<b>0</b>	<b>27</b>	<b>27</b>	<b>27</b>
Travelling Showperson: Bromsgrove					
Tenure and type of site	Plot numbers			Household numbers	
	Total plots	Total vacant	Occupied plots	Total households	Interviews achieved
Council (permanent) authorised	0	0	0	0	-
Private (permanent) authorised	6	0	4	6	6
Unauthorised	0	0	0	0	-
<b>Total Travelling Showperson</b>	<b>6</b>	<b>0</b>	<b>6</b>	<b>6</b>	<b>6</b>

- 3.15 arc<sup>4</sup>'s methodology includes analysing the household survey findings to determine the self-defined travelling practices of each interviewed household. This includes answers to questions of travelling history (current and year preceding); reasons for travel; travel plans (current year and the next five years); annual duration of travel (recent and planned); destinations and reasons for travel; and reasons for not travelling (now and in the future). By translating this assessment of each household's 'PPTS-compliance' into a proportion of the population in question, it can be determined what percentage of households fall within the 'PPTS 2015' definition. By contrast, all households identifying as part of the Gypsy and Traveller or Travelling Showpeople community are contained within a broader 'cultural' definition.
- 3.16 Analysis of the household survey data established that 80% of Gypsy and Traveller respondent households on pitches across Bromsgrove District meet the PPTS 2015 definition of being a Gypsy/Traveller household. These households meet the definition by either travelling in the preceding year or within the past 5 years and/or intend to travel in the next year or in any year in the next five years. All Travelling Showpeople met the PPTS definition of being a Travelling Showperson household. This is discussed further in the analysis in Chapter 6.

### Phase 3: Needs assessment and production of report

- 3.17 The assessment of pitch requirements has been calculated by utilising information on current supply of pitches and the results from the survey. The overall number of pitches has been calculated using local authority and fieldwork survey information, with likely capacity through turnover assessed through the household survey and discussions with those who manage the council-owned sites.
- 3.18 A detailed explanation of the analysis of pitch requirements is contained in Chapter 6 but briefly comprises analysis of the following elements:
- Current pitch provision, households living in bricks and mortar accommodation; households planning to move in the next five years, and emerging households to give total demand for pitches; and
  - Turnover on existing pitches and total supply.
- 3.19 The approach used then reconciles the demand and supply data to identify overall pitch requirements.
- 3.20 To identify any need for transit provision, findings from the household survey have been analysed alongside other contextual information.
- 3.21 For Travelling Showpeople a similar process of analysis has been carried out but the terms site and pitch are replaced with yard and plot respectively.

### Pitches and households

- 3.22 One of the key challenges faced when assessing Gypsy and Traveller pitch requirements is the actual nature of pitches and how this relates to the number of households they can support.
- 3.23 PPTS 2015 refers to the need for Local Planning Authorities to *'identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets'* and *'relate the number of pitches/plots to the circumstances of the specific size and location of the site and the surrounding population's size and density'* (PPTS 2015, paragraph 10).
- 3.24 Planning decision notices usually refer the number of pitches on a site or the specifics of what can be on a pitch e.g. statics, tourers; or specific individuals and/or households.
- 3.25 As part of the GTAA, it is essential that the characteristics of sites, the number of pitches and how many households these can support is carefully considered. There are a range of issues which need to be considered when reviewing site and pitch characteristics and their potential implications for future pitch and site requirements which are now summarised.

### Site and pitch size

- 3.26 There are no definitive parameters for site or pitch sizes. Previous Design Guidance (DCLG, 2008) states in paragraph 4.4 that *'Gypsy and Traveller sites are designed to*

*provide land per household which is suitable for a mobile home, touring caravan and a utility building, together with space for parking. Sites of various sizes, layouts and pitch numbers operate successfully today and work best when they take into account the size of the site and the needs and demographics of the families resident on them’.*

- 3.27 Paragraph 4.47 states that *‘to ensure fire safety it is essential that every trailer, caravan or park home must be not less than 6 metres from any other trailer, caravan or park home that is occupied separately’.*
- 3.28 Paragraph 7.12 states that *‘as a general guide, it is possible to specify that an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan (or two trailers, drying space for clothes, a lockable shed (for bicycles, wheelchair storage etc.), parking space for two vehicles and a small garden area’.*
- 3.29 Paragraph 4.13 states that *‘smaller pitches must be able to accommodate at least an amenity building, a large trailer, drying space for clothes and parking for at least one vehicle’.*

### Occupancy

- 3.30 A pitch may accommodate more than one family unit, for instance it could include a family, older children who have formed their own household and other family members. This could lead to potential overcrowding and this is considered as part of the GTAA household survey.
- 3.31 Private sites may restrict occupancy to close family/friends. This limits opportunity for others to move onto the site but this restrictive occupancy may provide for emerging needs within a household, for example as grown-up children (previously living within a parent(s) or grandparent(s) home) form independent households of their own.
- 3.32 Quality, size of pitch and proximity of caravans on pitches vary dramatically.

### Response

- 3.33 For each site, a pragmatic and reasonable judgement should be made as part of the GTAA regarding the number of pitches or sub-divisions on sites. This may relate to the number of families living on sites, and could include a consideration of the potential intensification of sites (for instance through further sub-division, extension or use of vacant areas within the site). Capacity and layout of sites should be identified through site observation (directly or indirectly through Google maps or similar), planning history and local knowledge of planning, enforcement and liaison officers.
- 3.34 Pitches can become intensified or sub-divided once planning applications have been approved. These sub-divisions tend to be tolerated by councils. Often pitches become subdivided to provide space for newly-forming households, particularly from family members.

## 4. Review of the Gypsy, Traveller and Travelling Showpeople population and existing provision of pitches and plots

4.1 This chapter looks at the current picture in terms of the current population and demography of Gypsies and Travellers across the study area before going on to explore the extent and nature of provision across Bromsgrove District.

### 2011 Census population estimates

4.2 Whilst it is recognised that some families may not identify themselves as Gypsies or Travellers in research, the 2011 Census<sup>18</sup> identifies a total of 23 households in Bromsgrove District as having a ‘White: Gypsy or Irish Traveller’ (WGoIT) ethnicity (Table 4.1a). Of these, 16 (70%) live in bricks and mortar accommodation (house or bungalow, or flat, maisonette or apartment) and 7 (30%) live in a caravan or other mobile or temporary structure.

Total: Accommodation type	House or bungalow	A flat, maisonette or apartment	A caravan or other mobile or temporary structure
23	11	5	7

Source: 2011 Census

4.3 The 2011 Census provides further information on actual residents and Table 4.1b provides details of the breakdown of people.

Total: Accommodation type	House or bungalow	A flat, maisonette or apartment	A caravan or other mobile or temporary structure
60	31	13	16

Source: 2011 Census

4.4 Table 4.1c provides an analysis of people and households and shows that the average household size is 2.6 persons for Gypsies and Travellers in Bromsgrove District. This compares with an average household size of 2.3 (down from 2.4 in 2001) for the UK as a whole and looking at all households. There is some variation in the average Gypsy

<sup>18</sup> Tables 5.1a to 5.1e are taken from the Census 2011. Special tables were commissioned by ONS to cover the ethnicity and several data sets were produced and made available on the ONS website on the 21<sup>st</sup> January 2014. See Tables CT0127 and CT0128. Main article: <http://www.ons.gov.uk/ons/rel/census/2011-census-analysis/what-does-the-2011-census-tell-us-about-the-characteristics-of-gypsy-or-irish-travellers-in-england-and-wales-/index.html>

and Traveller household size between accommodation types, however, with an average of 2.8 persons per household in houses/bungalows compared with 2.6 persons per household in flats/maisonettes/apartments and 2.3 persons per household living in caravans/mobiles.

<b>Total: Accommodation type</b>	<b>House or bungalow</b>	<b>A flat, maisonette or apartment</b>	<b>A caravan or other mobile or temporary structure</b>
2.6	2.8	2.6	2.3

Source: 2011 Census

## Caravan Count Information

- 4.5 Snapshot counts of the number of Gypsy and Traveller caravans were requested by the Government in 1979, and have since been undertaken bi-annually by local authorities on a voluntary basis every January and July<sup>19</sup>. Their accuracy varies between local authorities and according to how information is included in the process. A major criticism is the non-involvement of Gypsies and Travellers themselves in the counts. However, the counts, conducted on a single day twice a year, are the only systematic source of information on the numbers and distribution of Gypsy and Traveller caravans and trailers. The counts include caravans (or trailers) on and off authorised sites (i.e. those with planning permission) but do not relate necessarily to the actual number of pitches on sites.
- 4.6 The figures for the last six Traveller caravan counts for Bromsgrove District are set out in Table 4.2. Data shows that an average of 33.7 caravans have been recorded on sites across the Borough during the six-count period. Of these, all were on authorised sites with planning permission and most (98%) were social rented.

<sup>19</sup> Historically caravan counts have not included Travelling Showpeople. Since 2010 the Government has requested that January counts include Travelling Showpeople, however, the figures relating to Travelling Showpeople are reported separately and not included in the overall count figures.

	Authorised sites with planning permission		Unauthorised sites without planning permission	Total
	Social Rented	Total Private	Total Unauthorised	
Jan 2016	33*	0	0	33*
Jul 2016	33	1	0	34
Jan 2017	33	0	0	33
Jul 2017	33	1	0	34
Jan 2018	33	1	0	34
Jul 2018	33	1	0	34
<b>Six-Count Average</b>	<b>33</b>	<b>0.7</b>	<b>0</b>	<b>33.7</b>
<b>Six-Count % Average</b>	<b>98%</b>	<b>2%</b>	<b>0%</b>	<b>100%</b>

Source: MHCLG Traveller Caravan Count, Live Table 1 (July 2018)

\*The actual return reports zero caravans but this may be an administrative error and therefore 33 caravans are assumed

- 4.7 In addition to the bi-annual Traveller Caravan Count, there is an annual snapshot count of the number of Travelling Showpeople caravans, which is undertaken alongside the January count of Gypsy and Traveller caravans (as above). The most recently-available published data is therefore January 2018.
- 4.8 There are no reported Travelling Showperson caravans across Bromsgrove District over the period 2014-2018 (Table 4.3). However, there is a Traveling Showpersons yard in the district but this has not been recognised in official count.

Hyndburn Count	Authorised sites with planning permission		Unauthorised sites without planning permission	Total
	Social Rented	Total Private	Total Unauthorised	
2014	0	0	0	0
2015	0	0	0	0
2016	0	0	0	0
2017	0	0	0	0
2018	0	0	0	0
<b>Five-Count Average</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Source: MHCLG Travelling Showpeople Caravan Count, Live Table 3 (July 2018)

## Local information

- 4.9 Broadly speaking, authorised sites are those with planning permission and can be on either public or privately-owned land. Unauthorised sites are made up of either longer term<sup>20</sup> unauthorised encampments<sup>21</sup>, that have been in existence for some considerable time and so can be considered to be indicative of a permanent need for accommodation (in some instances local authorities class these as tolerated sites and do not take enforcement action to remove them); and unauthorised developments, where Travellers are residing upon land that they own and that does not have planning permission (see Appendix D for more detailed definitions).
- 4.10 In terms of Gypsy and Traveller site provision across Bromsgrove (Table 4.4), there is one permanent housing association site (23 pitches), one private site (1 pitch) and one unauthorised site (3 pitches). There is also one Travelling Showperson development in the district with six plots located across four yards. The Travelling Showperson yards are occupied by one extended family unit. Site locations are shown on Map 4.1.

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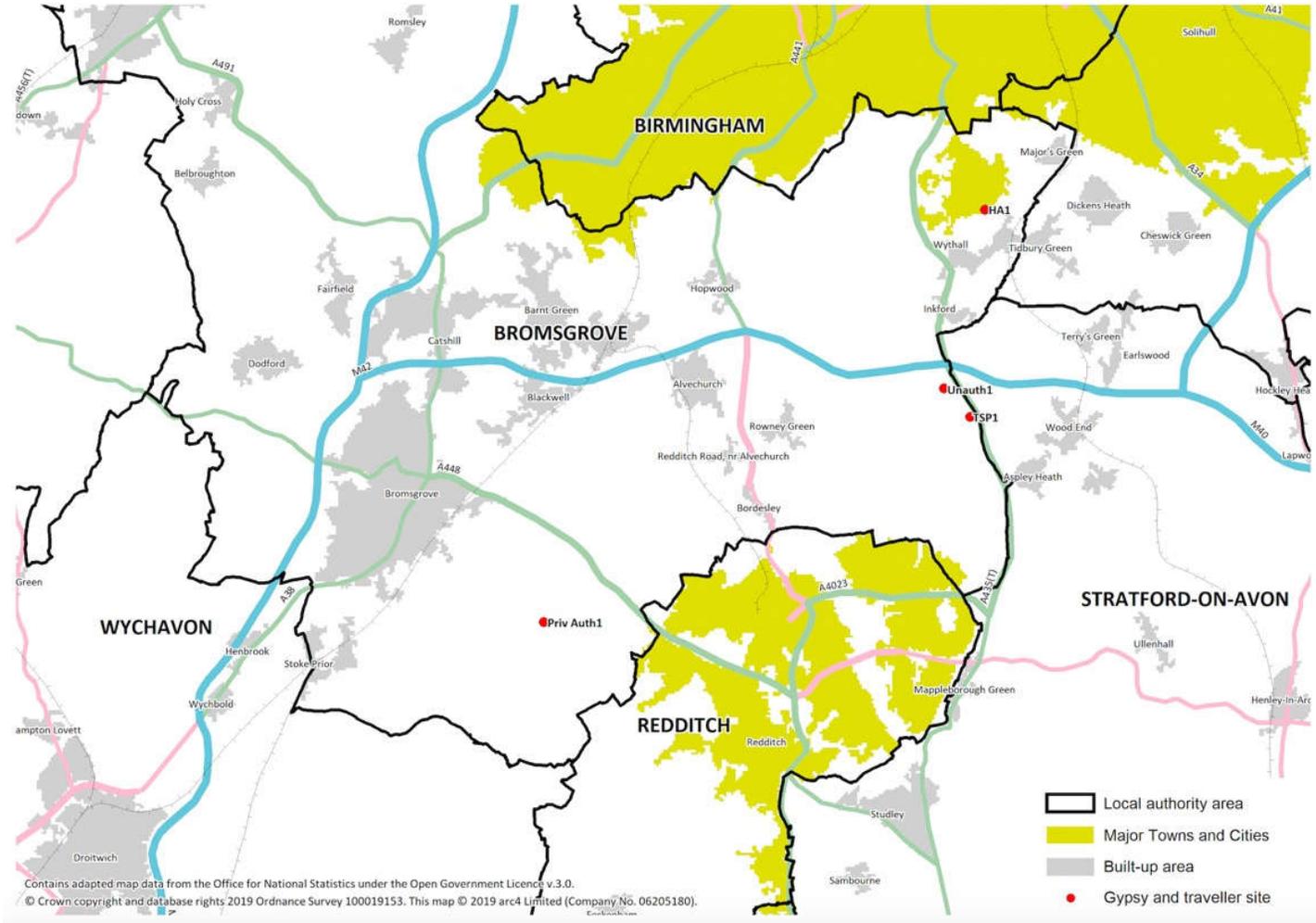
<sup>20</sup> Approximately three months or longer

<sup>21</sup> Please note that unauthorised encampments also encompass short-term illegal encampments, which are more indicative of transit need, see para 7.10 for more information on these encampments.

Table 4.4 List of Gypsy & Traveller sites and Travelling Showperson yards (as at February 2019)								
Site Code	Site Name	Address	Postcode	Ownership	Type	Pitches/Plots	Households	Response
HA1	Houndsfield Site,	Houndsfield Lane, Wythall	B47 6LX	Housing Association	Permanent Authorised	23	23	17+6
Unauth1	Billesley Lane	Billesley Lane (Land on south side Billesley Road to rear of Portway Hotel)	B48 7HG	Private	Unauthorised	3	3	3
Priv Auth1	Sheltwood Lane	Sheltwood Lane, Tardebigge	B60 3EY	Private	Permanent Authorised	1	1	+1
				TOTAL	G&T	27	27	20+7
Yard Code	Yard Name	Address	Postcode	Ownership	Type	Plots	Households	Response
TSP1	Travelling Showperson Yard	Alcester Road / Brockhill Lane nr A435, Portway	B48 7HT	Private	Permanent Authorised	6	6	6

Source: Council data 2019, site survey fieldwork 2019

Map 4.1 Location of sites in Bromsgrove District



## 5. Gypsy and Traveller pitch, Travelling Showperson plot and transit site requirements

### Introduction

- 5.1 This section reviews the overall pitch and plot requirements of Gypsies and Travellers and Travelling Showpeople across Bromsgrove District. It takes into account current supply and need, as well as future need, based on modelling of data. This chapter also considers transit pitch requirements for Gypsies and Travellers. Finally, it presents planning policy recommendations.
- 5.2 The calculation of pitch requirements is based on modelling as advocated in *Gypsy and Traveller Accommodation Assessment Guidance* (DCLG, 2007). Although now formally withdrawn, the former DCLG Guidance still provides the best-practice approach towards the assessment of pitch and plot needs (see chapter 2 for further discussion).
- 5.3 This approach requires an assessment of the current needs of Gypsies and Travellers and a projection of future needs. It advocates the use of a survey to supplement secondary source information and derive key supply and demand information.
- 5.4 The GTAA has modelled current and future demand and current and future supply separately for Gypsies and Travellers and Travelling Showpeople. For this study, the model has assumed a cultural definition of Gypsies and Travellers and Travelling Showpeople but also takes account of the PPTS planning definition as an element of the modelling.

### Pitch requirement model overview

- 5.5 Pitch requirements are assessed over an initial five-year period (2019/20 to 2023/24) (the 5-year model) and then longer-term need is based on the expected number of households likely to form over the remainder of the Plan Period (2024/25 to 2029/30) based on the age profile of children under 13 living in Gypsy and Traveller households on pitches (the longer-term model). The modelling is based on the cultural need for pitches but the impact of the PPTS definition on need is also considered.
- 5.6 In terms of **cultural need**, the 5-year model considers:
  - The baseline number of households on all types of site (authorised, unauthorised and temporary authorised sites) as at February 2019;
  - Existing households planning to move in the next five years (currently on sites and also from bricks and mortar and where they are planning to move to; and
  - Emerging households currently on sites and planning to emerge in the next five years and stay within the study area on a pitch; to derive a figure for
  - Total pitch need.
- 5.7 In terms of **supply**, the model considers:

- Total supply of current pitches on authorised sites; and
  - Vacant pitches on authorised sites
- 5.8 The model then reconciles total need and existing authorised supply over the next 5 years by summarising:
- Total need for pitches; and
  - Total supply of authorised pitches.
- 5.9 The longer-term element of the model then considers the cultural need over the remainder of the Plan Period (to 2029/30).

## Bromsgrove District: Description of factors in the 5-year need model

- 5.10 Table 5.1 provides a summary of the 5-year pitch need calculation. Each component in the model is now discussed to ensure that the process is transparent and any assumptions clearly stated.

### Need

5.11 **Current households living on pitches (1a to 1f)**

These figures are derived from local authority data, site observation and household survey information. Analysis indicates there are 27 households living across 27 pitches.

5.12 **Current households in bricks and mortar accommodation (2)**

The 2011 Census suggested there were 16 households living in bricks and mortar accommodation.

5.13 **Existing households planning to move in the next five years (3)**

This was derived from information from the household survey for respondents currently on authorised pitches and supplementary management information. No adjustment for non-response was necessary as data was available for all households on pitches.

Of existing households currently on sites, 1 (rounded) plans to move in the next 5 years to another site in the district, so there is no net impact on need.

For households currently in bricks and mortar, based on national arc4 studies it is estimated that 5.3% of households living in bricks and mortar would prefer to live on a site which would equate to 1 (rounded) household. A need from 1 household is therefore included within the modelling at 3e.

An allowance is also made for in-migration. Analysis of the household survey data indicates that around 5 (rounded) households have moved into the district in the

previous 5 years. The model therefore makes an allowance for 5 households moving into the district and requiring a pitch.

This results in an overall net requirement of +6 pitches (rounded) from existing households planning to move in the next 5 years.

#### 5.14 **Emerging households (4)**

This is the number of households expected to emerge in the next 5 years based on household survey information. The total number is +13 (rounded).

If children old enough to form their own household were living with family and have not specified that they want to form a new household, this is assumed to be through choice and the model does not assume they want to form a new household.

#### 5.15 **Total need for pitches (5)**

This is a total of current households on authorised pitches, households on pitches planning to move in the next five years and demand from emerging households currently living on pitches. This indicates a total need for 46 pitches.

### Supply

#### 5.16 **Current supply of authorised pitches (6)**

This is a summary of the total number of authorised pitches and the number of vacant authorised pitches. This shows a total supply of 24 authorised pitches plus zero vacant pitch resulting in a total supply of 24 authorised pitches.

### Reconciling supply and demand

5.17 There is a total need over the next five years (2019/20 to 2023/24) for 46 pitches in Bromsgrove District (Table 5.1) compared with a supply of 24 authorised pitches (including vacant pitches). The result is an overall cultural shortfall of 22 pitches.

<b>Table 5.1 Summary of demand and supply factors: Gypsies and Travellers – 2019/20 to 2023/24</b>				
<b>CULTURAL NEED</b>			<b>Bromsgrove</b>	
<b>1</b>	<b>Total households living on pitches</b>	1a. On LA Site	23	
		1b. On Private Site – Authorised	1	
		1c. On Private Site - Temporary Authorised	0	
		1d. On LA site - concealed/doubling up	0	
		1e. Unauthorised	3	
		<b>1f. Total (1a to 1e)</b>	<b>27</b>	
<b>2A</b>	<b>Estimate of households in bricks and mortar accommodation</b>	<b>2a. TOTAL (2011 Census)</b>	<b>16</b>	
<b>3</b>	<b>Existing households planning to move in next 5 years</b>	<b>Currently on sites</b>		
		3a. To another pitch/same site (no net impact)	0	
		3b. To another site in District (no net impact)	1	
		3c. From site to Bricks and Mortar (-)	0	
		3d. To a site/bricks and mortar outside District (-)	0	
		<b>Currently in Bricks and Mortar</b>		
		3e. Planning to move to a site in LA (+)	0.8	
		3f. Planning to move to another B&M property (no net impact)	0	
		<b>In-migrant households</b>		
		3g. Allowance for in-migration (+)	5	
	<b>3h. TOTAL Net impact (-3c-3d+3e+3g)</b>	<b>5.8</b>		
<b>4d. 4</b>	<b>Emerging households (5 years)</b>	4a. Currently on site and planning to live on current site (+)	4	
		4b. Currently on sites and planning to live on another site in LA (+)	9	
		4c. Currently on site and planning to live on site outside the study area (no net impact)	0	
		4d. Currently in B&M planning to move to a site in LA (+)	0	
		4e. Currently in B&M and moving to B&M (no net impact)	0	
		4f. Currently on Site and moving to B&M (no net impact)	0	
			<b>4g. TOTAL (4a+4b+4c+4d)</b>	<b>13</b>
		<b>5</b>	<b>Total Need</b>	<b>1f+3h+4g</b>
<b>SUPPLY</b>				
<b>6</b>	<b>Current supply of authorised pitches</b>	6a Current occupied authorised pitches	24	
		6b Current unoccupied authorised pitches	0	
		<b>6c. Total current authorised supply (6a+6b)</b>	<b>24</b>	
<b>RECONCILING NEED AND SUPPLY</b>				
<b>7</b>	<b>Total need for pitches</b>	<b>5 years (from 5)</b>	<b>46</b>	
<b>8</b>	<b>Total supply of authorised pitches</b>	<b>5 years (from 6c)</b>	<b>24</b>	
<b>5 YEAR AUTHORISED PITCH SHORTFALL 2019/20 TO 2023/24</b>			<b>22</b>	

## Longer-term pitch requirement modelling

- 5.18 Longer-term pitch need modelling has been carried out using known household structure information from the household survey of households living on pitches. On the basis of the age of children in households, it is possible to determine the extent of 'likely emergence', which assumes that a child is likely to form a new household at the age of 18.
- 5.19 The year when a child reaches 18 has been calculated and it is possible to assess how many newly forming households may emerge over the period 2024/25 to 2029/30. A reasonable assumption is that half of these children will form new households, bearing in mind culturally women tend to move away on marriage and men tend to stay in close proximity to their families on marriage. The model therefore assumes that 50% of children will form households when they reach 18 and that these households remain in Bromsgrove District<sup>22</sup>. Analysis would suggest a total cultural need for 28 additional pitches over the period 2024/25-2029/30 (Table 5.2).

**Table 5.2 Future pitch requirements based on the assumption that 50% of children form households on reaching 18**

Time period*	No. children	Expected household formation
2024/25 – 2028/29	6	3
2029/30	6	3
<b>Total (2024/26 to 2029/30)</b>	<b>12</b>	<b>6</b>

Note data are usually presented for 5 year periods but as the Local Plan period is to 2030 the final time period in this table relates to a 1 year period.

## Planning Policy for Traveller Site definition

- 5.20 Analysis of household survey data establishes that 80% of Gypsies and Travellers living on pitches across Bromsgrove District satisfy the PPTS definition of Gypsies and Travellers..
- 5.21 When interpreting PPTS need, modelling is generally used to translate the cultural need to a PPTS need. However, it has been considered appropriate to identify those households living on unauthorised and temporary authorised and tolerated sites as an immediate need to be addressed over the next 5 years. This is calculated in Table 5.3.

<sup>22</sup> This approach has been tested at inquiry including Worcestershire and Shropshire; and the assumption has been corroborated by several Travelling interviewees

Table 5.3 PPTS need in the first five years calculation		
<b>Total Cultural need</b>	22	A
<b>Total Cultural need from unauthorised sites</b>	5	B
<b>Total Cultural need from authorised sites</b>	17	A-B
<b>How much need is PPTS need on unauthorised sites</b>		
Total living on unauthorised sites and met definition	5	C
On unauthorised sites and do not meet definition	0	D
<b>How much need is PPTS need on authorised sites</b>		
<b>Total cultural need</b>	17	E
Households on authorised who meet the definition	13.6	F
Households on authorised sites who do not meet the definition	3.4	G
<b>Total who meet PPTS need in first 5 years</b>		
	18.6	C+F
<b>Total who do not meet PPTS need in first 5 years</b>		
	3.4	D+G
<b>TOTAL PPTS need</b>	<b>22</b>	

## Plan Period pitch need

- 5.22 Table 5.4 summarises the overall need for pitches across Bromsgrove District over the plan period to 2029/30. It presents the overall cultural need based on households identifying as Gypsy and Traveller and a 'policy on' PPTS need which is a subset of the cultural need and is based on those households who meet the PPTS definition of need. Assuming a 11-year period (2019/20 to 2029/30), this results in an overall need for the plan period for 28 pitches (cultural) and 24 (PPTS). This gives an annualised cultural need (over 11 years) for 2.5 pitches and an annualised PPTS need for 2.2 pitches.

Table 5.4 Plan period Gypsy and Traveller pitch need: Bromsgrove		
	Cultural need	PPTS NEED
<b>5yr Authorised Pitch Shortfall (2019/20 to 2023/24)</b>	<b>22</b>	<b>19</b>
<b>Longer-term need</b>		
<i>Over period 2024/25 to 2028/29</i>	3	2.4
<i>Over period 2029/2030</i>	3	<b>2.4</b>
<i>Longer-term need TOTAL</i>	6	<b>5</b>
<b>TOTAL NET SHORTFALL 2019/20 to 2029/30</b>	<b>28</b>	<b>24</b>

- 5.23 It is recommended that the Bromsgrove District Local Plan recognises there is a cultural need for 28 pitches over the plan period to 2030 and a need for 24 pitches under the PPTS definition (or a PPTS ‘policy-on’ position). The main drivers of need are: need from emerging households over the plan period based on the latest demographic evidence and households living on unauthorised sites.

## Potential capacity for Gypsy and Traveller pitches on existing sites

### *Turnover on sites*

- 5.24 Turnover relates to the number of pitches that are expected to become available for occupancy. Analysis only includes expected turnover on public sites as this is referenced in (former) CLG guidance and more accurate data on changes in pitch occupancy is likely to be available. Although there is likely to be turnover on private sites, the ability of households to move onto private sites may be more restrictive (for instance the site may be restricted to a particular family) and less likely to be recorded.
- 5.25 Household survey data indicates that 5 of the respondents had lived on their pitch on the Houndsfield Lane site for less than 5 years, implying an annual turnover of 1 pitch. An analysis of households planning to move would suggest that only 1 respondent is planning to move in the next 5 years.
- 5.26 Site management data from Rooftop Housing Association who manage the Houndsfield site indicates that over the period April 2014 to April 2018, a total of 7 pitches have become available for occupancy (of which 5 were from within the district). This is comparable to the annual turnover of 1 pitch each year evidenced from the household survey. Rooftop anecdotally comment that there is turnover of 1-2 pitches each year. Therefore a small degree of turnover should be considered when reconciling need with potential supply of pitches.

### *Potential capacity for Gypsy and Traveller pitches on existing sites*

- 5.27 The household survey asked respondents if there was opportunity to expand or intensify existing sites to accommodate more pitches. Two households on the Houndsfield site commented that the site could be expanded by up to 4 pitches.
- 5.28 Table 5.5 illustrates the impact of a pitch turnover over the Plan Period on overall pitch need. The result of including expected turnover is a reduction in cultural need to 17 pitches and PPTS need is reduced to 13 pitches over the plan period.

	<b>Cultural need</b>	<b>Of which: PPTS need</b>
<b>TOTAL pitch need for the five year period 2019/20 to 2023/24 (excluding turnover)</b>	<b>22</b>	<b>19</b>
<i>Pitches expected to become available through turnover on pitches on Housing Association site 2019/20 to 2023/24</i>	5	5
<b>Residual need 2019/20 to 2023/24</b>	<b>17</b>	<b>14</b>
<b>TOTAL pitch need for remainder of the plan period 2024/25 to 2029/30 (excluding turnover)</b>	6	5
<i>Pitches expected to become available through turnover on pitches on Housing Association site 2024/25 to 2029/30</i>	6	6
<b>Residual need 2024/25 to 2029/30</b>	0	0
<b>TOTAL pitch need for the plan period 2019/20 to 2029/30 (excluding turnover)</b>	<b>28</b>	<b>24</b>
<i>Pitches expected to become available through turnover on pitches on Housing Association site 2019/20 to 2029/30</i>	11	11
<b>Residual need 2019/20 to 2029/30</b>	<b>17</b>	<b>13</b>

## Housing register evidence

- 5.29 There are around 10 households on the housing waiting list for pitches on the Houndsfield Lane site. For confidentiality reasons, it would not be appropriate to comment further on the current housing circumstances of these households, but it can be confirmed that the needs have been adequately reflected in the needs modelling carried out for Bromsgrove and no further adjustment to the modelling is necessary.

## Transit site requirements

- 5.30 The household survey found that 82.4% of Gypsies and Travellers felt that transit provision should be made in Bromsgrove District and that it should be managed by the Council. A transit pitch normally has a hard standing, electric hook up and amenity shed. A good indicator of transit need is unauthorised encampment activity.
- 5.31 Information from the Council (Table 5.6) shows a downward trend in the number of unauthorised encampments and number of caravans reported. This would indicate a weakening in the potential demand for pitches from households on unauthorised encampments.

Year	Number of separate incursions	Total number of units (caravans) where provided
2014	8	107
2015	18	125
2016	5	41
2017	4	16
2018	1	3

Source: Council data

- 5.32 This evidence would suggest that a transit site is not a particular priority for Bromsgrove at present but this situation should be continually monitored.

### Travelling showperson needs

- 5.33 The future need for Travelling Showperson plots has been established using a similar methodology for Gypsy and Traveller pitch need. Table 5.7 provides a summary of the 5-year plot need calculation. Each component in the model is now discussed to ensure that the process is transparent and any assumptions clearly stated.

#### Need

5.34 **Current households living on plot (1a to 1f)**

These figures are derived from local authority data, site observation and household survey information. Analysis indicates there are six households living across six plots. Note that the Travelling Showpersons development is divided into four separate yards which collectively accommodate the six plots. For the purposes of the analysis, the baseline number of plots is six.

5.35 **Current households in bricks and mortar accommodation (2)**

The 2011 Census does not report Travelling Showpeople as a particular group so this is not applicable.

5.36 **Existing households planning to move in the next five years (3)**

This was derived from information from the household survey for respondents currently living on plots. None of the households were planning to move in the next five years.

5.37 **Emerging households (4)**

This is the number of households expected to emerge in the next 5 years based on household survey information. None were identified in the household survey.

**5.38 Total need for plots (5)**

This is a total of current households on authorised pitches, households on plots planning to move in the next five years and demand from emerging households currently living on plots. This indicates a total need for 6 plots.

### Supply

**5.39 Current supply of authorised plots (6)**

This is a summary of the total number of authorised plots and the number of vacant authorised pitches. This shows a total supply of 6 authorised plots (located across four yards) plus zero vacant plots resulting in a total supply of 6 authorised plots.

### Reconciling supply and demand

**5.40** There is a total need over the next five years (2019/20 to 2023/24) for 6 plots in Bromsgrove District (Table 5.7) compared with a supply of 6 authorised plots (including vacant pitches). The result is an overall cultural shortfall of zero plots.

<b>Table 5.7 Summary of demand and supply factors: Travelling Showpeople – 2019/20 to 2023/24</b>			
<b>CULTURAL NEED</b>			<b>Bromsgrove</b>
<b>1</b>	<b>Total households living on plots</b>	1a. On LA Yard	0
		1b. On Private Yard – Authorised	6
		1c. On Private Yard - Temporary Authorised	0
		1d. On LA Yard - concealed/doubling up	0
		1e. Unauthorised	0
		<b>1f. Total (1a to 1e)</b>	<b>6</b>
<b>2A</b>	<b>Estimate of households in bricks and mortar accommodation</b>	<b>2a. TOTAL (2011 Census)</b>	<b>N/A</b>
<b>3</b>	<b>Existing households planning to move in next 5 years</b>	<b>Currently on sites</b>	
		3a. To another plot/same yard (no net impact)	0
		3b. To another yard in District (no net impact)	0
		3c. From yard to Bricks and Mortar (-)	0
		3d. To a yard/bricks and mortar outside District (-)	0
		<b>Currently in Bricks and Mortar</b>	
		3e. Planning to move to a yard in LA (+)	0
		3f. Planning to move to another B&M property (no net impact)	0
		<b>In-migrant households</b>	
		3g. Allowance for in-migration (+)	0
	<b>3h. TOTAL Net impact (-3c-3d+3e+3g)</b>	<b>0</b>	
<b>4d. 4</b>	<b>Emerging households (5 years)</b>	4a. Currently on yard and planning to live on current yard (+)	0
		4b. Currently on yard and planning to live on another yard in LA (+)	0
		4c. Currently on yard and planning to live on site outside the study area (no net impact)	0
		4d. Currently in B&M planning to move to a yard in LA (+)	0
		4e. Currently in B&M and moving to B&M (no net impact)	0
		4f. Currently on Site and moving to B&M (no net impact)	0
		<b>4g. TOTAL (4a+4b+4c+4d)</b>	<b>0</b>
<b>5</b>	<b>Total Need</b>	<b>1f+3h+4g</b>	<b>6</b>
<b>SUPPLY</b>			
<b>6</b>	<b>Current supply of authorised plots</b>	6a Current occupied authorised plots	6
		6b Current unoccupied authorised plots	0
		<b>6c. Total current authorised supply (6a+6b)</b>	<b>6</b>
<b>RECONCILING NEED AND SUPPLY</b>			
<b>7</b>	<b>Total need for plots</b>	<b>5 years (from 5)</b>	<b>6</b>
<b>8</b>	<b>Total supply of authorised plots</b>	<b>5 years (from 6c)</b>	<b>6</b>
<b>5 YEAR AUTHORISED PLOT SHORTFALL 2019/20 TO 2023/24</b>			<b>0</b>

## Longer-term plot requirement modelling

- 5.41 Longer-term plot need modelling has been carried out using known household structure information from the survey of households living on plots. On the basis of the age of children in households, it is possible to determine the extent of ‘likely emergence’, which assumes that a child is likely to form a new household at the age of 18.
- 5.42 The year when a child reaches 18 has been calculated and it is possible to assess how many newly forming households may emerge over the period 2024/25 to 2029/30. A reasonable assumption is that half of these children will form new households. The model therefore assumes that 50% of children will form households when they reach 18 and that these households remain in Bromsgrove District<sup>23</sup>. Analysis would suggest a total cultural need for 2 additional plots over the period 2024/25-2029/30 (Table 5.8).

**Table 5.8 Future pitch requirements based on the assumption that 50% of children form households on reaching 18**

Time period*	No. children	Expected household formation
2024/25 – 2028/29	3	2 (rounded up)
2029/30	0	0
<b>Total (2024/26 to 2029/30)</b>	<b>3</b>	<b>2 (rounded up)</b>

Note data are usually presented for 5 year periods but as the Local Plan period is to 2030 the final time period in this table relates to a 1 year period.

## Planning Policy for Traveller Site definition

- 5.43 Analysis of household survey data establishes that 100% of Travelling Showpeople living on plots across Bromsgrove District satisfy the PPTS definition of Travelling Showpeople.

## Plan Period plot need

- 5.44 Table 5.9 summarises the overall need for pitches across Bromsgrove District over the plan period to 2029/30. It presents the overall cultural need based on households identifying as Gypsy and Traveller and a ‘policy on’ PPTS need which is a subset of the cultural need and is based on those households who meet the PPTS definition of need. Assuming an 11-year period (2019/20 to 2029/30), this results in an overall need for the plan period for 2 additional plots (cultural) and 2 (PPTS). This gives an annualised cultural need (over 11 years) for 0.18 plots and an annualised PPTS need for 0.18 plots.

<sup>23</sup> This approach has been tested at Inquiry including in Worcestershire and Shropshire; and the assumption has been corroborated by several Travelling interviewees

<b>Table 5.9 Plan period Travelling person plot need: Bromsgrove</b>		
	<b>Cultural need</b>	<b>PPTS NEED</b>
<b>5yr Authorised Pitch Shortfall (2019/20 to 2023/24)</b>	<b>0</b>	<b>0</b>
<b>Longer-term need</b>		
<i>Over period 2024/25 to 2028/29</i>	<i>2</i>	<i>2</i>
<i>Over period 2029/2030</i>	<i>0</i>	<b>0</b>
<i>Longer-term need TOTAL</i>	<i>2</i>	<b>2</b>
<b>TOTAL NET SHORTFALL 2019/20 to 2029/30</b>	<b>2</b>	<b>2</b>

- 5.45 It is recommended that the Bromsgrove District Local Plan recognises there is a cultural need for 2 additional plots over the plan period to 2030 and a need for 2 plots under the PPTS definition (or a PPTS ‘policy-on’ position). The main drivers of need are: need from emerging households over the plan period based on the latest demographic evidence.

## Potential capacity for Travelling showperson plots on existing yards

### *Turnover on yards*

- 5.46 Turnover relates to the number of plots that are expected to become available for occupancy. Household survey analysis indicates that no residents have moved onto Travelling Showperson plots in the past five years and none have indicated they plan to move, so turnover is assumed to be zero for modelling purposes.

### *Potential capacity for Travelling Showperson plots on existing yards*

- 5.47 The household survey asked respondents if there was opportunity to expand or intensify existing yards to accommodate more plots. Respondents indicated that two additional plots could be accommodated on existing yards. This would result in no additional need for plots across the borough (Table 5.10).

<b>Table 5.10 Addressing Travelling Showperson plot need</b>		
	<b>Cultural need</b>	<b>Of which: PPTS need</b>
<b>TOTAL plot need for the five year period 2019/20 to 2023/24 (excluding turnover)</b>	<b>0</b>	<b>0</b>
<i>Plots expected to become available through turnover on plots on 2019/20 to 2023/24</i>	<i>0</i>	<i>0</i>
<b>Residual need 2019/20 to 2023/24</b>	<b>0</b>	<b>0</b>
<b>TOTAL plot need for remainder of the plan period 2024/25 to 2029/30 (excluding turnover)</b>	<b>2</b>	<b>2</b>
<i>Plots expected to become available through turnover on plots 2024/25 to 2029/30</i>	<i>0</i>	<i>0</i>
<b>Residual need 2024/25 to 2029/30</b>	<b>2</b>	<b>2</b>
<b>TOTAL plot need for the plan period 2019/20 to 2029/30 (excluding turnover)</b>	<b>2</b>	<b>2</b>
<i>Plots expected to become available through turnover on plots 2019/20 to 2029/30</i>	<i>0</i>	<i>0</i>
<i>Potential additional plots through the expansion/intensification on existing yards</i>	<i>2</i>	<i>2</i>
<b>Residual need 2019/20 to 2029/30</b>	<b>0</b>	<b>0</b>

## 6. Conclusion and strategic response

- 6.1 This concluding chapter provides a brief summary of key issues emerging from the research; advice on the strategic responses available, including examples of good practice; and recommendations and next steps.

### Meeting permanent Gypsy and Traveller pitch requirements

- 6.2 In terms of Gypsy and Traveller site provision currently within Bromsgrove, there is one permanent Housing Association site (with 23 pitches), one private authorised site (1 pitch) and one unauthorised site (3 pitches).
- 6.3 The GTAA addendum has assumed a total of 27 occupied pitches and 27 households living on pitches
- 6.4 For the full Local Plan Period (to 2030) the GTAA has identified a cultural need for 28 pitches and a PPTS need for 24 pitches. It is recommended that the Local Plan acknowledges this range of need.
- 6.5 However, there are a range of supply-side factors which suggests that this need could be partially addressed. This includes an annual turnover of 1 pitch on the Housing Association site. This has the potential to reduce the overall need to 17 (cultural) and 13 (PPTS).
- 6.6 It is therefore recommended that the Council continues to monitor turnover on the Housing Association site. It is also recommended that the Council considers future applications for small sites to meet the needs of additional families who may emerge over the Plan Period.

### Meeting transit site/stop over requirements

- 6.7 Given the reducing incidence of unauthorised encampment activity, at the time it is not recommended that the Council develops transit sites. However, the need for transit provision should be regularly reviewed.

### Meeting permanent Travelling Showperson plot requirements

- 6.8 In terms of Travelling Showperson provision currently within Bromsgrove, there is a development comprising four yards which accommodate six plots. The occupants of the plots are one extended family unit.
- 6.9 The GTAA addendum has assumed a total of 6 occupied plots and 6 households living on plots.
- 6.10 For the full Local Plan Period (to 2030) the GTAA has identified a cultural need for 2 plots and a PPTS need for 2 plots. It is recommended that the Local Plan acknowledges this range of need.

- 6.11 However, there are a range of supply-side factors which suggests that this need can be addressed. There is a potential to increase the number of plots by two on the existing yards.
- 6.12 It is also recommended that the Council considers future applications for small yards to meet the needs of additional families who may emerge over the Plan Period.

### Good practice in planning for Gypsy and Traveller provision

- 6.13 There are a number of resources available to local planning authorities to assist them in planning for Gypsy and Traveller provision, including resources from the Planning Advisory Service (PAS) and the Royal Town Planning Institute (RTPI), which are presented in Appendix B. In addition, the Local Government Agency and Local Government Association have resources available for local authorities working with Traveller communities to identify sites for new provision, these include dedicated learning aids for elected members<sup>24</sup>.
- 6.14 Work undertaken by PAS<sup>25</sup> identified ways in which the planning process can increase the supply of authorised Gypsy and Traveller pitches. The RTPI has developed a series of Good Practice Notes for local planning authorities. Both are summarised at Appendix B.

### Concluding comments

- 6.15 The overarching purpose of this study has been to identify the accommodation requirements of Gypsies, Travellers and Travelling Showpeople across Bromsgrove District and update the findings of the 2014 GTAA.
- 6.16 For Bromsgrove District (Table 6.1), over the plan period to 2030 there is an overall cultural need for 28 pitches and a PPTS need for 24 pitches. It is recommended that the Local Plan acknowledges this level of need. The study has also identified potential supply through turnover on the Housing Association site which could reduce the overall need to 17 (cultural) and 13 (PPTS).
- 6.17 Over the five year period 2019/20 to 2023/24, there is a cultural need for 22 pitches and a PPTS need for 19 pitches. By factoring in turnover, these figures reduce to 17 cultural and 14 PPTS.
- 6.18 For Travelling Showpeople there is a need for 2 additional plots over the plan period to 2030 (zero in the first five year period 2019/10 to 2023/24 and 2 over the period 2024/25 to 2030). It is recommended that the Local Plan acknowledges this level of need. The study has also identified potential supply through the intensification of existing yards to accommodate two additional plots.

<sup>24</sup> I&DeA (now Local Government Agency) local leadership academy providing Gypsy and Traveller sites

<sup>25</sup> PAS spaces and places for gypsies and travellers how planning can help

<b>Table 6.1 Addressing Gypsy and Traveller pitch need</b>		
	<b>Cultural need</b>	<b>Of which: PPTS need</b>
<b>TOTAL pitch need for the five year period 2019/20 to 2023/24 (excluding turnover)</b>	<b>22</b>	<b>19</b>
<i>Pitches expected to become available through turnover on pitches on Housing Association site 2019/20 to 2023/24</i>	5	5
<b>Residual need 2019/20 to 2023/24</b>	<b>17</b>	<b>14</b>
<b>TOTAL pitch need for remainder of the plan period 2024/25 to 2029/30 (excluding turnover)</b>	6	5
<i>Pitches expected to become available through turnover on pitches on Housing Association site 2024/25 to 2029/30</i>	6	6
<b>Residual need 2024/25 to 2029/30</b>	0	0
<b>TOTAL pitch need for the plan period 2019/20 to 2029/30 (excluding turnover)</b>	<b>28</b>	<b>24</b>
<i>Pitches expected to become available through turnover on pitches on Housing Association site 2019/20 to 2029/30</i>	11	11
<b>Residual need 2019/20 to 2029/30</b>	<b>17</b>	<b>13</b>

6.19 There is limited evidence of the need for transit pitches based on recent trends but the Council should continue to monitor and review need based on unauthorised encampment activity.

6.20 It is recommended that this evidence base is refreshed on a five-yearly basis to ensure that the level of pitch and pitch provision remains appropriate for the Gypsy and Traveller population across Bromsgrove District.

## Appendix A: Legislative background

- A.1 The **1960 Caravan Sites and Control of Development Act** enabled councils to ban the siting of caravans for human occupation on common land, and led to the closure of many sites.
- A.2 The **Caravan Sites Act 1968 (Part II)** required local authorities *'so far as may be necessary to provide adequate accommodation for Gypsies residing in or resorting to their area'*. It empowered the Secretary of State to make designation orders for areas where he was satisfied that there was adequate accommodation, or on grounds of expediency. Following the recommendations of the Cripps Commission in 1980, provision began to grow rapidly only after the allocation of 100% grants from central government. By 1994 a third of local authorities had achieved designation, which meant that they were not required to make further provision and were given additional powers to act against unauthorised encampments. The repeal of most of the Caravan Sites Act under the Criminal Justice and Public Order Act in 1994 led to a reduction in provision, with some sites being closed over a period in which the Gypsy and Traveller population was increasing.
- A.3 The **1994 Criminal Justice and Public Order Act (CJ&POA)**:
- Repealed most of the 1968 Caravan Sites Act;
  - Abolished all statutory obligation to provide accommodation;
  - Discontinued government grants for sites; and
  - Under Section 61 made it a criminal offence to camp on land without the owner's consent.
- A.4 Since the CJ&POA the only places where Gypsies and Travellers can legally park their trailers and vehicles are:
- Council Gypsy caravan sites; by 2000 nearly half of Gypsy caravans were accommodated on council sites, despite the fact that new council site provision stopped following the end of the statutory duty;
  - Privately owned land with appropriate planning permission; usually owned by Gypsies or Travellers. Such provision now accommodates approximately a third of Gypsy caravans in England; and
  - Land with established rights of use, other caravan sites or mobile home parks by agreement or licence, and land required for seasonal farm workers (under site licensing exemptions).
- A.5 By the late 1990s the impact of the 1994 Act was generating pressure for change on both local and national government. There was a major review of law and policy, which included:
- A Parliamentary Committee report (House of Commons 2004).
  - The replacement of Circular 1/94 by Circular 1/2006 (which has since been cancelled and replaced by the *Planning policy for traveller sites* 2012 and updated in 2015).
  - Guidance on accommodation assessments (ODPM 2006).

- The Housing Act 2004 which placed a requirement (s.225) on local authorities to assess Gypsy and Traveller accommodation needs.

A.6 **Section 225: Housing Act 2004** imposed duties on local authorities in relation to the accommodation needs of Gypsies and Travellers:

- Every local housing authority was required as part of the general review of housing needs in their areas under section 8 of the Housing Act 1985 assess the accommodation needs of Gypsies and Travellers residing in or resorting to their Borough;
- Where a local housing authority was required under section 87 of the Local Government Act 2003 to prepare a strategy to meet such accommodation needs, they had to take the strategy into account in exercising their functions;
- A local housing authority was required to have regard to section 226 ('Guidance in relation to section 225') in:
  - carrying out such an assessment, and
  - preparing any strategy that they are required to prepare.
- Section 124 of the Housing and Planning Act 2016 deletes sections 225 and 226 of the Housing Act 2004 (see below). Additional requirements have been inserted into Section 8 of the Housing Act 1985 to include an assessment of the need for sites for caravans and moorings for houseboats within the periodical review of housing needs.

A.7 The **Planning and Compulsory Purchase Act 2004** set out to introduce a simpler and more flexible planning system at regional and local levels. It also introduced new provisions which change the duration of planning permissions and consents, and allow local planning authorities to introduce local permitted development rights using 'local development orders'. It made the compulsory purchase regime simpler, fairer and quicker, to support major infrastructure and regeneration initiatives. The Act introduced major changes to the way in which the planning system operates. Local planning authorities are required to prepare a Local Development Framework; however, the term Local Plan was reintroduced following the National Planning Policy Framework in March 2012.

Part 8 of the Act contains a series of measures to reform the compulsory purchase regime and make it easier for local planning authorities to make a case for compulsory purchase orders where it will be of economic, social or environmental benefit to the area. This Act was subsequently amended to a Local Plan document with the introduction of the NPPF in March 2012. This section also brings in amended procedures for carrying out compulsory purchase orders, including a widening of the category of person with an interest in the land who can object, and deals with ownership issues and compensation.

A.8 **The Localism Act 2011** introduced a number of reforms, including changes to planning enforcement rules, which strengthen the power of local planning authorities to tackle abuses of the planning system. The changes give local planning authorities the ability to take actions against people who deliberately conceal unauthorised development, and tackle abuses of retrospective planning applications. The Act also introduced the Duty to Co-operate (see Section 3) on all local planning authorities planning

sustainable development. The Duty requires *‘neighbouring local authorities, or groups of authorities, to work together on planning issues in the interests of all their local residents. ... the Government thinks that local authorities and other public bodies should work together on planning issues in ways that reflect genuine shared interests and opportunities to make common cause. The duty requires local authorities and other public bodies to work together on planning issues.’*<sup>26</sup> The provision of Gypsy and Traveller sites falls within the Duty to Co-operate; which aims to ensure that neighbouring authorities work together to address issues such as provision of sites for Gypsies and Travellers in a planned and strategic way.

A.9 **Statutory Instrument 2013 No 830 Town and Country planning Act, England (Temporary Stop Notice) (England) (Revocation) Regulations 2013** came into force on 4<sup>th</sup> May 2013. This Instrument revoked the regulations governing Temporary Stop Notices, which were in place to mitigate against the disproportionate impact of Temporary Stop Notices on Gypsies and Travellers in areas where there was a lack of sufficient pitches to meet the needs of the Travelling community.

A.10 **Section 124: Housing and Planning Act 2016** has two parts:

- 124(1) amends section 8 of the Housing Act 1985, inserting an additional reference to include a duty to consider the needs of people residing in or resorting to local authority Boroughs with respect to the provision of sites for caravans and moorings for houseboats when undertaking housing needs assessments.
- 124(2) deletes sections 225 and 226 of the Housing Act 2004 (as set out above).

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<sup>26</sup> DCLG A plain English guide to the Localism Act Nov 2011

## Appendix B: Review of policy, guidance and best practice

B.1 As part of this research, we have carried out a review of literature, which is presented in this Appendix. A considerable range of guidance documents has been prepared by Central Government to assist local authorities discharge their strategic housing and planning functions. In addition, there is considerable independent and academic research and guidance on these issues; some of the key documents are summarised here. The documents are reviewed in order of publication date.

B.2 **A Decent Home: Definition and Guidance for Implementation Update, DCLG, June 2006**

Although not primarily about the provision of caravan sites, facilities or pitches, the June 2006 updated DCLG guidance for social landlords provides a standard for such provision. The guidance is set out under a number of key headings:

- Community-based and tenant-led ownership and management;
- Delivering Decent Homes Beyond 2010;
- Delivering mixed communities;
- Procurement value for money; and
- Housing Health and Safety.

The guidance defines four criteria against which to measure the standard of a home:

- It meets the current statutory minimum standard for housing;
- It is in a reasonable state of repair;
- It has reasonably modern facilities and services; and
- It provides a reasonable degree of thermal comfort.

B.3 **Guide to Effective Use of Enforcement Powers - Parts 1 (Unauthorised Encampments, ODPM, 2006) and 2 (Unauthorised Development of Caravan Sites, DCLG, 2007)**

The Guide (now cancelled) was the Government's response to unauthorised encampments which cause local disruption and conflict.

B.4 **Common Ground: Equality, good race relations and sites for Gypsies and Irish Travellers, Commission for Racial Equality, May 2006**

This report was written four years after the introduction of the statutory duty on public authorities under the Race Relations (Amendment) Act to promote equality of opportunity and good race relations and to eliminate unlawful racial discrimination. The CRE expressed concerns about relations between Gypsies and Irish Travellers and other members of the public, with widespread public hostility and, in many places, Gypsies and Irish Travellers leading separate, parallel lives. A dual concern about race relations and inequality led the Commission in October 2004 to launch the inquiry on which this report was based.

The Report's recommendations include measures relating to Central Government, local authorities, police forces and the voluntary sector. Among those relating to Central Government are:

- developing a realistic but ambitious timetable to identify land for sites, where necessary establishing them, and making sure it is met;
- developing key performance indicators for public sites which set standards for quality and management that are comparable to those for conventional accommodation;

- requiring local authorities to monitor and provide data on planning applications, outcomes and enforcement, and on housing and homelessness by racial group, using two separate categories for Gypsies and Irish Travellers; and
- requiring police forces to collect information on Gypsies and Irish Travellers as two separate ethnic categories.

Strategic recommendations affecting local authorities include:

- developing a holistic corporate vision for all work on Gypsies and Irish Travellers,
- reviewing all policies on accommodation for Gypsies and Irish Travellers,
- designating a councillor at cabinet (or equivalent) level, and an officer at no less than assistant director level, to coordinate the authority's work on all sites;
- emphasising that the code of conduct for councillors applies to their work in relation to all racial groups, including Gypsies and Irish Travellers;
- giving specific advice to Gypsies and Irish Travellers on the most suitable land for residential use, how to prepare applications, and help them to find the information they need to support their application;
- identifying and reporting on actions by local groups or individuals in response to plans for Gypsy sites that may constitute unlawful pressure on the authority to discriminate against Gypsies and Irish Travellers; and
- monitoring all planning applications and instances of enforcement action at every stage, by type and racial group, including Gypsies and Irish Travellers, in order to assess the effects of policies and practices on different racial groups.

Among other recommendations, the Report states that police forces should:

- include Gypsies and Irish Travellers in mainstream neighbourhood policing strategies, to promote race equality and good race relations;
- target individual Gypsies and Irish Travellers suspected of anti-social behaviour and crime on public, private and unauthorised sites, and not whole communities;
- treat Gypsies and Irish Travellers as members of the local community, and in ways that strengthen their trust and confidence in the police;
- provide training for all relevant officers on Gypsies' and Irish Travellers' service needs, so that officers are able to do their jobs more effectively;
- review formal and informal procedures for policing unauthorised encampments, to identify and eliminate potentially discriminatory practices, and ensure that the procedures promote race equality and good race relations; and
- review the way policy is put into practice, to make sure organisations and individuals take a consistent approach, resources are used effectively and strategically, all procedures are formalised, and training needs are identified.

Other recommendations relate to Parish and Community councils the Local Government Association, the Association of Chief Police Officers and the voluntary sector.

#### B.5 **Planning Advisory Service (PAS) *Spaces and places for Gypsies and Travellers: how planning can help* (2006)**

PAS list the following as key to successful delivery of new provision:

- **Involve Gypsy and Traveller communities:** this needs to happen at an early stage, innovative methods of consultation need to be adopted due to low levels of literacy and high levels of social exclusion within Gypsy and Traveller communities and members of the Gypsy and Traveller community should be trained as

interviewers on Accommodation Assessments (Cambridgeshire, Surrey, Dorset and Leicestershire). Other good practice examples include distribution of material via CD, so that information can be ‘listened to’ as opposed to read. The development of a dedicated Gypsy and Traveller Strategy is also seen to be good practice, helping agencies develop a co-ordinated approach and so prioritise the issue. The report also recommends the use of existing Gypsy and Traveller resources such as the planning guide published in Traveller’s Times, which aims to explain the planning process in an accessible way to members of the Gypsy and Traveller community. As well as consulting early, PAS also flags the need to consult often with communities;

- **Work collaboratively** with neighbouring authorities to address the issues and avoid just ‘moving it on’ to a neighbouring local authority area. With the new Duty to Co-operate established within the NPPF, working collaboratively with neighbouring local authorities has never been more important. Adopting a collaborative approach recognises that local authorities cannot work in isolation to tackle this issue;
- **Be transparent:** trust is highly valued within Gypsy and Traveller communities, and can take a long time to develop. The planning system needs to be transparent, so that members of the Gypsy and Traveller community can understand the decisions that have been taken and the reasoning behind them. PAS states that *‘ideally council work in this area should be led by an officer who is respected both within the Council and also within Gypsy and Traveller communities: trust is vital and can be broken easily.’*<sup>27</sup> Local planning authorities also need to revisit their approach to development management criteria for applications for Gypsy and Traveller sites *‘to ensure that criteria make it clear what applications are likely to be accepted by the council. Authorities need to ensure that these are reasonable and realistic. Transparent and criteria-based policies help everyone to understand what decisions have been made and why.’*<sup>28</sup> Kent and Hertsmere councils are listed as examples of good practice in this regard.
- **Integration:** accommodation needs assessments need to be integrated into the Local Plan evidence base, with site locations and requirements set out within specific Development Plan Documents (DPDs); dedicated Gypsy and Traveller DPDs are advocated as a means of ensuring that the accommodation needs of Gypsies and Travellers are fully considered and addressed within the local planning process; and
- **Educate and work with councillors:** members need to be aware of their responsibilities in terms of equality and diversity and *‘understand that there must be sound planning reasons for rejecting applications for Gypsy and Traveller sites’*<sup>29</sup>. It is helpful for members to understand the wider benefits of providing suitable accommodation to meet the requirements of the Gypsy and Traveller community, such as:
  - An increase in site provision;

<sup>27</sup> PAS Spaces and places for gypsies and travellers how planning can help, page 8

<sup>28</sup> PAS spaces and places for gypsies and travellers how planning can help page 8 & 14

<sup>29</sup> PAS spaces and places for gypsies and travellers how planning can help page 10

- Reduced costs of enforcement; and
- Greater community engagement and understanding of community need.

**B.6 RTPI Good Practice Note 4, *Planning for Gypsies and Travellers (2007)***

The RTPI has developed a series of Good Practice notes for local planning authorities ‘Planning for Gypsies and Travellers’; the notes cover four key areas:

- Communication, consultation and participation;
- Needs assessment;
- Accommodation and site delivery; and
- Enforcement.

Whilst the notes were developed prior to the NPPF and the introduction of PPTS 2012 and 2015, some of the key principles remain relevant. and it is worth considering some of the papers’ key recommendations.

In terms of **communication, consultation and participation** the RTPI highlight the following good practice:

- **Define potentially confusing terminology** used by professionals working in the area;
- **Use appropriate methods of consultation:** oral exchanges and face-to-face dealings are essential to effectively engage with Gypsy and Traveller communities, whilst service providers tend to use written exchanges;
- **Consultees and participants need to be involved in the entire plan making process;** this includes in-house participants, external organisations, Gypsy and Traveller communities, and settled communities. The RTPI concludes that:
  - *‘Local authorities should encourage Gypsy and Traveller communities to engage with the planning system at an early stage. However, they may request other agencies that have well-established relationships with members of Gypsy and Traveller communities to undertake this role.’* and
  - *‘In the past, settled communities have often only become aware of the intention to develop Gypsy and Traveller accommodation when the local authority issues a notice or consultation. ... cultivating the support of the settled community for the development of sites should start as soon as possible. ... There is a sound case for front-loading and sharing information with small groups in the [settled] community, rather than trying to manage large public gatherings at the start of the process. Again, it may be beneficial for the local authority to work in partnership with organisations with established links in the community. The settled community is not a homogeneous whole. There will be separate groups with different perceptions and concerns, which the local authority must take account of.’<sup>30</sup>*
- **Dialogue methods:** the RTPI correctly identify that the experience of many Gypsies and Travellers of liaising with both public sector agencies and the settled community is both frightening and negative. As a result *‘there should be no expectation that Gypsies and Travellers will participate in open meetings. Stakeholders should investigate suitable methods of bringing together individuals*

<sup>30</sup> RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 8

*from the respective communities in an environment that will facilitate a constructive exchange of information and smooth the process of breaking down animosity and hostility.*<sup>31</sup> The use of public meetings is discouraged, and the use of organisations with experience of working within both Gypsy and Traveller, and settled communities encouraged – advice and support groups, assisted by the latter, holding regular local meetings can be an effective means of engaging constructively with both communities. Representatives from these groups can also be included on appropriate forums and advisory groups. The location and timing of meetings needs to be carefully considered to maximise participation, with a neutral venue being preferable.

- **The media** has an important role to play in facilitating the delivery of sites locally, with past reporting being extremely damaging. Positive media liaison is important and requires:
  - A single point of contact with the local authority;
  - A liaison officer responsible for compilation and release of briefings, and for building positive relationships with editors, journalists, radio and television presenters;
  - All stakeholders to provide accurate and timely briefings for the liaison officer;
  - Provision of media briefings on future activities;
  - Officers to anticipate when and where the most sensitive and contentious issues will arise and use of a risk assessment to mitigate any negative impact;
  - Use of the media to facilitate engagement with both settled and Gypsy and Traveller communities; and
  - Stakeholders to provide politicians with clear, accurate and comprehensive briefings.
- **On-going communication, participation and consultation** are important. The continued use of the most effective methods of engagement once an initiative is completed ensures the maximum use of resources:
  - *'The delivery of some services, such as the identification of sites in development plan documents, is the end of one process and the start of another. The various committees and advisory groups established to participate in the process of site identification and the accommodation needs assessment will have considerable background information and expertise embedded in their membership. This will prove useful in the management and monitoring of subsequent work. ... Whilst on-going engagement with all service users is important, it is especially important with regard to Gypsies and Travellers, given their long history of marginalisation.'*<sup>32</sup>

Whilst the RTPI's Good Practice Note Planning for Gypsies and Travellers predates the NPPF, the principles that it establishes at Part C remain largely relevant in terms of the role of local plan making. The Note advises that whilst the use of the site specific DPDs

<sup>31</sup> RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 13

<sup>32</sup> RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 18

to identify sites for Gypsy and Traveller accommodation may seem less divisive, subsequent to identification of sufficient sites to meet identified need, local planning authorities should seek to integrate provision for Gypsies and Travellers within their general housing strategies and policies. Early involvement of stakeholders, the community and special interest groups will help achieve a consensus.

However, the RTPI point out that, due to the contentious nature of Gypsy and Traveller provision, the use of a criteria based approach to the selection of development sites is unlikely to be *successful 'in instances where considerable public opposition to the development might be anticipated.'* The paper concludes that it is not appropriate to rely solely on criteria as an alternative to site allocations where there is an identified need for the development.<sup>33</sup>

The RTPI advocate adopting a pragmatic approach, whereby local planning authorities work with the Gypsy and Traveller communities within their areas to identify a range of potentially suitable sites:

*'The local authority and Gypsy and Traveller communities are both able to bring forward their suggested sites during this process, and the distribution and location of transit as well as permanent sites can be covered. The practicable options would then go forward for discussion with the local community, interest groups, and other stakeholders before the selection of preferred sites is finalised. The advantages of this approach are its transparency and the certainty it provides both for Gypsies and Travellers and for settled communities.'*<sup>34</sup>

The RTPI also advocates the use of supplementary planning guidance to provide additional detail on policies contained within a Local Plan; in terms of Gypsies and Travellers this could include:

- Needs assessment evidence base;
- Design principles; and
- A design brief for the layout of sites.

#### B.7 **Guidance on Gypsy and Traveller Accommodation Needs Assessments, DCLG, October 2007**

This Guidance (formally cancelled in December 2016) sets out a detailed framework for designing, planning and carrying out Gypsy and Traveller accommodation needs assessments. It includes the needs of Showpeople. It acknowledges that the housing needs of Gypsies and Travellers are likely to differ from those of the settled community, and that they have hitherto been excluded from accommodation needs assessments.

The guidance stresses the importance of understanding accommodation needs of the whole Gypsy and Traveller population; and that studies obtain robust data. It recognises the difficulty of surveying this population and recommends the use of:

- Qualitative methods such as focus groups and group interviews;
- Specialist surveys of those living on authorised sites that are willing to respond; and
- Existing information, including local authority site records and the twice yearly caravan counts.

<sup>33</sup> RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part C page 11

<sup>34</sup> RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part C page 11

The Guidance recognises that there are challenges in carrying out these assessments, and accepts that while the approach should be as robust as possible it is very difficult to exactly quantify unmet need.

**B.8 Designing Gypsy and Traveller Sites Good Practice Guide, DCLG, May 2008**

The Guide (now cancelled) attempted to establish and summarise the key elements needed to design a successful site. In particular, the guidance intended to assist:

- Local authorities or Registered Providers looking to develop new sites or refurbish existing sites;
- Architects or developers looking to develop sites or refurbish existing sites; and
- Site residents looking to participate in the design/refurbishment process.

**B.9 The National Planning Policy Framework, March 2012**

The National Planning Policy Framework (NPPF) came into effect in March 2012 and sets out the Government’s planning policies for England. It condenses previous guidance and places a strong emphasis on ‘sustainable development’. It provides more focussed guidance on plan-making and refers to ‘Local Plans’ rather than Local Development Frameworks or Development Plan Documents. Despite the difference in terminology it does not affect the provisions of the 2004 Act which remains the legal basis for plan-making.

**B.10 DCLG Planning policy for traveller sites, March 2012 (subsequently updated August 2015)**

In March 2012 the Government also published *Planning policy for traveller sites*, which together with the NPPF replaced all previous planning policy guidance in respect of Gypsies and Travellers. The policy approach encouraged provision of sites for Gypsies and Travellers where there is an identified need, to help maintain an appropriate level of supply. The policy also encouraged the use of plan making and decision taking to reduce unauthorised developments and encampments. This policy document was replaced by updated PPTS in August 2015 (see below).

**B.11 Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers, April 2012**

In April 2012 the Government published a Progress Report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers, which summarised progress in terms of meeting ‘Government commitments to tackle inequalities and promote fairness for Gypsy and Traveller communities.’<sup>35</sup> The report covers 28 measures from across Government aimed at tackling inequalities, these cover:

- Improving education outcomes;
- Improving health outcomes;
- Providing appropriate accommodation;
- Tackling hate crime;
- Improving interaction with the National Offender Management Service;
- Improving access to employment and financial services; and
- Improving engagement with service providers.

<sup>35</sup> [www.communities.gov.uk/news/corporate/2124322](http://www.communities.gov.uk/news/corporate/2124322)

**B.12 Dealing with illegal and unauthorised encampments: a summary of available powers, DCLG August 2012**

This guidance note (now superseded, March 2015) summarised the powers available to local authorities and landowners to remove encampments from both public and private land.

**B.13 Statutory Instrument 2013 No.830 Town and Country Planning (Temporary Stop Notice) (England) (Revocation) Regulations 2013:** Made on 11<sup>th</sup> April 2013 and laid before Parliament on 12<sup>th</sup> April 2013 this Instrument revoking the regulations applying to Temporary Stop Notices (TSNs) in England came into force on 4<sup>th</sup> May 2013. The regulations were originally introduced to mitigate against the likely disproportionate impact of TSNs on Gypsies and Travellers in areas where there is a lack of sites to meet the needs of the Travelling community. Under the regulations, TSNs were prohibited where a caravan was a person's main residence, unless there was a risk of harm to a serious public interest significant enough to outweigh any benefit to the occupier of the caravan. Under the new arrangements local planning authorities are to determine whether the use of a TSN is a proportionate and necessary response.

**B.14 Ministerial Statement 1<sup>st</sup> July 2013 by Brandon Lewis<sup>36</sup>** highlighted the issue of inappropriate development in the Green Belt and revised the appeals recovery criteria issued on 30<sup>th</sup> June 2008 to enable an initial six-month period of scrutiny of Traveller site appeals in the Green Belt. This was so that the Secretary of State could assess the extent to which the national policy, *Planning policy for traveller sites*, was meeting the Government's stated policy intentions. A number of appeals have subsequently been recovered. The Statement also revoked the practice guidance on 'Diversity and equality in planning'<sup>37</sup>, deeming it to be outdated; the Government does not intend to replace this guidance.

**B.15 Dealing with illegal and unauthorised encampments: a summary of available powers 9<sup>th</sup> August 2013.** This guidance (now superseded, March 2015) replaced that published in August 2012, and updated it in respect of changes to Temporary Stop Notices.

**B.16 DCLG Consultation: Planning and Travellers, September 2014.** This consultation document sought to:

- Amend the Planning policy for Traveller sites' definition of Travellers and Travelling Showpeople to exclude those who have ceased to travel permanently;
- Amend secondary legislation to bring the definition of Gypsies and Travellers, set out in the Housing (Assessment of Accommodation Needs)(Meaning of Gypsies and Travellers)(England) Regulations 2006 in line with the proposed changed definition set out above for the Planning policy for Traveller sites;
- Make the intentional unauthorised occupation of land be regarded by decision takers as a material consideration that weighs against the granting of planning permission. In other words, failure to seek permission in advance of occupation of land would count against the grant of planning permission;
- Protect 'sensitive areas' including the Green Belt;
- Update guidance on how local authorities should assess future Traveller accommodation requirements, including sources of information that authorities

<sup>36</sup> <https://www.gov.uk/government/speeches/planning-and-travellers>

<sup>37</sup> ODPM Diversity and Equality in Planning: A good practice guide 2005

should use. In terms of future needs assessments the consultation suggests that authorities should look at:

- The change in the number of Traveller households that have or are likely to have accommodation needs to be addressed over the Plan period;
- Broad locations where there is a demand for additional pitches;
- The level, quality and types of accommodation and facilities needed (e.g. sites and housing);
- The demographic profile of the Traveller community obtained from working directly with them;
- Caravan count data at a local level; and
- Whether there are needs at different times of the year.

- The consultation closed on 23<sup>rd</sup> November 2014.

B.17 **Dealing with illegal and unauthorised encampments: a summary of available powers, March 2015.** This Guidance sets out the robust powers councils, the police and landowners have to deal quickly with illegal and unauthorised encampments. The Guidance lists a series of questions that local authorities will want to consider including:

- Is the land particularly vulnerable to unlawful occupation/trespass?
- What is the status of that land? Who is the landowner?
- Do any special rules apply to that land (e.g. byelaws, statutory schemes of management, etc.) and, if so, are any of those rules relevant to the occupation/trespass activity?
- Has a process been established for the local authority to be notified about any unauthorised encampments?
- If the police are notified of unauthorised encampments on local authority land, do they know who in the local authority should be notified?
- If the power of persuasion by local authority officers (wardens/park officers/enforcement officers) does not result in people leaving the land/taking down tents, is there a clear decision making process, including liaison between councils and local police forces, on how to approach unauthorised encampments? At what level of the organisation will that decision be made? How will that decision-maker be notified?

The Guidance also states that to plan and respond effectively local agencies should work together to consider:

- Identifying vulnerable sites;
- Working with landowners to physically secure vulnerable sites where possible;
- Preparing any necessary paperwork, such as applications for possession orders or injunctions, in advance;
- Working with private landowners to inform them of their powers in relation to unauthorised encampments, including advance preparation of any necessary paperwork;
- Developing a clear notification and decision-making process to respond to instances of unauthorised encampments;

- The prudence of applying for injunctions where intelligence suggests there may be a planned encampment and the site of the encampment might cause disruption to others;
- Working to ensure that local wardens, park officers or enforcement officers are aware of who they should notify in the event of unauthorised encampments;
- Working to ensure that local wardens or park officers are aware of the locations of authorised campsites or other alternatives; and
- Identifying sites where protests could be directed / permitted.

**B.18 DCLG Planning policy for traveller sites, August 2015**

To be read alongside the NPPF (March 2012), this national planning policy document replaces the original document of the same Ashford (published in March 2012).

*Planning policy for traveller sites sets out that, “the Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.”<sup>38</sup>*

The document sets out a series of nine policies (Policy A to Policy I), which address different issues associated with traveller sites:

- Policy A: Using evidence to plan positively and manage development,
- Policy B: Planning for traveller sites,
- Policy C: Sites in rural areas and the countryside,
- Policy D: Rural exception sites,
- Policy E: Travellers sites in Green Belt,
- Policy F: Mixed planning use traveller sites,
- Policy G: Major development projects,
- Policy H: Determining planning applications for traveller sites, and
- Policy I: Implementation.

**B.19 DCLG Planning policy statement on Green Belt protection and intentional unauthorised development (31<sup>st</sup> August 2015)**

Issued as a letter to all Chief Planning Officers in England, this planning policy statement sets out changes to make intentional unauthorised development a material consideration in the determination of planning applications, and also to provide stronger protection for the Green Belt. The statement explains that the Planning Inspectorate will monitor all appeal decisions involving unauthorised development in the Green Belt, and additionally the DCLG will consider the recovery of a proportion of relevant appeals for the Secretary of State’s decision “to enable him to illustrate how he would like his policy to apply in practice”, under the criteria set out in 2008.

In addition, the planning policy statement of 31<sup>st</sup> August 2015 announced that the Government has cancelled the documents *Guide to the effective use of enforcement*

<sup>38</sup> DCLG *Planning policy for traveller sites*, August 2015, paragraph 3

*powers, Part 1 (2006) and Part 2 (2007) and Designing Gypsy and Traveller Sites – Good Practice Guide (2008).*

**B.20 DCLG Draft guidance to local housing authorities on the periodical review of housing needs: Caravans and Houseboats, March 2016**

This draft guidance was published to explain how the Government wants local housing authorities to interpret changes to accommodation needs assessments (as required by Section 8 of the Housing Act 1985), specifically in relation to caravans and houseboats. It makes reference to Clause 115 of the Housing and Planning Bill, which has subsequently received royal assent and became legislation on 12 May 2016. The relevant clause has become Section 124 of the Housing and Planning Act 2016.

The draft guidance explains how Government wants local housing authorities to interpret changes to accommodation needs assessments (as required by Section 8 of the Housing Act 1985), specifically in relation to caravans and houseboats.

In the carrying out of accommodation needs assessments, the draft guidance stresses the importance of close engagement with the community. The use of existing data along with conducting a specialist survey is recommended.

**B.21 The National Planning Policy Framework July 2018/Feb 2019**

This updates the 2012 NPPF and provides a framework within which locally-prepared plans for housing and other development can be produced. Chapter 5 considers the delivery of a sufficient supply of homes and the size, type and tenure of housing need for different groups in the community should be assessed and reflected in planning policies. This includes travellers who meet the definition set out in the PPTS.

## Appendix C: Gypsy and Traveller Fieldwork Questionnaire

	Date and Time		
	Site Reference		
	Address		
	General Data Protection Regulation (2018) and Data Protection	GDPR came into effect from 25th May 2018. This provides new rights for EU citizens to control personal data held about them by organisations	
		This study is being done for Bromsgrove District Council to identify if there is a need for more pitches in the Council area. A report will be prepared based on the findings of these surveys. The information you provide will not be used for any other purpose.	
		The information you provide will not be used to identify you personally, will be kept strictly confidential and not passed onto anyone	
		Can you please say if you are happy to carry on with the questionnaire on this basis?	Yes
1	Pitch/Property Type		
2	No. Statics/mobiles/bricks and mortar		
3	No. tourers		
4	Description of pitch occupancy		
5	No. households		
6	No. concealed households		
7	No. doubled up hhs		
8	Anyone else use this pitch as their home? If so, who		

## 9 Household characteristics

		Gender	Age	Relationship to respondent
	Respondent			
	Person 2			
	Person 3			
	Person 4			
	Person 5			
	Person 6			
	Person 7			
	Person 8			
10	Ethnicity			
11	How many bedspaces are there on your pitch?			
12	Overcrowding of home	Y / N		
13	Overcrowding of pitch	Y / N		
14a	Thinking back to when you were 15, were you living on a site, on the roadside or living in bricks and mortar housing	S, R, B&M		
14b	Where were you living? Record district/settlement name			

**Travelling questions**

In 2015, the Government changed its definition of Gypsies and Travellers for planning purposes. To be recognised as a Gypsy Traveller you or someone in your household has to travel. I'm now going to ask a few questions about whether you or someone in your household travels		
15	In the last year have you or someone in your household travelled	Y / N
16	Previous to the last year, did you or someone in your household travel?	Y / N
17	Reason(s) for travelling	
18	Do you or a member of your household plan to travel next year?	Y / N
19	Do you think you or a member of your household will travel each year for the next five years and/or beyond	Y / N
20	What reasons do you or your household have for not travelling now or in the future?	
<b>Future moving intentions</b>		
21	Are you planning to move in the next 5 years?	Y / N
22	Where are you planning to move to? (Same Site, Private Site in District, Council Site in District, Outside District (if so where)	
23	What type of dwelling (caravan, trailer, house, flat, bungalow)	

24	Emerging households: Are there any people in your household who want to move to their own pitch in the next 5 yrs?	Y / N			
		HH1	HH2	HH3	HH4
25	Where are they planning to move to? (Same Site, Private Site in District, Council Site in District, Outside District (if so where)				
26	What type of dwelling (caravan, trailer, house, flat, bungalow)				
27	Have they travelled / plan to travel	Y/N	Y/N	Y/N	Y/N
28	Scope to expand site	Y / N			
29	No. additional pitches				
30	Scope to intensify pitches	Y / N			
31	No. additional pitches				
32	Is there a need for transit pitches (for people stopping over temporarily) in the district?	Y / N			
33	If so, now many are needed?				
34	Who should manage them (Council, Traveller Community)				
35	Is there a need for more authorised pitches ( for people to live on all the time?)	Y / N			
36	If so, now many are needed?				
37	How many years have you lived here?				

If less than 6 years, please ask supplementary questions

38	Are there any vacant pitches on the Site which could be used by another family? If so how many pitches
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**Supplementary questions if relevant**

39	Where did you move from? <b>(District)</b>	
40	Were you living on a Private Site, Council Site, Roadside or Bricks and Mortar housing?	
41	When you moved here, was the pitch vacant, a new pitch or was the pitch sub-divided	
42	What were the reasons for moving here?	
43	Did you already have a connection with the area (e.g. family or friends living here; or you used to live here?)	
44	Do you know anyone in bricks and mortar housing looking to live on a Site? If so, can you provide contact details	

**NOTE the Travelling Showperson questionnaire was identified except that site/pitch was replaced with yard/plot**

## Appendix D: Glossary of terms

**Caravans:** Mobile living vehicles used by Gypsies and Travellers; also referred to as trailers.

**CJ&POA:** Criminal Justice and Public Order Act 1994; includes powers for local authorities and police to act against unauthorised encampments.

**CRE:** Commission for Racial Equality.

**DCLG:** Department for Communities and Local Government; created in May 2006.

Responsible for the remit on Gypsies and Travellers, which was previously held by the Office of the Deputy Prime Minister (O.D.P.M.).

**Gypsies and Travellers:** Defined by DCLG *Planning policy for traveller sites* (August 2015) as “Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such”. The planning policy goes on to state that, “In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters: a) whether they previously led a nomadic habit of life b) the reasons for ceasing their nomadic habit of life c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances”.

**Irish Traveller:** Member of one of the main groups of Gypsies and Travellers in England. Irish Travellers have a distinct indigenous origin in Ireland and have been in England since the mid nineteenth century. They have been recognised as an ethnic group since August 2000 in England and Wales (O’Leary v Allied Domecq).

**Mobile home:** Legally a ‘caravan’ but not usually capable of being moved by towing.

**Pitch:** Area of land on a Gypsy/Traveller site occupied by one resident family; sometimes referred to as a plot, especially when referring to Travelling Showpeople. DCLG *Planning policy for traveller sites* (August 2015) states that “For the purposes of this planning policy, “pitch” means a pitch on a “gypsy and traveller” site and “plot” means a pitch on a “travelling showpeople” site (often called a “yard”). This terminology differentiates between residential pitches for “gypsies and travellers” and mixed-use plots for “travelling showpeople”, which may / will need to incorporate space or to be split to allow for the storage of equipment”.

**Plot:** see pitch

**PPTS:** Planning Policy for Traveller Sites (DCLG, 2012 and 2015 editions)

**Roadside:** Term used here to indicate families on unauthorised encampments, whether literally on the roadside or on other locations such as fields, car parks or other open spaces.

**Romany:** Member of one of the main groups of Gypsies and Travellers in England. Romany Gypsies trace their ethnic origin back to migrations, probably from India, taking place at intervals since before 1500. Gypsies have been a recognised ethnic group for the purposes of British race relations legislation since 1988 (CRE v Dutton).

**Sheds:** On most residential Gypsy/Traveller sites 'shed' refers to a small basic building with plumbing amenities (bath/shower, WC, sink), which are provided at the rate of one per pitch/pitch. Some contain a cooker and basic kitchen facilities.

**Showpeople:** Defined by DCLG *Planning policy for traveller sites* (August 2015) as “Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or

*old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above”.*

**Site:** An area of land laid out and used for Gypsy/Traveller caravans; often though not always comprising slabs and amenity blocks or ‘sheds’. An authorised site will have planning permission. An unauthorised development lacks planning permission.

**Slab:** An area of concrete or tarmac on sites allocated to a household for the parking of trailers (caravans)

**Stopping places:** A term used to denote an unauthorised temporary camping area tolerated by local authorities, used by Gypsies and Travellers for short-term encampments, and sometimes with the provision of temporary toilet facilities, water supplies and refuse collection services.

**Tolerated site:** An unauthorised encampment/site where a local authority has decided not to take enforcement action to seek its removal.

**Trailers:** Term used for mobile living vehicles used by Gypsies and Travellers; also referred to as caravans.

**Transit site:** A site intended for short-term use while in transit. The site is usually permanent and authorised, but there is a limit on the length of time residents can stay.

**Unauthorised development:** Establishment of Gypsy and Traveller sites without planning permission, usually on land owned by those establishing the site. Unauthorised development may involve ground works for roadways and hard standings. People parking caravans on their own land without planning permission are not Unauthorised Encampments in that they cannot trespass on their own land – they are therefore Unauthorised Developments and enforcement is always dealt with by Local Planning Authorities enforcing planning legislation.

**Unauthorised encampment:** Land where Gypsies or Travellers reside in vehicles or tents without permission. Unauthorised encampments can occur in a variety of locations (roadside, car parks, parks, fields, etc.) and constitute trespass. The 1994 Criminal Justice and Public Order Act made it a criminal offence to camp on land without the owner’s consent. Unauthorised encampments fall into two main categories: those on land owned by local authorities and those on privately owned land. It is up to the land owner to take enforcement action in conjunction with the Police.

**Wagons:** This is the preferred term for the vehicles used for accommodation by Showpeople.

**Yards:** Showpeople travel in connection with their work and therefore live, almost universally, in wagons. During the winter months these are parked up in what was traditionally known as ‘winter quarters’. These ‘yards’ are now often occupied all year around by some family members.