

# Darlington Borough Council Gypsy and Traveller Accommodation Assessment Update 2017

October 2017

*RRR Consultancy Ltd*









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# Acknowledgements

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## The Authors

*RRR Consultancy Ltd* was founded by Dr Alan Rust-Ryan and Dr Kate Rust-Ryan. They undertake research and consultancy in all areas of social policy from small-scale projects to long-term research studies.

The *RRR Consultancy* team has a proven successful track record in research and training relating to children, young people and adults, policy and practice, families and communities, housing, community development, hard to reach people and groups, education, multi-agency working, and service users and service provision.

*RRR Consultancy* also offer 'best practice' training courses to help ensure that public, voluntary and private organisations understand and successfully implement policies in areas such as domestic violence, homelessness, children and families.





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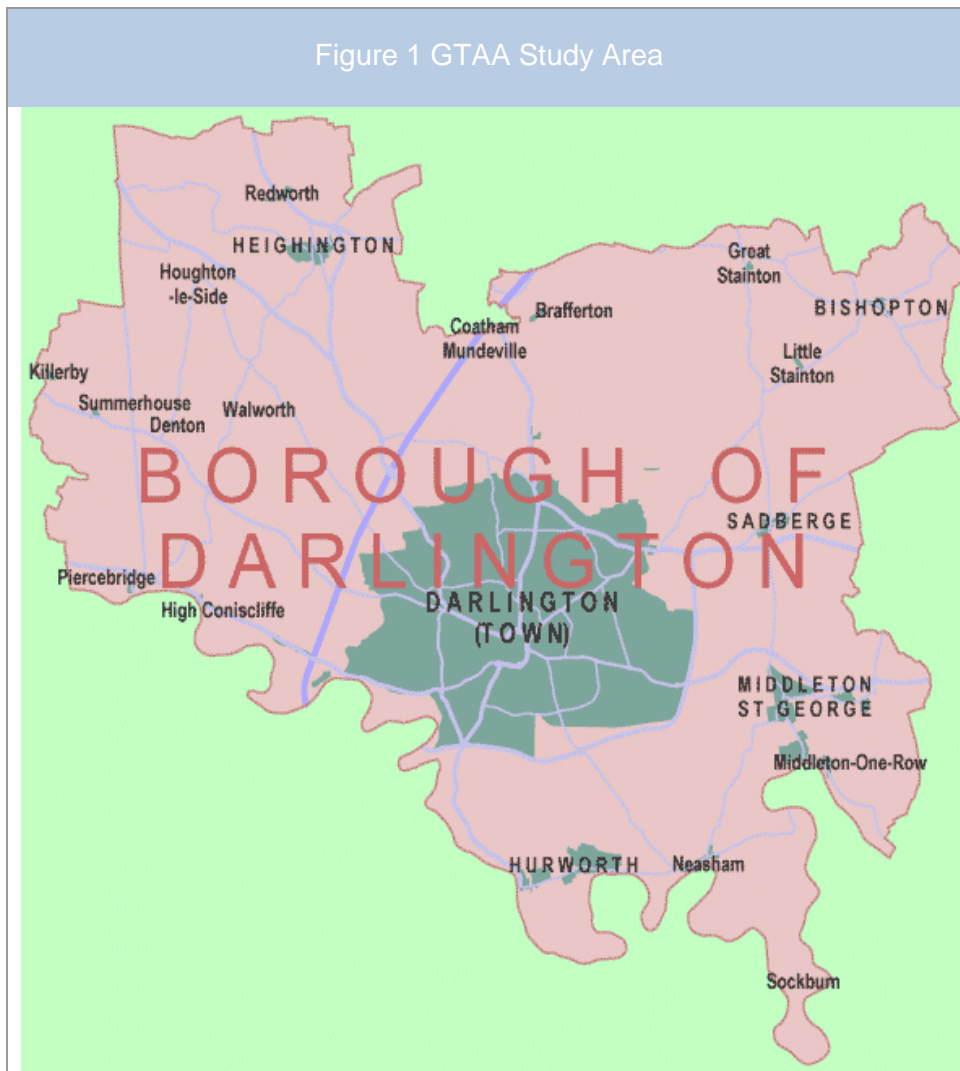
## Introduction

- 1.1 The requirement to assess the accommodation needs of Gypsies and Travellers and Travelling Showpeople is established through national guidance contained in the DCLG's August 2015 Planning Policy for Travellers Sites (PPTS). In August 2017, Darlington Borough Council commissioned *RRR Consultancy* to undertake an update to the 2014 Darlington Gypsy and Traveller Accommodation Assessment (GTAA). This report is intended to be used in conjunction with the 2014 GTAA. Alongside the 2014 GTAA, the results from this 2017 update will be used as an evidence base for policy development in housing and planning and to inform the allocation of resources.
- 1.2 The main reason for this 2017 update is changes in government guidance and legislation since the 2014 GTAA was undertaken. In particular, the revised definition of Gypsies and Travellers in the August 2015 PPTS which excludes for planning purposes the accommodation needs of Gypsy and Traveller households whom have permanently ceased to travel. This update is based on secondary data and consultation with Gypsies and Travellers across Darlington for the need of pitches, and on 2014 GTAA data for the need of plots for Travelling Showpeople. Unlike the 2014 GTAA, this 2017 update does not determine the needs of Gypsy and Traveller households residing in bricks and mortar accommodation whom want to remain in housing as such needs are now included in Strategic Housing Market Assessments (SHMAs). However, it does consider the accommodation needs of Gypsies and Travellers residing in bricks and mortar accommodation requiring accommodation on sites due to psychological aversion.
- 1.3 To achieve the study aims, the research drew on a number of data sources including:
- Review of secondary information: a review of national planning policies and analysis of secondary data. This included analysis of the most recently published (January 2017) DCLG Traveller Caravan Count to determine trends in the population of Gypsies and Travellers.
  - Consultation with Gypsies, Travellers, and site managers and owners covering a range of issues related to accommodation and service needs. This key methodology determined an extensive range of data regarding enabling accommodation needs to be determined.
- 1.4 This 2017 update, alongside the 2014 GTAA, provides an extensive range of quantitative and qualitative data enabling a robust and reliable assessment of accommodation needs.

## Geographical context

- 1.5 There is a long history of Gypsies and Travellers residing within the borough. Some families claim a local heritage of over two hundred years. It has been suggested that up to a third of Darlington's population has Romani roots. This has led to Darlington being regarded by some as the 'Gypsy Capital' of England. Until the 1960s and 1970s a large number of Travelling Showpeople also resided in the borough. However, these families moved into

bricks and mortar accommodation locally or to yards in neighbouring towns after the Darlington yards were demolished. A map of the GTAA study area is shown in Figure 1 below:



Source: Darlington Council 2014

1.6 The total Gypsy and Traveller population living in the UK is unknown, with estimates for England ranging from 90,000 and 120,000<sup>1</sup> (1994) to 300,000<sup>2</sup> (2006). There are uncertainties partly because of the number of different definitions that exist, but mainly because of an almost total lack of information about the numbers of Gypsies and Travellers now living in bricks and mortar accommodation. Estimates produced for the predecessor

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<sup>1</sup> J. P. Liegeois, (1994) *Romas, Gypsies and Travellers* Strasbourg: Council of Europe. This is equivalent to 0.15% to 0.21% of the total population.

<sup>2</sup> Commission for Racial Equality, *Common Ground Equality, good race relations and sites for Gypsies and Irish Travellers - Report of a CRE inquiry in England and Wales*, (Summary), May 2006, pages 3-4.

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body to DCLG suggest that at least 50% of the overall Gypsy and Traveller population are now living in permanent housing<sup>3</sup>.

- 1.7 Local authorities in England provide a count of Gypsy and Traveller caravans in January and July each year for the DCLG. The January 2017 Count indicated a total of 22,004 caravans. Applying an assumed three people per caravan<sup>4</sup> multiplier would give a population of over 66,000.
- 1.8 Applying an assumed multiplier of three people per caravan and doubling this to allow for the potential numbers of Gypsies and Travellers in housing,<sup>5</sup> gives a total population of around 128,000 for England. However, given the limitations of the data this figure can only be very approximate, and it may be a significant underestimate.
- 1.9 The January 2017 CLG caravan count suggests that Darlington contains the third highest number of Gypsy and Traveller caravans in the region (100 caravans). However, as discussed in the 2014 GTAA, the count can be unreliable
- 1.10 For the first time, the national census, undertaken in 2011, included the category of 'Gypsy or Irish Traveller' in the question regarding ethnic identity. The 2011 Census suggests there are 350 Gypsies and Travellers living in the study area representing around 0.3% of the usual resident population. However, the Census figures are likely to reflect a larger proportion of Gypsies and Travellers living in bricks and mortar accommodation and a smaller proportion living on sites.
- 1.11 The 2014 GTAA estimated that there are around 200 families identifying themselves as Gypsies and Travellers living in bricks and mortar accommodation within the borough. This was calculated on the basis that there is a ratio of 3:1 families living in bricks and mortar accommodating compared to the number of families living on sites. This ratio is confirmed by a Government publication (September 2017) which suggests that as many as 76% of the Gypsy and Traveller population now reside in bricks and mortar accommodation<sup>6</sup>. Using the same 3:1 ratio indicates that there is now around 249 (3 x 83) Gypsy and Traveller households residing in bricks and mortar accommodation within the borough.

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<sup>3</sup> Niner, Pat (2003), Local Authority Gypsy/Traveller Sites in England, ODPM.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> House of Commons Library, 'Gypsies and Travellers' (Briefing Paper 08083), 8 September 2017.

## Definition Context

### **Gypsies and Travellers**

- 1.12 It is essential to consider definitions relating to the Gypsy and Traveller population. According to Niner<sup>7</sup>, there are three broad groupings of Gypsies and Travellers in England: traditional English (Romany) Gypsies, traditional Irish Travellers, and New Travellers. There are smaller numbers of Welsh Gypsies and Scottish Travellers. Romany Gypsies were first recorded in Britain around the year 1500, having migrated across Europe from an initial point of origin in Northern India.
- 1.13 Gypsies and Irish Travellers have been recognised by the courts to be two distinct ethnic groups, so have the full protection of the Equality Act 2010. The courts have made clear that travelling is not a defining characteristic of these groups, but only one among others<sup>8</sup>. This is significant, because the majority of Britain's estimated 300,000 Gypsies and Travellers are thought to live in conventional housing, some by choice, and some because of the severe shortage of sites<sup>9</sup>.
- 1.14 However, in relation to planning, and the key reason for this update, in August 2015, the DCLG amended its definition of Gypsies and Travellers (see Glossary p.9), to that set out below:

*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.*

*In determining whether persons are "gypsies and travellers" for the purposes of 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.*

### **Travelling Showpeople**

- 1.15 Unlike Gypsies and Travellers, Travelling Showpeople are not considered to be an ethnic minority. Although some Gypsies and Travellers may earn a living as 'travelling

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<sup>7</sup> Pat Niner (2004), Counting Gypsies & Travellers: A Review of the Gypsy Caravan Count System, ODPM, February 2004 located at <http://www.communities.gov.uk/documents/housing/pdf/158004.pdf>.

<sup>8</sup> See Greenwich LBC v Powell<sup>6</sup> which confirmed that someone could be a Gypsy if they had a permanent residence, and travelled only seasonally; and R v Shropshire CC ex parte Bungay<sup>7</sup> which recognised that someone could remain a Gypsy if they did not travel, provided the travelling was only in abeyance, not abandoned.

<sup>9</sup> Commission for Racial Equality, *Common Ground Equality, good race relations and sites for Gypsies and Irish Travellers - Report of a CRE inquiry in England and Wales*, (Summary), May 2006, pages 3-4.

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showpeople', Travelling Showpeople as a group do not consider themselves to belong to an ethnic minority<sup>10</sup>.

- 1.16 According to DCLG (August 2015) guidance on planning policy for traveller sites, the definition of Travelling Showpeople is:

*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>11</sup>

- 1.17 Also, for the purposes of Gypsy and Traveller Accommodation Assessments (GTAA's), Travelling Showpeople are included under the definition of 'Gypsies and Travellers' in accordance with The Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulations 2006, and the draft guidance to local housing authorities on the periodical review of housing needs (Caravans and Houseboats) (March 2016). It recommends that Travelling Showpeople's own needs and requirements should be separately identified in the ANA<sup>12</sup>. To ensure it is following DCLG guidance, this ANA adheres to the definition of Gypsies, Travellers and Travelling Showpeople as defined by the DCLG 'Planning Policy for Traveller Sites' (August 2015) (see paragraphs above).

## Policy Context

- 1.18 To assess the current state of play, existing documents have been examined to determine what reference is made to Gypsy and Traveller and Travelling Showpeople.
- 1.19 The intention is to highlight areas of effective practice in the study area, and examine the extent to which authorities are currently addressing the issue. Furthermore, understanding the current position will be important in the development of future strategies intended to meet accommodation need and housing related support need among Gypsies and Travellers, and Travelling Showpeople. Since the 2014 GTAA was undertaken, there have been changes to national policies, but not local policies. The following section examines recent national policies.

### ***DCLG Planning Policy for Traveller Sites (PPTS) (August 2015)***

- 1.20 In August 2015 the Government published its amended planning policy for traveller sites, which replaced the previous version of PPTS (March 2012) relating to Gypsies and Travellers and Travelling Show people. The guidance emphasises the need for local

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<sup>10</sup> DCLG, *Consultation on revised planning guidance in relation to Travelling Showpeople*, January 2007, p. 8

<sup>11</sup> DCLG, *Planning Policy for Traveller Sites*, August 2015 (Glossary, p.9).

<sup>12</sup> DCLG, *Planning Policy for Traveller Sites*, August 2015 and DCLG, *Draft Guidance to local housing authorities on the periodical review of housing needs (Caravans and Houseboats)* March 2016.

authorities to use evidence to plan positively and manage development. The PPTS requires local authorities to work with neighbouring local authorities to determine transit and permanent pitch and plot targets. It states that in assembling the evidence base necessary to support their planning approach, local authorities should:

- effectively engage with both settled and traveller communities;
- co-operate with traveller groups to prepare and maintain an up-to-date understanding of the likely permanent and transit/emergency accommodation needs of their areas; and
- use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions.

- 1.21 There are some key differences between the March 2012 and August 2015 versions of the PPTS, including the weight which can be given to any absence of a five year supply of permanent sites when deciding planning applications for temporary sites, and the weight which can be given to any absence of a five year supply of permanent sites when deciding planning applications for temporary sites<sup>13</sup>.
- 1.22 One important amendment relates to the change in the definitions of Gypsies, Travellers, and Travelling Showpeople. The August 2015 PPTS changed the definition to exclude households who have permanently ceased to travel – in effect, for planning purposes, PPTS regards such households as members of the settled community. As such, their accommodation needs are not considered as part of Gypsy and Traveller accommodation assessments, and so this is the approach taken in this GTAA.
- 1.23 Whilst it is clear that the 2015 PPTS excludes those who have ceased to travel permanently as being Gypsies and Travellers (for planning purposes), it does not explicitly state how the new definition should be interpreted in relation to other factors such as whether families travel for economic or work purposes.
- 1.24 One interpretation is that ‘a nomadic habit of life’ means travelling for an economic purpose. Previous case law e.g. *R v Shropshire CC ex p Bungay* (1990) and *Hearne v National Assembly for Wales* (1999) has been used to support this point. However, there is nothing within PPTS which indicates that Gypsy or Traveller status (for planning purposes) is solely derived from whether there is any employment-related travelling. Also, such case law precedes the August 2015 definition change and it is believed that there has not yet been any case law in relation to the updated definition.
- 1.25 More recent Planning Inspectors’ reports have reached differing conclusions regarding whether the Gypsy and Traveller status (for planning purposes) should be based on patterns of employment-related nomadism. For example, a planning appeal decision regarding a site at Throcking, Hertfordshire, in 2016 concluded the appellant was not a Gypsy and Traveller for planning purposes as there was insufficient evidence “that he is

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<sup>13</sup> House of Commons Library, *Gypsies and Travellers: Planning Provisions*, Briefing Paper 07005, 4 January 2016 p.14.

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currently a person of a nomadic habit of life”<sup>14</sup> for employment purposes (i.e. he did not meet the August 2015 PPTS definition).

- 1.26 In contrast, some other Planning Inspectors’ reports have appeared to give less weight to the travelling status of Gypsies and Travellers. For example, an appeal decision regarding a site in Blythburgh, Suffolk, states that whilst the appellant had permanently ceased to travel, he is nonetheless an ethnic Romany gypsy with protected characteristics under the Equality Act 2010<sup>15</sup>. *RRR Consultancy* is also aware of current and potentially forthcoming legal challenges to the August 2015 PPTS definition. For example, the Community Law Partnership is preparing a legal challenge to the definition on behalf of a Gypsy woman. It is therefore possible that applying a strict employment-based interpretation of the August 2015 definition for planning purposes could lead to difficulties.
- 1.27 In the absence of caselaw on the current (2015) PPTS definition, the key conclusion to draw on this matter is that there is no firm, settled understanding of the extent to which nomadism for employment-related purposes is determinative of the planning status of a self-identifying Gypsy and Traveller. As the differing appeal decisions show, the facts of each individual case are very important in reaching a conclusion.
- 1.28 Given the above, our approach is to undertake a methodology which provides needs figures based on the accommodation needs of families who have not permanently ceased to travel. A second needs figure considering the accommodation needs only of families who travel in a caravan for work purposes will be provided. Using these methods will ‘future-proof’ the Accommodation Needs Assessment and ensure that the revised definition is applied in both a fair and objective manner. As such, the accommodation needs of Gypsies and Travellers are able to be determined in respect of the current definition that is both robust and reliable and minimises possible future challenges. Different GTAA’s reach differing conclusions on this matter and it is for the local authority to decide which approach to take for planning purposes. It is recommended that this be kept under review in the context of evolving appeal decisions and caselaw.

### ***DCLG Draft Guidance on Housing Needs (Caravans and Houseboats) (March 2016)***

- 1.29 In March 2016 DCLG published its draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats. It states that when considering the need for caravans and houseboats local authorities will need to include the needs of a variety of residents in differing circumstances, for example:

- Caravan and houseboat dwelling households:

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<sup>14</sup> Appeal Ref: APP/J1915/W/16/3145267 Elmfield Stables, Thirty Acre Farm, Broadfield, Throcking, Hertfordshire, 6 December 2016.

SG9 9RD

<sup>15</sup> Appeal Ref: APP/J3530/A/14/2225118, Pine Lodge, Hazels Lane, Hinton, Blythburgh, Suffolk IP17 3RF 1 March 2016.

- who have no authorised site anywhere on which to reside
  - whose existing site accommodation is overcrowded or unsuitable, but who are unable to obtain larger or more suitable accommodation
  - who contain suppressed households who are unable to set up separate family units and
  - who are unable to access a place on an authorised site, or obtain or afford land to develop on.
- Bricks and mortar dwelling households:
- Whose existing accommodation is overcrowded or unsuitable ('unsuitable' in this context can include unsuitability by virtue of a person's cultural preference not to live in bricks-and-mortar accommodation).
- 1.30 Importantly, in respect of this report, the draft guidance states that assessments should include, but are not limited to, Romany Gypsies, Irish and Scottish Travellers, New Travellers, and Travelling Showpeople.
- 1.31 The DCLG draft guidance recognises that the needs of those residing in caravans and houseboats may differ from the rest of the population because of:
- their nomadic or semi-nomadic pattern of life
  - their preference for caravan and houseboat-dwelling
  - movement between bricks-and-mortar housing and caravans or houseboats
  - their presence on unauthorised encampments or developments.
- 1.32 Also, it suggests that as mobility between areas may have implications for carrying out an assessment local authorities will need to consider:
- co-operating across boundaries both in carrying out assessments and delivering solutions
  - the timing of the accommodation needs assessment
  - different data sources
- 1.33 Finally, the DCLG draft guidance (2016) states that in relation to Travelling Showpeople account should be taken of the need for storage and maintenance of equipment as well as accommodation, and that the transient nature of many Travelling Showpeople should be considered.
- 1.34 The Guidance remains in draft form at the time of this GTAA, and so does not carry the same status as other guidance and legislation. It is unclear when – if at all – this guidance will lose its “draft” status. Nonetheless, it is of some value for those preparing ANAs.

### ***Housing and Planning Act 2016***

- 1.35 The Housing and Planning Act, which gained Royal Assent on 12 May 2016, deletes sections 225 and 226 of the Housing Act 2004, which previously identified 'gypsies and travellers' as requiring specific assessment for their accommodation needs when carrying out reviews of housing needs. Instead, the Act amends section 8 of the Housing Act 1985



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governing the assessment of accommodation needs to include all people residing in or resorting to the district in caravans or houseboats. However, for planning purposes, as noted above, the PPTS (August 2015) still requires local authorities to identify the accommodation needs of Gypsies, Travellers and Travelling Showpeople.

- 1.36 Importantly, according to correspondence between *RRR Consultancy Ltd* and DCLG (27 October 2016), DCLG stated that it is for local housing authorities to determine how to assess and understand the accommodation needs of people who reside in or resort to the area with respect to the provision of caravan sites or houseboats. This means that there is no “standard” methodology that can be followed i.e. it is for each authority to prepare (and justify) an appropriate methodology.

### ***Duty to cooperate and cross-border issues***

- 1.37 The Duty to Co-operate was created in the Localism Act 2011. It places a legal duty on local planning authorities, county councils in England, and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters.
- 1.38 Local authorities are required to work together to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs for their areas. They should also consider the production of joint development plans to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area. This is confirmed by section 9 of PPTS (2015) which states that local authorities should set pitch targets for Gypsies and Travellers, and plot targets for Travelling Showpeople, and section 10 c) which states that local authorities should consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites.

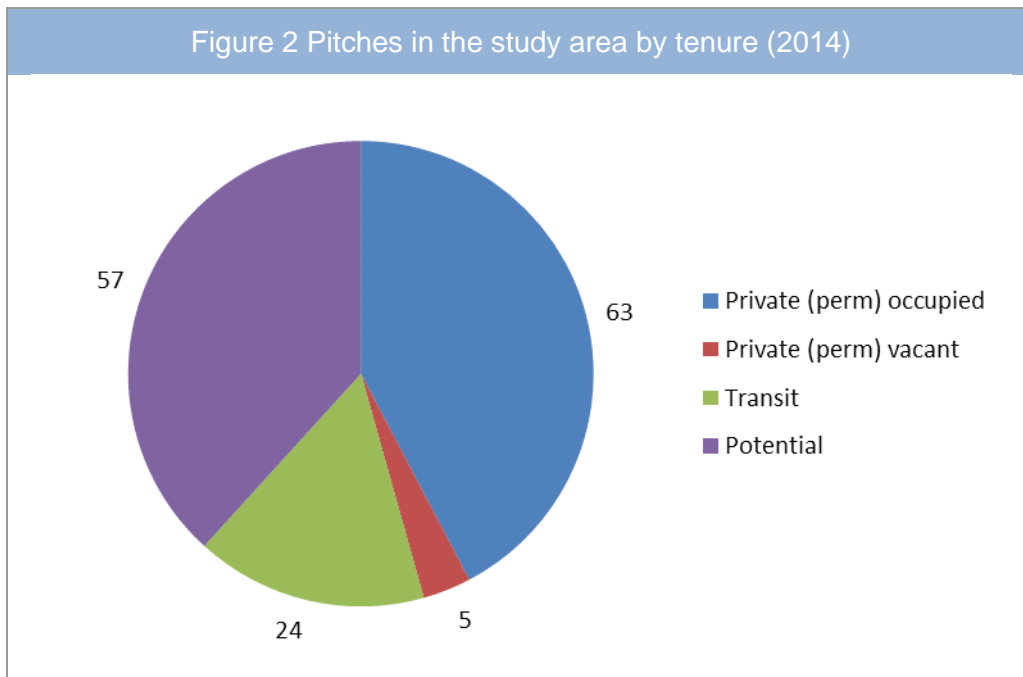
### **Site Provision**

- 1.39 Since the 2014 GTAA there have been some changes to the number of sites and pitches. This includes sites which were previously occupied, but due to poor condition, are now vacant and in need of redevelopment (considered by this update as potential sites). There has also been the development of a new leased site, and redevelopment of an existing leased site, at Neasham Road. As such, there are now 3 sites owned by the council but leased (2 in the Neasham Road area and one in Honeypt Lane). All three sites are managed by members of the Gypsy community who reside on the sites (both Neasham Road sites are managed by the same person).
- 1.40 At the time of this update (September 2017) there are 138 permanent pitches with planning permission in the area and 24 transit pitches:
- 83 occupied pitches on 12 sites at the time of the consultation

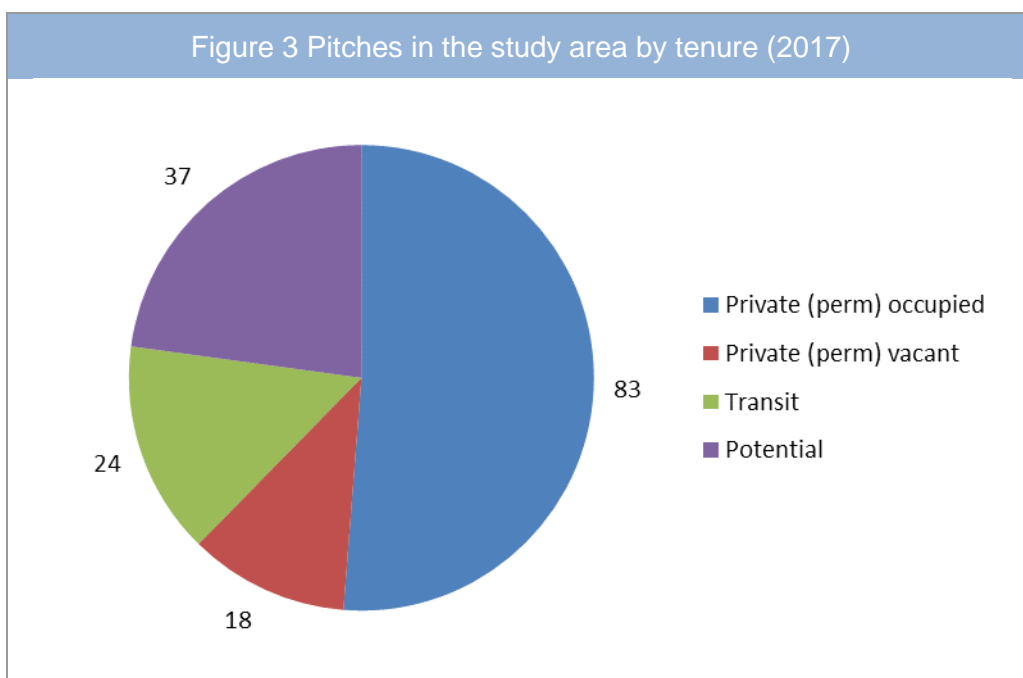
- 18 vacant pitches
- 37 potential pitches

1.41 There were also 5 known unauthorised developments at the time of the surveys.

1.42 Figures 2 and 3 show Gypsy and Traveller pitch supply has changed within the borough since 2014.



Source: 2014 GTAA



Source 2017 update GTAA

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## Consultation with Gypsies and Travellers

- 1.43 This section provides a snapshot of the existing pitches and an analysis of need for current and future pitches across the study area. In doing so, it examines the key findings derived from the consultation with Gypsy and Traveller families. It is based on a consultation of 83 households<sup>16</sup> living on sites in the study area:
- 79 out of 83 households residing on authorised pitches with full planning permission
  - 4 households residing on transit pitches
- 1.44 The consultation took place in September 2017. This provided the consultants with good access to households living on pitches in the area, as families are less likely to be travelling (at least for 'social' reasons) at this time of year. Households residing on unauthorised encampments at this time of year are more likely in the area due to having need rather than travelling to or visiting the area. However, there were no known unauthorised encampments in the area at the time of the consultation.
- 1.45 After identifying the number and location of existing pitches, each pitch was visited. Households were consulted on key issues regarding their needs. The combination of site visits, consultation with site owners, managers, and occupants, and the surveys, helped to clarify the status of pitches, which pitches are occupied or not occupied by Gypsies and Travellers, which pitches are vacant or occupied, overcrowded pitches, pitches occupied by household members with a need for separate accommodation (current and future need), and other needs issues.
- 1.46 Weighting was applied to the survey in order to ensure that it represented the whole population. This was calculated by comparing the number of occupied authorised pitches to the number of completed surveys. For example, there are 83 occupied, authorised permanent pitches in the area. 79 of the 83 pitches were represented in the consultation, representing 95% of the population. Weighting is applied using the following formula:
- 83 occupied authorised permanent pitches in the area  
Divided by:
    - 79 surveys undertaken with families residing on authorised permanent pitches = weighting of 1.1
- 1.47 The weighting is only applied to authorised pitches and was applied as shown in Table 1 below:

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<sup>16</sup> The definition of 'household' is used flexibly. The survey assumes that a pitch is occupied by a single household although it acknowledges that this may also include e.g. extended family members or hidden households.

Table 1 Sample weighting				
	Pitches	Sample	%	Weight
Darlington	83	79	95.2%	1.1

Source: ANA 2017

- 1.48 The majority of respondent households consisted of Romany Gypsies. Reflecting national trends, it is apparent that respondent Gypsy and Traveller households tend to be larger and have a younger age composition compared with families in the settled community.
- 1.49 Importantly, the survey suggested longevity of tenure with most of the families having lived on site (or within the local area) for more than five years, and most not intending to move in the future. These findings therefore emphasise the residential longevity of Gypsies and Travellers living in the study area. The main exceptions to this are those on the leased sites.
- 1.50 Those households residing on the two sites at Neasham Lane have been there since the development and redevelopment of the sites. Prior, they all resided in the Darlington area. In relation to the Honeypot Lane site, 17 of the 28 (61%) households have resided on the site for less than one year. However, most of them have lived in the area for over 5 years on an ad hoc basis. They tend to stay on the site for so long before travelling and then returning. Previously, households used to keep their pitch even when they were travelling. However, due to recent changes to charges and benefits, they risk losing their pitch whilst travelling.
- 1.51 In relation to the other sites, most have lived on their sites for over five years. 8 of the sites are small family sites with extended family members living together. 4 of them have potential pitches to address their respective future need. Households on 2 of the private sites spoke about needing further provision to accommodate family members. They spoke about how some family members have to travel by the road side. The remaining site is a large site with a combination of privately owned and rental pitches. There are currently 2 occupied and 6 vacant pitches. The families have resided on the site for over 5 years, in conjunction with travelling for periods of time.
- 1.52 There are also 4 households residing on a transit site. 3 households residing on the transit site have alternative accommodation, whilst 1 household has need for a permanent pitch. All 4 households were residing in the area for work purposes. The transit site has been mainly used by Irish Travellers over the years, with the occasional Romany Gypsy household passing through for work and/or to visit family. Also, some households using the transit site have been in need of permanent accommodation.
- 1.53 Four fifths (80%) of households residing on permanent sites have travelled during the last 12 months in a caravan or trailer. Unsurprisingly, households were more likely to travel during the summer and spring months compared to autumn or winter. The main reasons for travelling included: to visit family or friends; to attend events; for cultural reasons; to holiday;

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and for work. One fifth (20%) had not travelled during the previous 12 months due to age or health reasons. Households spoke about how it is harder for them to travel these days, but they all, including those who have not travelled for some time, still believe in the importance for Gypsies and Travellers to be able to travel. However, they stated that although travelling is important to their culture, it does not define them. One stated it is only part of what makes them Gypsies or Travellers.

- 1.54 Most Gypsy and Traveller households included someone who was self-employed, and four fifths (80%) included someone who travelled for work. Households who had not travelled during the last 12 months consisted of retired people or contained a household member with health issues. Most households spoke about trying to work locally, but stated that they often have to travel beyond the local area to find work. Some households spoke about how work is often integrated into their travels and vice versa.
- 1.55 In relation to space and facilities, most households had their own utility provisions, either in utility blocks or within their static or chalet. They also had space for parking, storing and keeping of animals either on their pitch or elsewhere on site. The large rental sites (either privately owned or leased), do not offer space for horses, although such space is available either adjacent to the site, or nearby.
- 1.56 Two households residing on small family sites spoke about currently having a large enough site, but needing planning permission for more pitches. Households residing on the Neasham Road and Honeypot Lane sites expressed a desire for a play area. There is council land adjacent to the Neasham Road sites, which was viewed as ideal for a play area and communal facilities. It was also suggested that making such spaces available to the settled community could help improve integration between the two communities.
- 1.57 There is land adjacent to the Honeypot Lane site, which the council are considering using to increase the number of pitches. However, it was viewed that a more appropriate use of the land would be to use it to enlarge pitches that need additional space and for a play area and / or storage. The existing transit site, which is rarely used, was regarded as a safer and more cost-effective means for extending the site. It was viewed that the transit site could accommodate 12 permanent pitches each containing space for a static caravan with built-in utility provisions and a parking area. It was suggested that these new pitches could provide accommodation for those unable to afford their own site or caravan and / or for retired households..
- 1.58 Perhaps unsurprisingly, most households stated that there are too few permanent Gypsy and Traveller pitches in the local areas. This has led to some households stating that family members have moved away due to a lack of available pitches. However, fewer households stated that there is a need for more transit pitches. They spoke about the existing transit site not being regularly used. Residents suggested that it would be better for them to be given permission for visitors to temporarily reside on site.

- 1.59 Households spoke of being aware of vacant pitches and potential pitches, particularly on the large rental sites. However, they commented on how such pitches are only likely to be occupied by people with links to the families already residing on the sites. Households with future need spoke of how their families would prefer to remain together. Households occupying small family sites spoke about wanting to expand provision on their existing site to meet their family's needs.
- 1.60 Importantly, in relation to the assessment of accommodation needs, households on 3 of the sites stated that their current site has space to be expanded to accommodate more pitches. None of the households stated that they are likely to move within the next five years, although 1 stated they are not sure. 5 sites contain 17 family members who require separate accommodation, all wanting to remain close to, or nearby, family. This reflects the cultural desire of most Gypsies and Travellers to stay close to their family.

## **Assessment of need**

- 1.61 The need for residential pitches in the study area is assessed according to a 15-step process, based on the model suggested in DCLG (2007) guidance and supplemented by data derived from the survey. Please note that the following accommodation needs calculations contain need figures based on families who have *not permanently ceased to travel* for the whole study area.
- 1.62 It should be noted that the first five-year period is determined by survey responses, whilst future 5-year periods are determined by projections based on data collected through the surveys.

Table 2: Estimate of the need for permanent residential pitches 2017-2022 (based on households who have not ceased to travel permanently)	
1) Current occupied permanent residential site pitches	83 (83)
<i>Current residential supply</i>	
2) Number of unused residential pitches available	18 (18)
3) Number of existing pitches expected to become vacant through mortality 2017-2022	2 (2)
4) Net number of family units on sites expected to leave the study area in next 5 years	0 (0)
5) Number of family units on sites expected to move into housing in next 5 years	1 (1)
6) Residential pitches planned to be built or to be brought back into use 2017-2022	37 (37)
7) Less pitches with temporary planning permission	0 (0)
Total Supply	58 (58)
<i>Current residential need: Pitches</i>	
8) Family units (on pitches) seeking residential pitches in the area, 2017-2022, excluding those counted as moving due to overcrowding in step 11	0 (0)
9) Family units on transit pitches requiring residential pitches in the area	1 (1)
10) Family units on unauthorised encampments requiring residential pitches in the area	0 (0)
11) Family units on unauthorised developments requiring residential pitches in the area	5 (5)
12) Family units currently overcrowded on pitches seeking residential pitches in the area, excluding those containing an emerging family unit in step 8	2 (2)
13) Net new family units expected to arrive from elsewhere	0 (0)
14) New family formations expected to arise from within existing family units on sites	15 (12)
Total Need	23 (20)
<i>Current residential need: Housing</i>	
15) Estimated family units in housing but with a psychological aversion to housed accommodation	40 (38)
Total Need	63 (58)
<i>Balance of Need and Supply</i>	
Total Additional Pitch Requirement *	5 (0)
Annualised Additional Pitch Requirement	1 (0)

Source: GTAA 2017

\*It is important to note that the above is dependent on the 37 potential being developed and 18 vacant pitches becoming occupied. If this is not the case, those not developed and occupied will have to be added to need after the first five years. The figures in brackets relates to the accommodation needs only of households who travel for work.

## Requirement for residential pitches, 2017-2022: steps of the calculation

1.63 The calculations depend on base information derived from the GTAA using data corroborated by local authorities in the study area. The key variables used to inform the calculations include:

- The estimated number of Gypsies and Travellers housed in bricks and mortar accommodation
- The number of existing Gypsy and Traveller pitches

- The number of families residing on unauthorised encampments requiring accommodation (during the survey period)
- The number of unauthorised developments
- The number of temporary pitches
- The number of vacant pitches
- The number of planned or potential new pitches
- The number of transit pitches

1.64 The remainder of this section describes both the process and results of the Gypsy and Traveller accommodation needs calculations.

## **Supply of pitches 2017-2022**

### ***Step 1: Current occupied permanent site pitches***

1.65 Based on information provided by the respective Councils and corroborated by information from site surveys. There are currently 83 occupied authorised Gypsy and Traveller pitches in the study area.

### ***Step 2: Number of unused residential pitches available***

1.66 According to a combination of Council and survey data there are currently 18 vacant pitches on authorised sites in the study area. However, it is important to note that any of these pitches not occupied by Gypsies or Travellers within the first five years should not be considered as part of the supply.

### ***Step 3: Number of existing pitches expected to become vacant, 2017-2022***

1.67 This is calculated using mortality rates as applied in conventional Housing Needs Assessments. However, the figures for mortality have been increased in accordance with studies of Gypsy and Traveller communities suggesting a life expectancy approximately 10 years lower than that of the general population.<sup>17</sup>

### ***Step 4: Number of family units in site accommodation expressing a desire to leave the study area***

1.68 This was determined by survey data. It was assumed, given that development of sites is likely to occur in the areas surrounding the study areas as well as in the planning area itself, that those currently living on sites expecting to leave the area permanently in the next five years – out of choice (step 4) or due to overcrowding (step 12) – would generally be able to do so. In total, given the low level of interest in leaving the study area, this resulted in the supply of 0 pitches in the study area.

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<sup>17</sup> E.g. L. Crout, *Traveller health care project: Facilitating access to the NHS*, Walsall Health Authority, 1987. NB: For Travelling Showpeople, the standard mortality rate is used.



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**Step 5: Number of family units in site accommodation expressing a desire to live in housing**

1.69 This was determined by survey data. It was assumed that all those currently living on sites planning to move into housing in the next five years (step 5), or preferring to move into housing from an overcrowded pitch (step 11), would be able to do so. This excluded those planning to move due to site management issues, since it was assumed that these could be resolved in response to the findings of this study.

1.70 A supply of 1 pitch in the study area were expected from this source, excluding those moving out of the study area, since these are already counted in step 4.

**Step 6: Residential pitches planned to be built or brought back into use, 2017-2022**

1.71 This is determined by local authority data. There are 37 new pitches in the study area that are expected to be built or brought back into use during the period 2017-2022. However, it is important to note that pitches not developed within the first five years should not be considered as part of the supply.

**Step 7: Pitches with temporary planning permission**

1.72 This is determined by local authority data. It is assumed families living on pitches whose planning permission expires within the period 2017-2022 will still require accommodation within the study area. There are currently 0 pitches with temporary planning permission located in the study area.

**Need for pitches 2017-2022**

**Step 8: Family units on pitches seeking residential pitches in the study area 2017-2022**

1.73 This was determined by survey data. These family units reported that they 'needed or were likely' to move to a different home in the next five years, and wanted to stay on an authorised site, or that they were currently seeking accommodation.

1.74 This category of need overlaps with those moving due to overcrowding, counted in step 11, and so any family units which are both overcrowded and seeking accommodation are deducted from this total. This generates a total need of 0.

**Step 9: Family units on transit pitches seeking residential pitches in the study area 2017-2022**

1.75 This was determined by survey data. These family units reported that they required permanent pitches within the study area in the next five years. This generates a total need of 1 pitch.

**Step 10: Family units on unauthorised encampments seeking residential pitches in the area**

1.76 Guidance (DCLG 2007) indicates that it should be considered whether alternative accommodation is required for families living on unauthorised encampments. Using survey data, it has been calculated how many families on unauthorised encampments want residential pitches in the study area. There were no unauthorised encampments in the area

at the time of the surveys. Please note that only Gypsies and Travellers requiring permanent accommodation within the study area have been included in this calculation – transiting Gypsies and Travellers are included in separate calculations. This step generates a need for 0 pitches.

**Step 11: Family units on unauthorised developments seeking residential pitches in the area**

1.77 This was determined by survey data. The guidance also indicates that the accommodation needs of families living on unauthorised developments for which planning permission is not expected must be considered. Regularising families living on their land without planning permission would reduce the overall level of need by the number of pitches given planning permission. There is a need for 5 pitches deriving from unauthorised developments in the area

**Step 12: Family units on overcrowded pitches seeking residential pitches in the area**

1.78 This was determined by survey data. Households which also contain a newly formed family unit that has not yet left are excluded. This is because it is assumed that once the extra family unit leaves (included in the need figures in step 13) their accommodation will no longer be overcrowded. Need generated in this step can be addressed over the plan period, either through new pitches or met by larger existing pitches (subject to planning permission). The calculations suggest that there is a need for 2 pitches deriving from overcrowding.

**Step 13: New family units expected to arrive from elsewhere**

1.79 In the absence of any sustainable data derivable from primary or secondary sources (beyond anecdotal evidence) on the moving intentions of those outside the study area moving into the area, as in the case of those moving out of the area, it is assumed that the inflow of Gypsies and Travellers into the area will be equivalent to the outflow. In addition, inflow equivalent to the outflow of newly forming family units must be considered. Together, these amount to a net inflow of 0 households into the study area

**Step 14: New family formations expected to arise from within existing family units on sites**

1.80 This was determined by survey data. The number of individuals needing to leave pitches to create new family units was estimated from survey data. Allowing for those planning to leave the area, it is estimated that this will result in the formation of 15 households requiring residential pitches during 2017-2022, and 12 based on need deriving from only households who travel for work.

**Step 15: Family units in housing with a psychological aversion to housed accommodation**

1.81 This was determined firstly by estimating the number of houses occupied by Gypsies and Travellers using a ratio of 3:1 i.e. for every authorised pitch, there is potentially 3 families residing in bricks and mortar accommodation. This is then followed by estimating the proportion of which suffer from psychological aversion to housed accommodation (20%). This is based on the 2014 GTAA survey data.

1.82 This step leads to an estimated need of 50 pitches. The next step is to deduct those households who have permanently ceased to travel. This is estimated by applying the proportion (20%) of households residing on sites who do not travel. This reduces the need deriving from households who reside in bricks and mortar accommodation with psychological aversion to 40 pitches. Excluding those households who do not travel for work further reduces the accommodation need to 38 pitches.

### **Balance of Need and Supply**

1.83 From the above the total additional pitch requirement is calculated by deducting additional supply from additional need.

- Total supply (not including existing occupied provision): 58 pitches
- Total need (including need arising from psychological aversion): 63 pitches
- Total additional pitch requirement: 63 – 58 = 5 pitches

### **2022 Pitch base figure**

1.84 The Gypsy and Traveller pitch base figure for 2022 is calculated by adding the 2017 base figure to: the number of potential pitches expected to be developed, the number of vacant pitches, and the additional needs for the period 2017-2022 (see Table 3 below):

Table 3: Base figures for pitches as at 2022 assuming all need is met for 2017-22				
	2017 Base	Potentials and vacants 2017-22	Need 2017-22	2022 Base
Total	83 (83)	55 (55)	5 (0)	143 (138)

Source: GTAA 2017

The figures in brackets relates to the accommodation needs only of households who travel for work.

### **Requirement for residential pitches 2022-2037**

1.85 By 2022 it is assumed that vacant pitches are occupied and potential pitches have been developed. Also, it is assumed that families displaying psychological aversion to residing in bricks-and-mortar accommodation will move onto sites within the first 5-year period. As such, only natural population increase, mortality, and movement into and out of the study area are considered for the period 2022-2037. The base figures regarding the number of pitches on sites at the end of the first 5-year period are shown in Table 3 above. Please note that the 2017 base figures include both authorised occupied and vacant pitches, whilst the 2022 base figures assume that any potential pitches have been developed.

1.86 The needs calculations for the periods 2022-2027, 2027-2032 and 2032-2037 are based on the following steps:

## Supply of pitches 2022-2027

### Step 1: Estimated pitches occupied by Gypsies and Travellers.

1.87 The Gypsy and Traveller pitch base figure for 2022 is calculated by adding the number of potential pitches expected to be developed and the calculated accommodation need for the period 2017-2022 to the 2017 pitch base figures. Table 4 shows accommodation need for the period 2022-2027.

Table 4: Estimate of the need for permanent residential site pitches 2022-2027	
<i>Pitches as at 2022</i>	
1) Estimated pitches occupied by Gypsies and Travellers	143 (138)
<i>Supply of pitches</i>	
2) Pitches expected to become vacant due to mortality 2022-2027	4 (4)
3) Number of family units on pitches expected to move out of the study area 2021-2026	0 (0)
Total Supply	4 (4)
<i>Need for pitches</i>	
4) Family units moving into the study area (100% of outflow)	0 (0)
5) Newly forming family units	18 (18)
Total Need	18 (18)
<i>Additional Need</i>	
Total additional pitch requirement, 2022-2027	14 (14)
Annualised additional pitch requirement	3 (3)

Source: GTAA 2017

The figures in brackets relates to the accommodation needs only of households who travel for work.

### Step 2: Pitches expected to become vacant due to mortality

1.88 This is an estimate of the number of pitches expected to become vacant due to mortality during the calculation period.

### Step 3: Number of family units on pitches expected to move out of the study area

1.89 This is based on households expected to move out of the study area

### Need for additional pitches 2022-2022

#### Step 4: Family units moving into the study area

1.90 This is based on 100% of outflow (step 3)

#### Step 5: Newly forming family units.

1.91 In March 2014 Brandon Lewis (then Parliamentary Under Secretary of State within the Department for Communities and Local Government) confirmed that the 3% household

growth rate does not represent national planning policy. Alternatively, it is suggested that an annual household growth rate of 1.5% to 2.5% is more appropriate<sup>18</sup>.

- 1.92 In relation to this accommodation assessment, analysis of the current population indicates that an annual household growth rate of 2.43% per annum equating to a 5-year rate of 12.43% is more appropriate. This is based on an analysis of various factors derived from the surveys including current population numbers, the average number of children per household, and marriage rates. It is assumed that these rates are likely to continue during the period 2022-2037

### **Balance of Need and Supply and Annualised Need**

- 1.93 As with the first five years calculation period, the need is then balanced against the supply, which results in the total need after the supply has been subtracted from the need. Also, the annualised need is then calculated, based on the total need divided by the number of years in the given needs calculation period

### **Summary of Need**

- 1.94 Table 5 summarises the needs for the study area for each calculation period:

Table 5: Summary of Gypsy and Traveller and pitch needs 2017-37					
Period	2017-2022	2022-27	2027-2032	2032-2037	Total
Total	5 (0)	14 (13)	15 (15)	17 (16)	51 (44)

Source: GTAA 2017

The figures in brackets relates to the accommodation needs only of households who travel for work.

### **Requirements for transit /negotiated stopping arrangements: 2017-2037**

- 1.95 As noted in previous chapters, when families do stop in the area, they usually only do so for short periods of time. Additional transit provision should reduce the number of unauthorised encampments and associated negative publicity. Due to an absence of a negotiated agreement policy or transit sites, costly issues relating to unauthorised encampments are not being resolved. This results in insecurity for the Gypsy and Traveller families, costs to local authorities and other agencies such as the courts and police, and impacts on local communities.
- 1.96 In relation to transit provision, it is recommended that the local authority should implement a negotiated stopping place policy and make it known to all relevant departments and agencies. The term 'negotiated stopping' is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent 'built' transit sites but negotiated arrangements which allow caravans to be sited on suitable ground for an agreed and limited period, with the provision of limited services such as water, waste disposal and toilets. The specific terms of the agreement are negotiated between the authority and temporary residents.

<sup>18</sup> Professor Philip Brown, Sustainable Housing & Urban Studies Unit (SHUSU), University of Salford, *Advice for Warwick District Council on household formation relating to Gypsy and Traveller pitches*, October 2015.

## Comparison between 2014 GTAA and 2017 GTAA update accommodation need

- 1.97 Table 6 summarises accommodation need identified by the 2014 GTAA. It identified a need of 32 additional Gypsy and Traveller pitches over the period 2014-2026, compared with 51 additional pitches as identified by the 2017 GTAA update (44 additional pitches including only households who travel for work). As such, there has been an increase in need of 19 (12) additional pitches since the 2014 GTAA was undertaken.
- 1.98 There are several reasons as to why there are differences between the accommodation needs figures for Gypsies and Travellers identified by the 2014 GTAA and 2017 GTAA update:
- The revised DCLG August 2015 definition leads to a different identification of need compared to previous accommodation assessments i.e. the 2017 GTAA update excludes households who have permanently ceased to travel.
  - The 2017 GTAA update provides two accommodation needs figures: one excluding households whom have permanently ceased to travel, and a second which considers the accommodation needs only of households who travel for work.
  - Since the 2014 GTAA was undertaken a new site developed by the Council but leased to the site managers consisting of 20 pitches has been implemented.
  - The above means that the number of potential pitches i.e. those with planning permission but not yet developed, has decreased from 57 pitches in 2014 to 37 pitches in 2017. The Council may need to review the planning status of the 37 potential pitches recorded by the 2014 GTAA which remained undeveloped by the 2017 GTAA update.
  - The 2014 GTAA assessed accommodation need over a 14 year period, whilst the 2017 GTAA update assesses need over a 20 year period.
  - That the population has grown from 68 occupied households recorded by the 2014 GTAA, compared to 83 occupied households recorded by the 2017 GTAA update, means that estimated future population will be larger.
- 1.99 The accommodation needs of Travelling Showpeople identified by the 2017 GTAA update (6-8 additional plots) has not changed since the 2014 GTAA was undertaken. This is because no new Travelling Showpeople plots have been implemented in the study area since the 2014 GTAA was undertaken.
- 1.100 It should be noted that although the 2014 GTAA assessed the housing i.e. bricks and mortar accommodation needs of Gypsies and Travellers, this 2017 GTAA update does not. This is because the housing accommodation needs of Gypsies and Travellers are determined by Strategic Housing Market Assessments (SHMAs). Also, whilst the 2014 GTAA considered the requirement of transit sites or emergency stopping places, the 2017 GTAA update recommends that such needs be met by negotiated stopping places.
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Table 6: Summary of Gypsy, Traveller and Travelling Showpeople accomm. needs 2014-26

Period	Residential pitches	Travelling Showpeople plots	Transit sites/emergency stopping places	Bricks and mortar accommodation
Total 2014-19	6 (79)*	6-8	0	-25
Total 2019-24	18	0	0	25
Total 2024-26	8	0	0	11
<b>Total 2014-2026</b>	<b>32</b>	<b>6-8</b>	<b>0</b>	<b>11</b>

Source: Darlington GTAA 2014

\* The figure in brackets is the gross need for the period 2014-2019 which excludes planning permission for a further 57 pitches and other supply factors

## Summary

1.101 Table 7 summarises the accommodation needs of the different community groups over the period 2017-2037. The need is based on families who have not permanently ceased to travel. There is a need of 5 pitches in the first 5-year period 2017-2022 (0 excluding families who do not travel for work), and 51 pitches over the 20-year period 2017-2037 (44 excluding families who do not travel for work). There is a need for the local authority to implement a negotiated stopping place policy.

1.102 Table 7 also shows that there is a need in the study area over the next 20 years for 6-8 plots for Travelling Showpeople. This is based on the 2014 survey data and supported by consultation for this 2017 GTAA update.

Table 7: Summary of accommodation needs 2017-37

Period	Gypsy and Traveller pitches	Travelling Showpeople plots
Total 2017-22	5 (0)	6-8
Total 2022-27	14 (13)	0
Total 2027-32	15 (15)	0
Total 2032-37	17 (16)	0
Total 2017-37	51 (44)	6-8

Source: ANA 2017

The figures in brackets relates to the accommodation needs only of households who travel for work.

1.103 The policy process that follows on from this GTAA will also need to consider how the identified needs relating to Gypsies, Travellers and Travelling Showpeople, can be supported through the planning process. The study also highlighted a number of issues relating to the management and condition of provisions i.e. that smaller sites are easier to manage.

1.104 Finally, the following recommendations, based on the 2014 GTAA and this update, are put forward by *RRR Consultancy* for the authority to consider in accordance with respective policies and constraints.

- Develop a holistic vision for their work on Gypsies and Travellers and Travelling Showpeople yards, and embed it in Community and Homelessness Strategies, Local Plans and planning and reporting obligations under the Equality Act 2010.

- Provide regular training and workshop sessions with local authority and service provider employees (and elected members) help them to further understand the key issues facing the Gypsy and Traveller and Travelling Showpeople.
- Further formalise communication processes between relevant housing, planning and enforcement officers etc. in both the study area and neighbouring local authorities.
- Develop criteria and processes for determining the suitability of Gypsy and Traveller sites and Travelling Showpeople yards as indicated above for including in emerging/future Local Plans.
- Review existing provision for opportunities for expansion where suitable and appropriate.
- Support and guide potential site developers through the planning application process. This could include helping the owners of small family sites to apply for planning permission to extend sites in order to address future need.
- Consider helping to meet the needs of households unable to afford to own a site by renting or leasing small parcels of local authority owned land to them and assisting with planning applications and site development.
- To consider alternative site funding mechanisms such as: site acquisition funds; loans for private site provision through Community Development Financial Institutions; and joint ventures with members of the Gypsy and Traveller community.
- To consider alternative options for developing new sites such as sites developed on a cooperative basis, shared ownership, or small sites owned by a local authority, but rented to families for their own use.
- Encourage local housing authorities to include Gypsy and Traveller categories on ethnic monitoring forms to improve data on population numbers, particularly in housing.
- Better sharing of information between agencies which deal with the Gypsy and Traveller and Travelling Showpeople.
- The population size and demographics of the community groups can change rapidly. As such, their accommodation needs should be reviewed every 5 to 7 years.