

Ryedale

Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2016

Ryedale District Council

Final Report

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Please note that in this report some of the tables include rounded figures. This can result in some column or row totals not adding up to 100 or to the anticipated row or column ‘total’ due to the use of rounded decimal figures. We include this description here as it covers all tables and associated textual commentary included. If tables or figures are to be used in-house then we recommend the addition of a similarly worded statement being included as a note to each table used.

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1. Introduction

1.1 In September 2016, arc⁴ were commissioned by Ryedale District Council to undertake a Gypsy and Traveller Accommodation Assessment (GTAA) to identify the housing needs of Gypsies and Travellers and Travelling Showpeople from across Ryedale. The overall objective of the Gypsy and Traveller Accommodation Assessment is to form a clear evidence basis to inform the development of planning policies relating to Gypsy, Travellers and Travelling Showpeople.

1.2 The research provides information about the current and future accommodation needs and demands of Gypsies and Travellers and Travelling Showpeople, as well as providing information about their additional support needs.

1.3 The study adopts the definition of ‘Gypsies and Travellers’ set out within National Planning Practice Guidance (NPPG), *Planning policy for traveller sites (PPTS)* (first published in March 2012 and updated in August 2015), within which the following definition of ‘Gypsies and Travellers’ is adopted:

‘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 or permanently, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such.’¹

1.4 In addition, updated PPTS (August 2015) adds 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.’²*

1.5 The following definition of ‘Travelling Showpeople’ is used, also taken from the planning policy document:

‘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 or permanently, but excludes Gypsies and Travellers as defined above.’³

1.6 In addition:

¹ DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 1

² DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 2

³ DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 3

‘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.’⁴

- 1.7 For the purposes of this study, therefore, Gypsies and Travellers live on pitches on sites, whilst Travelling Showpeople live on plots on yards.
- 1.8 The overall purpose of a Gypsy and Traveller Accommodation Assessment (GTAA) is to support the development of clear and realistic planning policies relating to Gypsies, Travellers and Travelling Showpeople. The study provides an evidence base to assist the Council in determining an appropriate level of pitch provision to be sought through the lifetime of the Local Plan and to identify the accommodation needs of Gypsies and Travellers to meet the Council’s obligations under Section 225 of the Housing Act 2004.
- 1.9 Note it is understood that there are no Travelling Showpeople or Bargee Travellers currently living in Ryedale District.

Study components

- 1.10 The study comprised five stages, which are set out below:
 - **Stage 1:** Development of methodology. Collation and review of existing information and literature;
 - **Stage 2:** Stakeholder consultation;
 - **Stage 3:** Survey of Gypsies and Travellers across the study area;
 - **Stage 4:** Data analysis, calculation of needs and report production; and
 - **Stage 5:** Dissemination.

Report structure

- 1.11 The report structure is as follows:
 - **Chapter 1 Introduction:** provides an overview of the study;
 - **Chapter 2 Legislative and policy context:** presents a review of the legislative and policy context;
 - **Chapter 3 Methodology:** provides details of the study’s research methodology;
 - **Chapter 4 Review of current Gypsy and Traveller population and provision of sites/plots:** reviews estimates of the Gypsy and Traveller population across Ryedale District and the scale of existing site provision;

⁴ DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 5

- **Chapter 5 Household survey findings** presents relevant data obtained from the household survey research;
- **Chapter 6 Pitch requirements:** focuses on current and future pitch and plot requirements. This chapter includes a detailed assessment of drivers of demand, supply and current shortfalls across the study area;
- **Chapter 7 Stakeholder consultation:** summarises views of stakeholders expressed through the on-line survey; and
- **Chapter 8 Conclusion and strategic response:** concludes the report, identifying headline issues, and recommending ways in which these could be addressed.

1.12 The report is supplemented by the following appendices:

- **Appendix A** which provides details of the legislative background underpinning accommodation issues for Gypsies and Travellers;
- **Appendix B** Literature review of policy, guidance, reports and best practice notes;
- **Appendix C** Fieldwork questionnaire;
- **Appendix D** Glossary of terms.

2. Legislative and Policy Context

- 2.1 This research is grounded in an understanding of how the national legislative and policy context has affected Gypsy and Traveller and Travelling Showpeople communities to date.

Legislative background

- 2.2 Since 1960, three Acts of Parliament have had a major impact on Gypsies and Travellers and Travelling Showpeople:
- Caravan Sites and Control of Development Act 1960;
 - Caravan Sites Act 1968 (Part II); and the
 - Criminal Justice and Public Order Act 1994.
- 2.3 The 1994 Criminal Justice and Public Order Act abolished all statutory obligations to provide accommodation, discontinued Government grants for sites and made it a criminal offence to camp on land without the owner's consent.
- 2.4 Since the 1994 Act, the only places where Gypsies and Travellers and Travelling Showpeople can legally park their trailers and vehicles are:
- Council and Registered [Social Housing] Providers' Gypsy caravan sites;
 - Privately owned land with appropriate planning permission; and
 - Land with established rights of use, other caravan sites or mobile home parks by agreement or licence along with land required for seasonal farm workers.
- 2.5 The 1994 Act resulted in increased pressure on available sites. Following further reviews of law and policy, the Housing Act 2004 was passed, which included placing a requirement (section 225) on local authorities to assess Gypsy and Traveller and Travelling Showpeople accommodation needs within their area.
- 2.6 The recent Housing and Planning Act 2016 (section 124) creates a new duty under section 8 of the Housing Act 1985 to consider the needs of people residing in or resorting to a district with respect to sites for caravans and the mooring of houseboats as part of the periodical review of housing needs. It deletes sections 225 and 226 of the Housing Act 2004.
- 2.7 More detail on the legislation affecting Gypsies and Travellers and Travelling Showpeople can be found at Appendix A.

Policy background

- 2.8 A considerable range of policy and guidance documents have been prepared by Central Government to assist local authorities in discharging their strategic housing and planning functions and numerous research and guidance documents have been published by other agencies. This review examines influential policy, guidance and research which relates specifically to Gypsies and Travellers and Travelling Showpeople or makes reference to them; more information is provided within Appendix B.

- 2.9 Some of the key themes to emerge from the review of relevant literature include:
- Recognising the long-standing role Gypsies and Travellers and Travelling Showpeople have played in society and how prejudice, discrimination and legislative change have increasingly marginalised these distinctive ethnic groups;
 - A recognised shortage of provision for Gypsies and Travellers;
 - The importance of understanding Gypsy and Traveller issues in the context of recent housing and planning policy development;
 - Recognition that Gypsies and Travellers are one of the most socially excluded groups in society and are particularly susceptible to a range of inequalities relating to health, education, law enforcement and quality of accommodation; and
 - A need for better communication and improved understanding between, and within, Travelling communities themselves, and between Travelling communities and elected members, service providers and permanently settled communities.

Planning policy

- 2.10 In March 2012 the Government published both the National Planning Policy Framework (NPPF)⁵ and its accompanying National Planning Practice Guidance (NPPG) covering a range of topics, including *Planning policy for traveller sites*⁶ (PPTS 2012). These documents replaced all previous national planning policy in respect of Gypsies and Travellers and Travelling Showpeople.
- 2.11 Previously, local planning authorities had been required to set aside enough land for Gypsy and Traveller sites, with targets set in regional plans. The Coalition Government abolished regional planning under the provisions of the Localism Act 2011 and local authorities no longer have targets set out in regional plans.
- 2.12 PPTS 2012 instead encouraged local planning authorities to form their own evidence base for needs in their area and use this to set their own pitch and plot targets for their Local Plan.
- 2.13 In a written statement to Parliament on 17th January 2014 the Coalition Government stated:

*'Ministers are considering the case for further improvements to both planning policy and practice guidance to strengthen Green Belt protection in this regard. We also want to consider the case for changes to the planning definition of 'travellers' to reflect whether it should only refer to those who actually travel and have a mobile or transitory lifestyle. We are open to representations on these matters and will be launching a consultation in due course.'*⁷

⁵ DCLG National Planning Policy Framework March 2012

⁶ DCLG *Planning policy for traveller sites* March 2012 (now superseded)

⁷ House of Commons 17 January 2014, c35WS

- 2.14 Between September and November 2014 the Government consulted on proposed changes to PPTS. An updated NPPG document, *Planning policy for traveller sites* (PPTS 2015) was subsequently published in August 2015⁸.
- 2.15 PPTS 2015 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’*⁹
- 2.16 The policy sets out the Government’s aims in respect of traveller sites, namely:
- ‘a. that local planning authorities should make their own assessment of need for the purposes of planning*
 - b. to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites*
 - c. to encourage local planning authorities to plan for sites over a reasonable timescale*
 - d. that plan-making and decision-taking should protect Green Belt from inappropriate development*
 - e. to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites*
 - f. that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective*
 - g. for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies*
 - h. to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply*
 - i. to reduce tensions between settled and traveller communities in plan-making and planning decisions*
 - j. to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure*
 - k. for local planning authorities to have due regard to the protection of local amenity and local environment’*¹⁰
- 2.17 It is within this policy context that local planning authorities will have to plan future provision for Gypsies and Travellers and Travelling Showpeople across their respective areas. ‘Policy A’ requires Councils to use evidence to plan positively and manage development. Paragraph 7 of PPTS 2015 states that:
- ‘In assembling the evidence base necessary to support their planning approach, local planning authorities should:*
- a) pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers’ accommodation needs with travellers themselves, their representative bodies and local support groups)*

⁸ DCLG *Planning policy for traveller sites* August 2015

⁹ DCLG *Planning policy for traveller sites* August 2015, paragraph 3

¹⁰ DCLG *Planning policy for traveller sites* August 2015, paragraph 4

b) cooperate with travellers, their representative bodies and local support groups; other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their development plan, working collaboratively with neighbouring local planning authorities

c) use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions.'

2.18 'Policy B' of PPTS 2015 relates to plan-making and planning. It sets the context for Local Plan preparation, consistent with policies in the NPPF. Paragraph 9 sets out that local planning authorities should set pitch and plot targets which address the likely permanent and transit site accommodation needs of Travellers in their area, working collaboratively with neighbouring local planning authorities. Specifically, in producing their Local Plan, local planning authorities should:

a) 'identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets

b) identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15

c) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)

d) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density

e) protect local amenity and environment.'

2.19 PPTS 2015 explains that, to be considered 'deliverable', sites should be:

- available now,
- offer a suitable location for development,
- be achievable with a realistic prospect that development will be delivered on the site within five years.
- Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

2.20 In order to be considered 'developable', sites should be:

- in a suitable location for traveller site development and
- there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

Changes to planning policy

2.21 The updated PPTS (2015) has introduced some key changes to policy, including:

Change of the definition of ‘traveller’

2.22 The definition of Gypsies and Travellers adds the following ‘clarification’:

‘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.’¹¹*

2.23 This means that for planning-related purposes the definition of Gypsy and Traveller has been changed so that it excludes those who have permanently ceased from travelling.

2.24 The Government has also indicated that it will seek to amend primary legislation to clarify the duties of local authorities to plan for the housing needs of their residents.

Protecting the Green Belt

2.25 The updated NPPG document changes the weight that can be given to any absence of a five-year supply of permanent sites when deciding planning applications for temporary sites in land designated as Green Belt, sites protected under the Birds and Habitats Directives, sites designated as Sites of Special Scientific Interest, Local Green Space, Areas of Outstanding Natural Beauty or within a National Park or the Broads.

2.26 The Government has also changed planning policy so that unmet need and personal circumstances (subject to the best interests of the child) are unlikely to clearly outweigh harm to the Green Belt. This change applies to both the settled and Traveller communities.

Unauthorised occupation

2.27 The updated NPPG document 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.

2.28 In addition, the NPPG document makes clear that in exceptional cases where a local authority is burdened by a large-scale unauthorised site that has significantly increased need and their area is subject to strict 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 deter large sites such as Dale Farm, a large unauthorised site in Essex, from being set up.

¹¹ DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 2

Gypsy and Traveller Accommodation Needs Assessments Guidance

- 2.29 In October 2007, the DCLG published *Gypsy and Traveller Accommodation Needs Assessments Guidance*.
- 2.30 This Guidance sets out a detailed framework for designing, planning and carrying out Gypsy and Traveller accommodation needs assessments (GTAAAs), including the needs of Showpeople as well as Gypsies and Travellers. 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.
- 2.31 The 2007 Guidance stresses the importance of understanding accommodation needs of the whole Gypsy and Traveller population and emphasises the importance of obtaining 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.
- 2.32 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.
- 2.33 The approach and methodology set out in the Guidance has formed the framework for this GTAA for Ryedale District Council and this has not been changed by the recent changes to planning guidance.

Draft guidance to local housing authorities on the periodical review of housing needs: caravans and houseboats

- 2.34 In March 2016, the DCLG published *Draft guidance on the periodical review of housing needs: Caravans and Houseboats*. The draft guidance relates 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).
- 2.35 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.
- 2.36 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.
- 2.37 The draft guidance has been taken into account in the planning, preparation and undertaking of this GTAA for Ryedale District.
- 2.38 The publication of finalised guidance is awaited.

Enforcement powers

- 2.39 In March 2015, the Government published *Dealing with illegal and unauthorised encampments: a summary of available powers*, which sets out ‘*the robust powers councils, the police and landowners now have to clamp down quickly on illegal and unauthorised encampments*’.¹² The powers are reiterated as part of the Government’s commitment to protecting the Green Belt. The summary advises authorities that they ‘*should not gold-plate human rights and equalities legislation*’ and that they have in fact strong powers available to them to deal with unauthorised encampments. When dealing with encampments authorities are advised to consider the following:
- ‘*The harm that such developments can cause to local amenities and the local environment;*
 - *The potential interference with the peaceful enjoyment of neighbouring property;*
 - *The need to maintain public order and safety and protect health;*
 - *Any harm to good community relations; and*
 - *That the State may enforce laws to control the use of an individual’s property where that is in accordance with the general public interest.*’¹³
- 2.40 Despite having a clear leadership role, the summary urges local authorities to work collaboratively with other agencies, such as the Police and/or the Highways Agency to utilise these enforcement powers.
- 2.41 On 31st August 2015, alongside the publication of updated PPTS the DCLG wrote to all local authority Chief Planning Officers in England attaching a planning policy statement on *Green Belt protection and intentional unauthorised development*¹⁴ with immediate effect. The 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.
- 2.42 In addition, the planning policy statement of 31st August 2015 announced that the Government has cancelled the documents *Guide to the effective use of enforcement powers, Part 1* (2006) and *Part 2* (2007).

¹² CLG Home Office and Ministry of Justice Dealing with illegal and unauthorised encampments a summary of available powers March 2015 introduction

¹³ CLG Home Office and Ministry of Justice Dealing with illegal and unauthorised encampments a summary of available powers March 2015 introduction

¹⁴https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457632/Final_Chief_Planning_Officer_letter_and_written_statement.pdf

Caravan Counts

- 2.43 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 July¹⁵. 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 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 (i.e. capacity) on sites.
- 2.44 In addition, 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).
- 2.45 A major review¹⁶ of the counting system was undertaken in 2003 by the then Office of the Deputy Prime Minister (ODPM), which made a number of recommendations and improvements to the process.

Progress on tackling inequalities

- 2.46 In April 2012 the Coalition Government published a *Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers*¹⁷, which summarised progress in terms of meeting ‘Government commitments to tackle inequalities and promote fairness for Gypsy and Traveller communities’¹⁸. 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.
- 2.47 In respect of provision of appropriate accommodation, the report advises that financial incentives and other support measures have been put in place to help councils and elected members make the case for development of Traveller sites within their areas. Changing perceptions of sites is also identified as a priority, and to this end the Government made the following commitments:

¹⁵ 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.

¹⁶ Counting Gypsies and Travellers: A Review of the Caravan Count System, Pat Niner Feb 2004, ODPM

¹⁷ The study only includes reference to Gypsies and Travellers and not Travelling Showpeople

¹⁸ www.communities.gov.uk/news/corporate/2124322

- *‘The Department for Communities and Local Government will help Gypsy and Traveller representative groups showcase small private sites that are well presented and maintained...’*
 - *Subject to site owners agreeing to have their homes included we will help produce a case study document which local authorities and councillors, potential site residents and the general public could use. It could also be adapted and used in connection with planning applications.’¹⁹*
- 2.48 Also aimed at improving provision of accommodation for Gypsies and Travellers, the Government committed to:
- The provision of support, training and advice for elected member services up to 2015; and
 - The promotion of improved health outcomes for Travellers through the planning system; the report states that *‘one of the Government’s aims in respect of traveller sites is to enable provision of suitable accommodation, which supports healthy lifestyles, and from which travellers can access education, health, welfare and employment infrastructure.’²⁰*

Previous Design Guidance

- 2.49 PPTS 2015 provides no guidance on design for Gypsy and Traveller sites, concentrating instead on the mechanics of the planning process, from using evidence to plan making and decision taking.
- 2.50 Previous design guidance²¹ was set out in *Designing Gypsy and Traveller Sites – Good Practice Guide* (2008) which suggests that, among other things, there must be an amenity building on each site and that this must include, as a minimum:
- Hot and cold water supply;
 - Electricity supply;
 - A separate toilet;
 - A bath/shower room; and
 - A kitchen and dining area.
- 2.51 A Homes and Communities Agency (HCA) review (January 2012) of Non-Mainstream Housing Design Guidance found that the DCLG Design Guide *‘succinctly outlines the physical requirements for site provision for travellers’*. It also identified a number of ‘pointers’ for future guidance, and these are worth mentioning here:
- The family unit should be considered to be larger and more flexible than that of the settled community due to a communal approach to care for the elderly and for children;

¹⁹ CLG Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers April 2012 commitment 12 page 18

²⁰ CLG Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers April 2012 para 4.13 page 19

²¹ This guidance does not apply to the provision of new yards for Travelling Showpeople. Further information about good practice in the provision of yards can be obtained from the Showmen’s Guild of Great Britain.

- A distinct permanent building is required on site to incorporate washing and cooking facilities, and provide a base for visiting health and education workers; and
- Clearer diagrams setting out the parameters for design are called for, both in terms of the scale of the dwelling and the site. Incorporating requirements for maintenance, grazing, spacing, size provision, communal spaces, etc. '*would ensure that a set of best practice principles can be established.*'²²

2.52 The HCA Review suggested the following design considerations:

- Travelling Showpeople should be considered in the development of provision for temporary/transit sites;
- Vehicular access is a requirement and not an option;
- Open space is essential for maintenance of vehicles and grazing of animals;
- Open play space for children needs to be provided;
- A warden's office is required for permanent sites;
- Communal rooms for use of private health/education consultations are required; and
- An ideal ratio of facilities provision (stand pipes, parking area, recreation space) to the number of pitches.

2.53 On 31st August 2015, the DCLG letter to Chief Planning Officers (setting out the planning policy statement on *Green Belt protection and intentional unauthorised development*) set out that the Government thereby cancelled the document *Designing Gypsy and Traveller Sites – Good Practice Guide* (2008).

Strategic policy

2.54 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 has introduced the Duty to Co-operate which the Planning Advisory Service²³ advises:

- Requires councils and public bodies to engage constructively, actively and on an on-going basis in relation to planning of sustainable development;
- Requires councils to consider whether to enter into agreements on joint approaches or prepare joint Local Plans (if a local planning authority); and
- Applies to planning for strategic matters in relation to the preparation of Local and Marine Plans, and other activities that prepare the way for these activities.

2.55 The Localism Act and the National Planning Policy Framework (NPPF) set out a requirement for local authorities to fulfil the Duty to Co-operate on planning issues, including provision for Gypsies and Travellers and Travelling

²² Non-Mainstream Housing Design Guidance Literature Review, HCA January 2012 page 63

²³ PAS A simple guide to Strategic Planning and the Duty to Cooperate
<http://www.pas.gov.uk/pas/core/page.do?pageld=2133454>

Showpeople, to ensure that approaches are consistent and address cross border issues with neighbouring authorities. The Duty is intended to act as a driver for change in order to enhance co-operation and partnership working to assist in delivering appropriate provision of future accommodation for Gypsies and Travellers, which can be contentious.

- 2.56 Ryedale District Council is a member of the North Yorkshire Gypsy and Traveller Partnership, which is a sub-regional partnership comprising of representatives from North Yorkshire County Council and the eight constituent local authorities. The aim of having the partnership is to facilitate working with resident and transient Travelling communities to improve communication and understanding between them and the local housing and planning authorities across the sub-region. By working together across the sub-region it is hoped that conflict and misunderstanding will be reduced, thereby decreasing the instances when enforcement action is taken.

3. Methodology

- 3.1 In order to deliver the requirements of Government guidance²⁴ the methodology for this study has comprised:
- Desktop analysis of existing documents, including data on pitches/sites, plots/yards and unauthorised encampments;
 - A review of existing provision of sites; and
 - Interviews with Gypsies and Travellers on sites and those living in bricks and mortar accommodation and on the roadside.
- 3.2 The information gathering has been carried out in three phases, as outlined below:
- Phase 1: Literature/desktop review and steering group discussions;
 - Phase 2: Survey of stakeholders, site survey (including census) and interviews with Gypsies and Travellers across the District; and
 - Phase 3: Production of report.

Phase 1: Literature/desktop review and steering group discussions

- 3.3 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.
- 3.4 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 District (drawn from Local Authority policy documents, planning documents, housing strategies and homelessness strategies); and
 - Analysis of existing data sources available from stakeholders²⁵.
- 3.5 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.
- 3.6 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 online questionnaire survey.

²⁴ CLG Gypsy and Traveller Accommodation Needs Assessments Guidance October 2007 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7838/accommneedsassessments.pdf

²⁵ This includes CLG caravan count data and information on unauthorised encampment data provided by the Council (see chapter 6 for more information on this data)

Phase 2: Interviews with Gypsies and Travellers

- 3.7 The primary fieldwork for this study comprised survey work with Gypsies and Travellers. The questionnaire (Appendix C) was designed by arc⁴ in consultation with the project steering group and builds upon our standard questionnaire.
- 3.8 There is one Gypsy and Traveller site in the District – Tara Park – which is a Local Authority (Council) site with 20 pitches. There are no private authorised or unauthorised sites and no Travelling Showperson yards located in the District.
- 3.9 In late September 2016, all residents living on Tara Park were moved off following threats made to occupants. However, telephone interviews have been achieved with the majority of residents. Additionally, Horton Housing runs an advice workshop and through this 13 Gypsies and Travellers living in bricks and mortar housing and on the roadside were identified.
- 3.10 The household survey was undertaken by arc⁴. It comprised telephone interviews with members of the Gypsy and Traveller community currently living within Ryedale District. The overarching aim of the fieldwork was to maximise the number of interviews secured from households living on sites and in bricks and mortar within the District. Consulting with stakeholders ensured that the fieldwork team had a good understanding of the local issues facing Gypsies and Travellers and helped to maximise the community's participation in the study.
- 3.11 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 Travelling people across the District living in different types of accommodation.
- 3.12 Prior to residents moving off Tara Park, there were 16 occupied pitches and 4 vacant pitches. Two residents have subsequently left the area, resulting in a total of 14 occupied pitches and 6 vacant pitches.
- 3.13 Interviews with remaining residents began on the 19th October and by the end of the fieldwork period (which ran until the 25th November) a total of 8 interviews were achieved. There have been 2 refusals, 2 households with incorrect contact details who cannot be contacted and 2 households who the fieldwork team were not able to contact despite up to 6 attempts.
- 3.14 A list of 13 households who attend the 'drop in' centre run by Horton Housing was obtained on the 14th November 2016 and interviews were carried out by telephone between the 15th November and 25th November 2016. A total of 5 interviews were achieved and of these 4 lived in bricks and mortar accommodation and one was living on the roadside in Ryedale. Of the remaining 8 households 5 did not respond to calls and messages could not be left, 2 had incorrect telephone numbers and 1 refused to participate.
- 3.15 Of the 8 households interviewed who ordinarily live on a pitch, only 3 meet the new PPTS definition of being a Gypsy/Traveller household. Of the 4 households interviewed who live in bricks and mortar accommodation, 3 meet the new definition and the roadside household also meet the definition.

Phase 3: Production of report

- 3.16 In conjunction with face-to-face interviews with members of the Travelling community, a range of complementary research methods have been used to permit the triangulation of results. These are brought together during the research process and inform the outputs of the work and include:
- Desktop analysis of existing documents and data;
 - Preparing a database of authorised and unauthorised sites; and
 - Conducting a key stakeholder online questionnaire for professionals who have direct contact with local Gypsy and Traveller communities across the Ryedale area.
- 3.17 Good practice guidance and evidence from other studies emphasises that building trust with Travelling communities is a prerequisite of meaningful research. In this case it has been achieved by engaging with Gypsies and Travellers directly, by using local resources and workers to make links, and working with officers who have already established good relationships with local Travelling communities.
- 3.18 We have also used the following sources of information:
- The DCLG caravan counts (up to July 2016); and
 - Local Authority information on existing site provision and unauthorised developments.
- 3.19 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 information, with likely capacity through turnover assessed through the survey. A detailed explanation of the analysis of pitch requirements is contained in Chapter 5 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.
- 3.20 The approach used then reconciles the demand and supply data to identify overall pitch requirements.
- 3.21 To identify any need for transit provision, findings from the household survey have been analysed alongside other contextual information.

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 (August 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*

itches/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 One of the key challenges faced with assessing Gypsy and Traveller need is the relationship between the number of pitches and households a site can support.
- 3.25 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.
- 3.26 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

- 3.27 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'*.
- 3.28 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'*.
- 3.29 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'*.
- 3.30 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

- 3.31 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
- 3.32 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
- 3.33 Quality, size of pitch and proximity of caravans on pitches vary dramatically.

Response

- 3.34 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 googlemaps or similar), planning history and local knowledge of planning, enforcement and liaison officers.
- 3.35 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. The current picture: Gypsy and Traveller population and pitch/plot provision

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 the area.

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 Census²⁶ identifies a total of 35 households in Ryedale District as having a ‘White: Gypsy or Irish Traveller’ (WGoIT) ethnicity (Table 4.1a). Of these, almost two-thirds (66%)(23 households) lived in bricks and mortar accommodation (house or bungalow, or flat, maisonette or apartment) and a third (34%)(12 households) lived 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
35	22	1	12

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
81	56	2	23

2011 Census

4.4 Table 4.1c provides an analysis of people and households and shows that the average household size is 2.3 for Gypsies and Travellers in Ryedale District. This compares with an average household size of 2.3 (down from 2.4 in 2001) for

²⁶ 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 21st 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>

the UK as a whole and looking at all households. There is some variation in the average Gypsy and Traveller household size between accommodation types, however, with an average of 2.5 persons per household in houses/bungalows compared with 1.9 persons per household in caravans/mobiles.

Table 4.1c People per Household, Calculation by Accommodation Type

Total: Accommodation type	House or bungalow	A flat, maisonette or apartment	A caravan or other mobile or temporary structure
2.3	2.5	2	1.9

Source: 2011 Census

Caravan Count information

- 4.5 The Traveller caravan count (previously called the Gypsy and Traveller caravan count) is carried out bi-annually, every January and July.
- 4.6 The latest figures available are from the July 2016 Count of Traveller Caravans (England)²⁷, which nationally found that:
 - The total number of traveller caravans in England in July 2016 was 21,419, which was 335 more than in July 2015;
 - 6,292 caravans were on authorised socially rented sites, a decrease of 181 since the July 2015 count;
 - The number of caravans on authorised privately funded sites was 11,646, which was 168 more than in July 2015;
 - The number of caravans on unauthorised developments, on land owned by travellers, was 2,216, which was 284 above the number in July 2015;
 - The number of caravans on unauthorised encampments, on land not owned by travellers, was 1,265. This was 64 caravans more than in July 2015; and
 - Overall, the July 2016 count indicated that 84 per cent of traveller caravans in England were on authorised land and that 16 per cent were on unauthorised land.
- 4.7 The figures for the last five Traveller caravan counts for Ryedale are set out in Table 4.2. This shows that there is an average of 26 caravans on authorised sites (with planning permission) during the five-year period. Of these, all of those recorded were social rented, with no caravans recorded on authorised private sites in Ryedale. There is an average of six caravans on unauthorised sites (without planning permission) during the five-year period. However, no caravans were counted on unauthorised sites in January 2016 or July 2016.

²⁷ DCLG Count of Traveller Caravans July 2016 England, Housing Statistical Release 16 November 2016

Table 4.2 Bi-annual Traveller caravan count figures July 2014 to July 2016

Ryedale Count	Authorised sites with planning permission		Unauthorised sites without planning permission	Total
	Social Rented	Total Private	Total Unauthorised	
Jul 2014	25	0	9	34
Jan 2015	30	0	5	35
Jul 2015	27	0	14	41
Jan 2016	30	0	0	30
Jul 2016	19	0	0	19
Five-Count Average	26.2	0	5.6	31.8
Five-Count % Average	82.4%	0%	17.6%	100.0%

Source: DCLG Traveller Caravan Count, Live Table 1 (July 2016)

4.8 An annual count of Travelling Showpeople caravans is undertaken every January, alongside the Traveller caravan count. The most recent was therefore undertaken in January 2016. Table 4.3 sets out the data from the last four Travelling Showpeople caravan counts, 2013-2016. This shows that no Travelling Showpeople caravans have been recorded in Ryedale, either on authorised or unauthorised sites, during the last four counts.

Table 4.3 Annual Travelling Showpeople caravan count figures January 2013 to January 2016

Ryedale Count	Authorised sites with planning permission		Unauthorised pitches without planning permission	Total
	Social Rented	Total Private	Total Unauthorised	
Jan 2013	0	0	0	0
Jan 2014	0	0	0	0
Jan 2015	0	0	0	0
Jan 2016	0	0	0	0
Four-Count Average	0	0	0	0
Four-Count % Average	0	0	0	0

Source: DCLG Travelling Showpeople Caravan Count, Live Table 3 (July 2016)

4.9 The DCLG Caravan Count data also records Traveller and Travelling Showpeople caravan sites provided by local authorities and private registered providers in England²⁸. The most up-to-date data from July 2016 identifies one site in Ryedale District, namely Tara Park (York Road, Malton). It records that this site was opened in 2001, with the last site changes taking place in 2014. As

²⁸ DCLG Count of Traveller Caravans July 2016 England, Housing Statistical Release 16 November 2016, Live Table 2

of July 2016, DCLG records that the site has 21 pitches, all of which are residential (no transit), with a total caravan capacity of 42.

Local information

- 4.10 Data on the provision of sites considers both authorised and unauthorised sites and yards across Ryedale District.
- 4.11 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 term²⁹ unauthorised encampments³⁰, 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).
- 4.12 There is one authorised site in Ryedale District at Tara Park (Table 4.4 and Map 4.1). There is currently no waiting list for household who want to move onto the site.

²⁹ Approximately three months or longer

³⁰ 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 pitches on sites and Travelling Showperson plots on yards (as at September 2016)

Site Name	Site Location	Type of Site	Ownership	Official number of pitches	Occupied pitches (September 2016)	Description
Tara Park	York Road, Malton	Gypsy and Traveller, permanent residential	Local Authority (Council)	20	14	Prior to residents moving off Tara Park in September 2016, there were 16 occupied pitches and 4 vacant pitches. Two residents have subsequently left the area, resulting in a total of 14 occupied pitches and 6 vacant pitches.

Source: Ryedale District Council data 2016, site survey fieldwork 2016

Map 4.1 Location of Tara Park site in Ryedale District

INSERT MAP

5. Household survey findings

- 5.1 This chapter presents the findings of the household survey, which was carried out to provide primary data to inform this GTAA. The survey aimed to reach as many Gypsy and Traveller, Travelling Showpeople and Bargee Traveller households living within the District as possible. It was conducted using the questionnaire which is set out in Appendix C, via both face-to-face and telephone interviews. The methodology is set out in Chapter 3.
- 5.2 There was a total of 13 responses to the household survey. Of these, eight were from households who are usually resident on Tara Park (although temporarily living elsewhere at the time of survey); these respondents are therefore classified in the analysis as living on a pitch. A further five responses were from households not living on a pitch; of these, four were living in bricks and mortar accommodation and one on the roadside.
- 5.3 In order to maintain confidentiality, data has been categorised as either:
 - Household not a pitch (baseline of 5 respondents); or
 - Households on a pitch (baseline of 8 respondents).

Population characteristics

- 5.4 As shown in Table 5.1, the household survey included a relatively even mix of male and female respondents across both accommodation types.

Gender	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Female	2	6	8
Male	3	2	5
Total	5	8	13

Source: 2016 Household Survey

- 5.5 Over half (62%) of all of the respondents were aged 25-44 years; a further 31% were aged 45-64 years. Only one respondent was aged 65 years or over; this person was from a household living on a pitch.

Age Group	Accommodation type		Total
	Household not a pitch	Household on a pitch	
25-44	4	4	8
45-64	1	3	4
65+	0	1	1
Total	5	8	13

Source: 2016 Household Survey

5.6 In terms of economic activity, there was a range of responses from households in both types of accommodation (Table 5.3). Households not living on a pitch were evenly split, with one respondent looking after the home/family, one working part-time, one self-employed, one unemployed and one permanently sick/disabled. Of households living on a pitch, three were looking after the home/family, three self-employed, one unemployed and one wholly retired from work.

Economic activity	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Looking after the home and family	1	3	4
Working part-time under 16 hrs each week)	1	0	1
Self-employed (full or part time)	1	3	4
Unemployed and available for work	1	1	2
Permanently sick/disabled	1	0	1
Wholly retired from work	0	1	1
Total	5	8	13

Source: 2016 Household Survey

5.7 As shown in Table 5.4, ten of the respondents were English Travellers, with the remaining three identifying as Irish Travellers.

Table 5.3 Ethnicity of respondents			
Gender	Accommodation type		Total
	Household not a pitch	Household on a pitch	
English Traveller	3	7	10
Irish Traveller	2	1	3
Total	5	8	13

Source: 2016 Household Survey

5.8 Table 5.4 shows the number of people living in households by accommodation type. This indicates that of the five households not living on pitch, one is a single-person household, one is a three-person household and three are four-person households. Of the eight households living on a pitch, three are single-person, three are three-person and two are five-person.

Table 5.4 Household size			
Number of people	Accommodation type		Total
	Household not a pitch	Household on a pitch	
One	1	3	4
Two	0	0	0
Three	1	3	4
Four	3	0	3
Five	0	2	2
Total	5	8	13

Source: 2016 Household Survey

5.9 Using the information on household size (Table 5.4) indicates a total of 38 people living across the 13 surveyed households. This results in an average household size of 2.9 persons per household across both accommodation types.

Accommodation

5.10 All of the eight respondents living on a pitch stated that they have one static caravan or mobile home on their pitch and one amenity block/shed on their pitch.

5.11 All of the total of 13 respondents stated that they have one household living together.

5.12 No doubling-up of households was identified, and this was confirmed by further questions relating to concealed households and doubling-up. All 13 respondents said that there were no concealed households present. They all said that there were no doubled-up households.

5.13 Table 5.5 sets out the type of accommodation lived in by respondents. Four of the five households not living on a pitch were living in a house and one in a trailer/wagon. Of those living on a pitch, six were in a trailer/wagon and two were in a static caravan/mobile home/chalet.

Table 5.5 Accommodation type			
Accommodation Type	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Trailer/wagon	1	6	7
Static/mobile home/chalet	0	2	2
House	4	0	4
Total	5	8	13

Source: 2016 Household Survey

5.14 Information provided by respondents on the number of bedspaces available in their accommodation is set out in Table 5.6. Seven of the 13 households have three bedspaces available, with only one household (on a pitch) identifying as having four bedspaces available.

Table 5.6 Number of bedspaces			
Bedspaces	Accommodation type		Total
	Household not a pitch	Household on a pitch	
One	1	2	3
Two	1	1	2
Three	3	4	7
Four	0	1	1
Total	5	8	13

Source: 2016 Household Survey

5.15 Using the information on bedspaces set out in Table 5.6 indicates that a total of 32 bedspaces are available across the 13 households. Compared with the indicative 38 people, this indicates that overcrowding is likely.

5.16 Table 5.7 sets out respondents’ views on whether or not their home is overcrowded. None of the households not living on a pitch consider their home to be overcrowded, while two of the eight households living on a pitch think that their home is overcrowded. A further question asked those living on a pitch whether they consider their pitch (rather than the home/trailer) to be overcrowded. Of the eight respondents, seven said no and one said yes.

Table 5.7 Overcrowding of trailer or home			
Do you think your home is overcrowded?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Yes	0	2	2
No	5	6	11
Total	5	8	13

Source: 2016 Household Survey

5.17 The survey asked respondents how long they have lived at their current location (Table 5.8). Three of the five households not living on a pitch have lived at their current address for less than one year, and the remaining two households for less than five years. Of the eight households living on a pitch, one has lived at their current address for less than one year, four for between one and five years and three have lived there for more than five years.

Table 5.8 Duration of residence			
How long have you lived here?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Up to 1 year	3	1	4
Over 1 and up to 3 years	1	2	3
Over 3 and up to 5 years	1	2	3
Over 5 years	0	3	3
Total	5	8	13

Source: 2016 Household Survey

5.18 In terms of the location of previous residence, three of the five households not living on a pitch moved from within Ryedale District and two from outside the District. Of the eight households living on a pitch, one had moved from the same site, one from within Ryedale District and six from outside the District.

Table 5.9 Previous address			
Where did you move from?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
The same site	0	1	1
The same district	3	1	4
From outside the district	2	6	8
Total	5	8	13

Source: 2016 Household Survey

5.19 When respondents were asked why they moved onto their current pitch, the most frequently-mentioned reasons were to be close to family/friends (7 out of 8 households mentioned this), near to school/nursery (4), close to hospital/doctors (4) and close to church (3).

Travelling practices

5.20 The household survey asked respondents whether or not they have travelled in the last year (Table 5.10) and also previous to last year (Table 5.11). In both cases, four of the five households not on a pitch had travelled while two of the eight households on a pitch had travelled.

Table 5.10 Travelled in the last year

Have you travelled in the last year?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Yes, in the last year	4	2	6
No, not in the last year	1	6	7
Total	5	8	13

Source: 2016 Household Survey

Table 5.11 Travelled previous to the last year

Have you travelled previous to the last year?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Yes, previous to the last year	4	2	6
No	1	6	7
Total	5	8	13

Source: 2016 Household Survey

5.21 The main reasons for travel given were cultural reasons/only way of life I know (4 out of 7 households responding to question), visiting family/friends (2) and for work (2)

5.22 The household survey asked whether respondents plan to travel in the next) year (Table 5.12) and every year for the next five years and/or beyond (Table 5.13). In both cases, two of the five households not on a pitch intend to travel and three of the eight households on a pitch intend to travel.

Table 5.12 Intention to travel in the next year			
Do you plan to travel in the next year?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Yes	3	3	6
No	2	5	7
Total	5	8	13

Source: 2016 Household Survey

Table 5.13 Intention to travel for the next five years and/or beyond			
Have you travelled previous to the last year?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Yes	3	3	6
No	2	5	7
Total	5	8	13

Source: 2016 Household Survey

5.23 Table 5.14 sets out information provided by respondents relating to the typical duration of their travels. Overall, the typical duration of travel was either 5-12 weeks (6 respondents) or less than two weeks (3 respondents of 10 who travelled), with only one respondent travelling for 2-4 weeks.

Table 5.14 Duration of travel			
How long do you travel for each year?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
No more than 13 days	0	3	3
2 to 4 weeks (or one month)	1	0	1
5 to 8 weeks (or 2 months)	2	1	3
9 to 12 weeks (or 3 months)	1	2	3
Not Applicable	1	2	3
Total	5	8	13

Source: 2016 Household Survey

5.24 Locations of travel given by respondents included Appleby, Scarborough, Whitby and Helmsley. All of the respondents mentioned summer months, between May

and August, with June being the most popular month for travelling. The main reason for given for this travel was for fairs.

5.25 Reasons for not travelling included long-term health, problems relating to travelling, family commitments and the education of children.

Provision of sites

5.26 The household survey asked respondents for their views on the need for sites in the District.

5.27 Of those who responded to the question (11 households), six felt that there was a need for transit sites in Ryedale (Table 5.15).

Is there a need for transit sites in Ryedale?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Yes	3	3	6
No	1	4	5
No answer	1	1	2
Total	5	8	13

Source: 2016 Household Survey

5.28 In terms of the location of new transit provision, “next to Tara Park” and “York” or “York area” were mentioned. Management of transit sites by Council was preferred, with no respondents mentioning other forms of management.

5.29 Of the 11 respondents who answered the question, two felt that there was a need for new permanent sites in Ryedale (Table 5.16).

Is there a need for transit sites in Ryedale?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Yes	1	1	2
No	4	5	9
No answer	0	2	2
Total	5	8	13

Source: 2016 Household Survey

5.30 The preferred management of new permanent sites was by Councils, although one respondent also mentioned Registered Social Landlords/Housing Associations.

Moving plans and newly-forming households

5.31 The household survey asked about plans for the future. Asked if they were planning to move in the next five years, 11 of the 13 respondents said yes (Table 5.17). However, there was very limited response given to questions relating to where they were planning to move to and the type of accommodation required.

Table 5.17 Intention to move in the next five years

Are you planning to move in the next five years?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Yes	4	7	11
No	1	1	2
Total	5	8	13

Source: 2016 Household Survey

5.32 In terms of new household formation, Table 5.18 sets out the response to the question asking if there are any people in the household who want to move to their own caravan, pitch or house in the next five years. Three households said yes, two of whom are households living on a pitch.

Table 5.18 New household formation

Are there any people in your household who want to move to their own caravan/pitch/ house in the next 5 years?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Yes	1	2	3
No	4	6	10
Total	5	8	13

Source: 2016 Household Survey

5.33 Of the three newly-forming households identified, Table 5.19 sets out the location type preference indicated. Two households (one currently within a household not on a pitch, and one from a household on a pitch) would like to move to another site and one household would like to move to bricks and mortar accommodation.

Table 5.19 Preferred location type for newly-forming households			
Where would newly-forming households like to move to?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Pitch on current site	0	0	0
Pitch on another site	1	1	2
Bricks and mortar	0	1	1
Total	1	2	3

Source: 2016 Household Survey

5.34 Table 5.20 sets out the accommodation type requirements stated for newly-forming households. Corresponding with the data above relating to location type, one newly-forming household (currently living on a pitch) requires a house (relating to the bricks and mortar preference in Table 5.19). A trailer/wagon and a chalet/mobile home were identified as requirements for the remaining two emerging households (corresponding with the two households preferring a pitch in Table 5.19).

Table 5.20 Accommodation type requirements for newly-forming households			
What sort of accommodation would new households require?	Accommodation type		Total
	Household not a pitch	Household on a pitch	
Trailer/wagon	1	0	1
Chalet/mobile home	0	1	1
House	0	1	1
Total	1	2	3

Source: 2016 Household Survey

5.35 A preference for renting from the Council was mentioned in relation to all three newly-forming households.

6. Gypsy and Traveller pitch requirements

Introduction

- 6.1 This section reviews the overall pitch requirements of Gypsies and Travellers across Ryedale District. It takes into account current supply and need, as well as future need, based on modelling of data, as advocated by the DCLG. This chapter also considers planning issues.
- 6.2 The calculation of pitch requirements is based on DCLG modelling as advocated in *Gypsy and Traveller Accommodation Assessment Guidance* (DCLG, 2007). The DCLG Guidance requires an assessment of the current needs of Gypsies and Travellers and a projection of future needs. The Guidance advocates the use of a survey to supplement secondary source information and derive key supply and demand information.
- 6.3 The GTAA has modelled current and future demand and current and future supply. The following analysis focuses on Gypsies and Travellers specifically as there are no Travelling Showpeople resident in Ryedale District. For this study, the model has assumed a cultural definition of Gypsies and Travellers but also takes account of the new planning definition in its conclusions.

Model overview

- 6.4 In terms of **need**, the model considers:
- The baseline number of households on authorised sites (as at September 2016);
 - Existing households planning to move in the next five years (currently on sites and also in bricks and mortar) and where they are planning to move to;
 - The current shortfall in pitches relative to households on existing sites; and
 - Emerging households currently on sites and planning to stay within the study area; to derive a figure for
 - Total need.
- 6.5 In terms of **supply**, the model considers:
- Total supply of current pitches on authorised sites;
 - Turnover on existing authorised sites; and
 - Total supply of authorised pitches based on turnover and existing pitch provision.
- 6.6 The model then reconciles total need and existing authorised supply by summarising:
- Total need for pitches; and
 - Total supply of authorised pitches.

- 6.7 The assessment of current need should, in line with the guidance, take account of existing supply and demand. In the DCLG model, current residential supply refers to the local authority residential site.

Description of factors in the model

- 6.8 Table 6.1 provides a summary of the future pitch requirement calculation. Each component in the model is now discussed to ensure that the process is transparent and any assumptions clearly stated.

Need

6.9 Current households living on pitches (1a to 1d)

These figures are derived from local authority data and survey information. Note that no household stated they were doubled up or included concealed households. One respondent stated that their pitch was overcrowded, but this was due to a potential emerging household living on the pitch and this has been taken into account in the analysis of emerging households.

6.10 Current households in bricks and mortar accommodation (2)

The 2011 census suggested there were 23 households living in bricks and mortar accommodation based on the 2011 Census. As part of the Ryedale GTAA, 13 households not living on sites (mainly in bricks and mortar housing) have been identified through Horton Housing's drop in centre which is run weekly in Malton.

6.11 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. From the 8 achieved interviews, one household plans to move (to bricks and mortar accommodation). It is assumed that of the remaining households not interviewed, all want to stay on their current pitch which is a conservative assumption. Through the Horton Housing contacts, one household currently on the roadside wanted to move onto Tara Park. Therefore, the overall net impact of existing households planning to move is a requirement for 0 pitches which assumes that one household moves from a pitch into bricks and mortar accommodation and one household moves from the roadside onto a pitch.

6.12 Emerging households (4)

This is the number of households expected to emerge in the next 5 years based on household survey information from respondents living on the Council site and from households identified by Horton Housing. Two new households who ordinarily live on a pitch were expected to form but as neither was intending on remaining on the Council site the overall net impact was zero. One emerging household was identified from the Horton Housing contacts which is included in analysis. There may be emerging households from the 6 households living on Tara Park who have not been able to be contacted or have refused to participate in the study. It is believed there are at least 2 children in these households but precise information on their future residential choices cannot be ascertained.

Therefore, the model assumes a total need from one emerging household over the next 5 years who requires a pitch.

6.13 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 15 pitches from available evidence.

Supply

6.14 Current supply of 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 14 occupied authorised pitches and 6 vacant pitches.

6.15 Need minus supply (excluding turnover) (7)

This is a summary of pitch need minus current supply and presents the underlying mismatch between supply and need. This suggests no net need for pitches across Ryedale, with a capacity from existing pitches and 6 vacant pitches to address need arising from the households resident on the Council site.

6.16 Turnover on existing pitches (8)

Turnover needs to be considered as part of modelling, but this element of analysis needs to be carefully evaluated. Of the 8 households interviewed, five had moved onto the Council site in the preceding five years. Three had moved onto pitches previously vacated and two onto new pitches (when the site was extended). A conservative estimate of pitch turnover would therefore be 7.5% each year (3 pitches had been vacated prior to the current household moving on out of 8 pitches = 37.5% over 5 years or 7.5% each year). Based on known data, it would be expected that a minimum of 3 pitches would become available over the next 5 years and this is included in modelling assumptions.

6.17 Total supply including turnover (9)

This figure is based on the total number of authorised permanent pitches available, vacant pitches and likely turnover. The model assumes a total supply of 23 pitches (14 occupied plus 6 vacant plus 3 through turnover over the next 5 years).

Reconciling supply and demand

6.18 There is a total need over the next five years (2016/17 to 2020/21) for 15 pitches in Ryedale (Table 6.1) compared with a supply of 23 authorised pitches (including turnover). The result is an overall capacity of 8 pitches. This means there is sufficient supply of pitches from the existing Local Authority site to accommodate existing households and emerging households over the next 5 years.

Table 6.1 Summary of demand and supply factors: Gypsies and Travellers – 2016/17 to 2020/21

NEED			Ryedale
1	Total households living on pitches	1a. On LA Site	14
		1b. On Private Site – Authorised	0
		1c. On Private Site – Tolerated/Unauthorised/Temporary	0
		1d. TOTAL (1a to 1c)	14
2	Estimate of households in bricks and mortar accommodation	2a. TOTAL (2011 Census)	23
3	Existing households planning to move in next 5 years	Currently on sites	
		3a. To another pitch/same site	0
		3b. To another site in local authority area	0
		3c. From site to Bricks and Mortar	1
		3d. To a site/B&M outside study area	0
		3e. From Roadside to Tara Park	1
		Currently in Bricks and Mortar	
		3f. Planning to move to a site in LA	0
		3g. Planning to move to another B&M property	0
	3h. TOTAL Net impact (3a+3b-3c-3d+3e)	0	
4	Emerging households (5 years)	4a. Currently on site and planning to live on current site	0
		4b. Currently on sites and planning to live on another site in LA	0
		4c. Currently on site and planning to live on site outside the study area	1
		4d. Currently in B&M planning to move to a site in LA	1
		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)	1
		4g. TOTAL Net impact (4a+4b+4d)	1
5	Total Need	1d+3h+4g	15
SUPPLY			
6	Current supply of authorised pitches	6a. Current occupied authorised pitches	14
		6b. Current vacancies on authorised pitches	6
		6c. TOTAL current authorised supply (6a+6b)	20
7	Summary of need and authorised supply excluding turnover	7a. Need – supply (5-6c)	-5
8	Turnover on authorised sites	8a. Turnover on pitches which will provide for residents moving within or having a connection with the LA area	3
9	Total supply of pitches over 5 yrs (including turnover)	9a. Current authorised pitch provision, vacant pitches and turnover (6c+8a)	23
RECONCILING NEED AND SUPPLY			
10	Total need for pitches	5 years (from 5)	15
11	Total supply of authorised pitches (including turnover)	5 years (from 9a)	23
5 YEAR AUTHORISED PITCH SHORTFALL 2016/17 TO 2020/21			-8

Longer-term pitch requirements

6.19 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 18³¹.

- 6.20 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 2021/2-2032/3, with the assumption that they remain in Ryedale and that 50% of children will form households when they reach 18. Analysis would suggest a total requirement for 4 additional pitches over the period 2021/22-2032/33 (Table 6.2).
- 6.21 It is anticipated that pitch provision for newly-forming households currently living on sites can be accommodated through existing pitch provision.

Table 6.2 Future pitch requirements based on the assumption that 50% of children form households on reaching 18

Time period	No. children	Expected household formation
2021/22 – 2025/26	2	1
2026/27 – 2032/33	6	3
Total (2021/22 to 2032/33)	8	4

- 6.22 An analysis of households living on bricks and mortar accommodation identified 4 children who will reach the age of 18 by the end of 2020/21 and of these only 1 expressed a need to move onto a pitch (and has been included in pitch modelling). Over the period 2021/22 to 2030/31 there are 5 children currently living in bricks and mortar accommodation that may require up to 3 pitches. However, this need if it arises could be accommodated on the existing site.

Local Plan recommendations – Gypsies and Travellers

- 6.23 The study has established that there is a no need for additional permanent pitches across Ryedale based on the needs of households currently living on the Council site in the district. In the longer-term, need arising from newly-forming households (both from pitches and potential from bricks and mortar) is expected to be accommodated on the existing site.
- 6.24 It should also be noted that need analysis is based on a ‘cultural’ definition of Gypsies and Travellers but only 3 out of 8 households interviewed who live on the Council Site meet the criteria set out in the PPTS (August 2015) and of the Horton Housing contacts, 4 out of 5 households interviewed meet the new definition and of the 4, 3 were in bricks and mortar accommodation and one was on the roadside. By applying the new definition to households living on the site, the overall surplus of pitches would increase to 13 pitches.

³¹ Travellers are more likely to establish their own household at a relatively early age; it is not uncommon for a Traveller to be living in their own household by the age of 18.

Travelling Showperson plot requirements

- 6.25 There are currently no Travelling Showpeople living in Ryedale and on this basis there is no need for Travelling Showperson plots.

Transit site requirements

- 6.26 The household survey found that around half of respondents (6 out of 13) feel that transit provision should be made in the District and 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.
- 6.27 According to the Council, unauthorised encampment activity is limited in Ryedale District. None was reported in 2013/14 or 2014/15. During 2015/16, there was one reported unauthorised encampment between West Hesterton and Scagglethorpe – this was over a three month period involving 3 caravans.
- 6.28 On the basis of limited unauthorised encampment activity, it is not recommended that the Council provide transit pitches. However, it should closely monitor the situation and if transit pitches are needed then it could be recommended that they are in close proximity to the existing Council site.

7. Conclusion and strategic response

- 7.1 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 pitch requirements

- 7.2 The 2016 GTAA has evidenced sufficient pitch capacity across the District over the five year period 2016/17 to 2020/21. Over the longer term to 2032/33, although need from new households is expected it is anticipated that these can be accommodated through existing pitch provision. It should be noted that this calculation has been based on need using a cultural definition of Gypsies and Travellers, but further work to establish the extent to which families meet the new planning definition has not been necessary as sufficient capacity has been identified.
- 7.3 There is no identified need for Travelling showperson plots.

Meeting transit site/stop over requirements

- 7.4 Analysis of unauthorised encampment data would suggest that no transit provision is required due to the low incidence of unauthorised encampment activity. However, it is recommended that this is monitored regularly and if future need arises, it is recommended that transit pitches are provided in proximity to the existing Council site.

Good practice in planning for Gypsy and Traveller provision

- 7.5 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 members³².
- 7.6 Work undertaken by PAS³³ 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.

³² I&DeA (now Local Government Agency) local leadership academy providing Gypsy and Traveller sites

³³ PAS spaces and places for gypsies and travellers how planning can help

Concluding comments

- 7.7 The overarching purpose of this study has been to identify the accommodation requirements of Gypsies and Travellers across Ryedale District. Overall, the study has therefore established a need for no additional pitches across Ryedale District over the period 2016/17 to 2032/33.
- 7.8 The study also recommends no necessity to develop transit pitches across the District given the low level of unauthorised encampment activity but this should be regularly monitored and if necessary it is recommended that transit pitches are provided in close proximity to the existing Council site.
- 7.9 There are currently no Travelling Showperson's yards in Ryedale and it is assumed there is no need from Travelling Showpeople.
- 7.10 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 Ryedale.

Table 8.1 Summary of additional pitch/plot requirements over five years and longer term			
		Gypsy and Traveller Pitch additional requirements	Showperson Plot requirements
Ryedale	Five year shortfall 2016/17 to 2020/21	0	0
	Longer-term requirements 2021/22 to 2032/33	0	0
	Total	0	0

Table 8.2 Summary of transit requirements over the period 2016/17 to 2032/33	
	Pitch requirements to address unauthorised encampment activity
Ryedale Total	0

Appendix A: Legislative background

Overall approach

- A.1 Between 1960 and 2003, three Acts of Parliament had a major impact upon the lives of Gypsies and Travellers. The main elements of these are summarised below.
- A.2 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.3 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.4 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.

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).

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.5 **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 district;
- 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.6 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.7 **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.’*³⁴ 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.8 **Statutory Instrument 2013 No 830 Town and Country planning Act, England (Temporary Stop Notice) (England) (Revocation) Regulations 2013** came into force on 4th 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.9 **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 districts 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).

³⁴ DCLG A plain English guide to the Localism Act Nov 2011

Appendix B: Literature review

Introduction

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. Strong powers are available to the police, local authorities and other landowners to deal with unauthorised encampments. It provided detailed step-by-step practical guidance to the use of these powers, and sets out advice on:

- Choosing the most appropriate power;
- Speeding up the process;
- Keeping costs down;
- The eviction process; and
- Preventing further unauthorised camping.

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.’*³⁵ 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.’*³⁶ 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’*³⁷. 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;
 - 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.

³⁵ PAS *Spaces and places for gypsies and travellers how planning can help*, page 8

³⁶ PAS *spaces and places for gypsies and travellers how planning can help* page 8 & 14

³⁷ PAS *spaces and places for gypsies and travellers how planning can help* page 10

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.’³⁸*
- **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 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.’³⁹* 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.

³⁸ RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 8

³⁹ RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 13

- **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.'*⁴⁰

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 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*

⁴⁰ RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 18

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.⁴¹

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.’*⁴²

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 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.

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.

⁴¹ RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part C page 11

⁴² RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part C page 11

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 site has now been updated (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.'⁴³ 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

⁴³ www.communities.gov.uk/news/corporate/2124322

- Improving engagement with service providers.

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. Powers available to local authorities being:

- Injunctions to protect land from unauthorised encampments;
- Licensing of caravan sites;
- Tent site licences;
- Possession orders;
- Interim possession orders;
- Local byelaws;
- Power of local authorities to direct unauthorised campers to leave land;
- Addressing obstructions to the public highway;
- Planning contravention notice;
- Temporary stop notice;
- Enforcement notice and retrospective planning;
- Stop notice;
- Breach of condition notice; and
- Powers of entry onto land.

B.13 Statutory Instrument 2013 No.830 Town and Country Planning (Temporary Stop Notice) (England) (Revocation) Regulations 2013: Made on 11th April 2013 and laid before Parliament on 12th April 2013 this Instrument revoking the regulations applying to Temporary Stop Notices (TSNs) in England came into force on 4th 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 1st July 2013 by Brandon Lewis⁴⁴ highlighted the issue of inappropriate development in the Green Belt and revised the appeals recovery criteria issued on 30th 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

⁴⁴ <https://www.gov.uk/government/speeches/planning-and-travellers>

practice guidance on 'Diversity and equality in planning'⁴⁵, 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 9th 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. The Guidance listed powers available to local authorities, including:

- More powerful temporary stop notices to stop and remove unauthorised caravans;
- Pre-emptive injunctions that protect vulnerable land in advance from unauthorised encampments;
- Possession orders to remove trespassers from land;
- Police powers to order unauthorised campers to leave land;
- Powers of entry onto land so authorised officers can obtain information for enforcement purposes;
- Demand further information on planning works to determine whether any breach of the rules has taken place;
- Enforcement notices to remedy any planning breaches; and
- Ensuring sites have valid caravan or tent site licences.

It sets out that councils should work closely with the police and other agencies to stop camps being set up when council offices are closed.

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

⁴⁵ ODPM Diversity and Equality in Planning: A good practice guide 2005

- 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 23rd 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 name (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.”⁴⁶

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 (31st 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.

⁴⁶ DCLG *Planning policy for traveller sites*, August 2015, paragraph 3

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

Ryedale District Council Gypsy and Traveller Accommodation Assessment 2016

QUESTIONNAIRE

[October] 2016

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Ryedale District Council Gypsy, Traveller and Travelling Showpeople Survey

Introduction

I am an independent researcher doing a study on the accommodation needs of Gypsies, Travellers and Travelling Showpeople. This work is being conducted on behalf of Ryedale District Council.

We want to find out:

- What sort of homes – sites, yards and houses – Gypsies, Travellers and Travelling Showpeople need.
- What you think of existing sites, yards and homes
- Whether you think new permanent and temporary sites and yards are needed
- Whether you think easier access to bricks and mortar accommodation is needed
- Whether you travel and if so whether you've had problems while travelling
- What you think about the costs of your homes – houses, yards and sites
- What other services you feel you need to support you

Interviewed before?

Have you been interviewed for this survey before?

- **If 'Yes' and in same location as previous interview, politely decline interview and find new respondent.**
- **If 'Yes' on roadside and in different location from previous interview carry on with introduction**
- **If 'No' carry on with introduction**

Do you have time to talk with me about these things – it will take about 30 to 40 minutes?

Your answers are completely confidential – I won't use your name in any report that I write and no one will be able to trace any answer back to you. You don't have to answer everything - if you don't want to answer any particular questions, just tell me to skip them.

FOR MOST ANSWERS, CHECK THE BOXES MOST APPLICABLE OR FILL IN THE BLANKS

Interview details

Date and time _____

Location (site name and address) _____

Pitch/property type (circle most appropriate)	1.Council 2.HA 3.Private_Authorised 4.Private_TempAuthorised 5.Private_Unauthorised 6.Private_Unauthorised Tolerated 7.Bricks and Mortar 8. Roadside 9. Unauthorised encampment
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Background data

Pitch address and/or number [use any evidence of numbers or attribute them]	
Number static caravans/mobile homes on pitch	
Number tourers on pitch	
Number bricks and mortar on pitch	
Brief description of pitch occupancy [eg. the pitch contained 3 households - the principal household and then a cousin of the respondent and his family; and a son of the respondent and his family]	
Number of households as stated by respondent [from this determine how many questionnaires to complete on the pitch]	
Number of concealed households [Judgement required]	
Number of doubled up households [Judgement required]	
Does anyone else use this pitch as their home [Brief description]	

Household Characteristics

Q1 Who lives in your household?

	Gender	Age	Relationship to respondent	Economic activity	Ethnicity
Respondent					
Person 2					
Person 3					
Person 4					
Person 5					
Person 6					
Person 7					
Person 8					

[Notes for interview coding:]

	Relationship	Economic activity	Ethnicity
1	Spouse/partner	Working full-time (30 or more hrs each week)	Romany Gypsy
2	Son/stepson	Working part-time 16 and up to 30 hrs each week)	English Gypsy
3	Daughter/stepdaughter	Working part-time under 16 hrs each week)	English Traveller
4	Grandson/daughter	Self-employed (full or part time)	Irish Traveller
5	Parent	On Government training programme	Welsh Gypsy
6	Grandparent	In full-time education (inc. nursery)	Welsh Traveller
7	Brother/sister	Unemployed and available for work	Scottish Gypsy
8	Nephew/niece	Permanently sick/disabled	Scottish Traveller
9	Other relation	Wholly retired from work	New Traveller
10	Friend	Looking after the home and family	Showman
11	Lodger/boarder	Full-time carer or volunteer	Circus Traveller
12			Other

Q2 How would you best describe your household?

1	2	3	4	5	6	7
Single person under 65	Single person 65 and over	Lone parent	Couple no children	Couple with children	Older couple (one or both 65 and over)	Other

Home base

Q3 Is this your main home base?

1	2
Yes	No

Q4 Where is your other home base?

[If 'no' go to 0; if 'yes' go to 0]

[State settlement/district]

Current accommodation

Q5 What type of accommodation do you live in?

1	2	3	4	5	6
Trailer/wagon	Static/mobile home/chalet	House	Bungalow	Flat	Other (specify)

Q6 How many bedspaces are there?

1	2	3	4	5	6	7	8

Q7 Do you think your home (trailer/B&M) is overcrowded?

1	2
Yes	No

Q8 Do you think your pitch is overcrowded?

1	2
Yes	No

Q9 How long have you lived here (at the location of the interview)?

1	2	3	4	5	6
Up to 1 year	Over 1 and up to 2 years	2 years and up to 3 years	3 years and up to 4 years	4 years and up to 5 years	5 years or more

Q10 Where did you move from?

1	2	3	4
The same pitch	The same site	The same district	From outside the district

Q11 Why did you move onto this pitch?

1	2	3	4	5	6	7	8	9	10
Close to family/friends	Near to place of work	Near to school/nursery	Close to hospital/doctors	Close to church	No-where else that is suitable	Simply chose this place / no particular reason	Pitch provided by family/friends	Always lived here	Other [Please Specify below]

Other: _____

Q12 When you moved onto this pitch, was it?

1	2	3
A brand new pitch which had not been occupied	An empty pitch which had previously been occupied	Part of an existing pitch which became available to you (sub-division)

Travelling questions

Q13 In the last year have you or anyone in your household travelled?

1	2
Yes	No

Q14 Previous to the last year, did you or anyone on your household travel?

1	2
Yes	No

Q15 Why do you travel?

1	2	3	4	5	6	7	8
Cultural reasons	Personal preference	Work related	Visit family/ friends or family events	To attend fairs	To attend religious meetings/ conventions	Only way of life I know	Limited opportunity to settle down/ no pitch on which to live/ lack of site provision

Q16 Do you or anyone in your household plan to travel next year?

1	2
Yes	No

Q17 Do you think you or anyone in your household will travel each year for the next five years and/or beyond?

1	2
Yes	No

Q18 How many days or weeks do you or anyone in your household normally travel each year?

1	2	3	4	5	6	7	8
No more than 13 days	2 to 4 weeks (or one month)	5 to 8 weeks (or 2 months)	9 to 12 weeks (or 3 months)	13 to 26 weeks (or 6 months)	Over 6 months but less than 10 months	Over 10 months but less than 12 months	All year

Q19 How many days or weeks do you or anyone in your household plan to travel in any given year in the future?

1	2	3	4	5	6	7	8
No more than 13 days	2 to 4 weeks (or one month)	5 to 8 weeks (or 2 months)	9 to 12 weeks (or 3 months)	13 to 26 weeks (or 6 months)	Over 6 months but less than 10 months	Over 10 months but less than 12 months	All year

Q20 Where would you household normally go when you are travelling; where and when?

	Location	Month	Reason	Route
A.				
B.				
C.				
D.				

Q21 What reasons do you have for not travelling now or in the future?

1	2	3	4	5	6	7	8	9	10
Too many problems relating to travelling	Long term health reasons	Short term health reasons	Prefer not to travel	Family commitments	Education of children	Work/ job commitments	Do not need to travel	Other members of my household travel	Other (please state)

Other: _____

Transit site questions

Q22 *Transit sites are intended for short-term use while in transit. Sites are usually permitted and authorised but there is a limit on the length of time residents can stay. Is there a need for transit sites in Ryedale?*

1	2
Yes	No

Q23 *If yes, where?*

Q24 *Please state how many pitches and when is the site needed?*

How many pitches? _____

When is the site needed (all the time or only at certain times of year)? _____

Q25 Who should manage transit sites?

1	2	3	4	5
Councils	Registered social landlords/ Housing Associations	Private (Gypsy/ Traveller)	Private (Non Gypsy/ Traveller)	Other (please state)

Other: _____

Permanent site questions

Q26 Is there a need for new permanent site(s) in Ryedale?

1	2
Yes	No

Q27 If yes, where?

Q28 Please state how many pitches? _____

Q29 Who should manage permanent sites?

1	2	3	4	5
Councils	Registered social landlords/ Housing Associations	Private (Gypsy/ Traveller)	Private (Non Gypsy/ Traveller)	Other (please state)

Other: _____

The future

Q30 Are you planning to move in the next 5 years?

1	2
No - planning to stay where you are based now [go to 0]	Yes - planning to move elsewhere

Q31 Where are you planning to move to?

1	2	3	4	5
Another pitch on the current site/ yard	Another site/ yard (if so, where)	Bricks and mortar (if so, where)	From bricks and mortar to a site/ yard (if so, where)	Other (please state)
	State settlement/district	State settlement/district	State settlement/district	State settlement/district

Q32 What type of accommodation are you planning to move to?

1	2	3	4	5	6
Trailer/wagon	Chalet/mobile home	House	Bungalow	Flat	Older persons' housing (eg sheltered/extra care)

Q33 Which of the following would you consider?

1	2	3	4	5	6	7	8
For pitches				For houses			
Rent a pitch on a private site	Own a pitch on a private site	Rent a pitch on a Council/ Housing Association site	Rent from the Council	Rent from a Housing Association	Rent privately	Buy a property	Other (please state)

Other: _____

Q34 If you are considering moving to bricks and mortar accommodation, what are your reasons?

Q35 *If you are considering moving to bricks and mortar accommodation would you use (or have you used) North Yorkshire Home Choice?*

Emerging households

Q36 *Are there any people in your household who want to move to their own caravan/pitch/house in the next 5 years?*

State how many	
----------------	--

If none go to 0

Q37 *If yes, where would they like to move to?*

	HH1	HH2	HH3	HH4
Pitch on current site/yard				
Move to another site/yard (if so, where)				
Move to bricks and mortar (if so, where)				

Q38 If yes, what sort of accommodation would they require?

	HH1	HH2	HH3	HH4
Trailer/wagon				
Chalet/mobile home				
House				
Bungalow				
Flat				
Sheltered/extra care housing				
No permanent base required				
Other (please specify)				

Other: _____

Q39 If yes, which of the following options would they consider?

	HH1	HH2	HH3	HH4
Rent pitch from Council				
Rent pitch from Registered Provider/Housing Association				
Rent pitch privately				
Own land where trailer/wagon is normally located				
To travel/ use multiple/ various sites				

Q40 Do you think they will want to travel for some of the year?

	HH1	HH2	HH3	HH4
Yes 1				
No 2				

Current site

Q41 Thinking of where you live, is there potential for further expansion?

1	2
Yes	No

If so, for how many pitches? _____

Q42 Is there potential to sub-divide existing pitches?

1	2
Yes	No

If so, for how many pitches? _____

Q43 How many vacant pitches are there? _____

Q44 How many are available to be occupied by a household? _____

Q45 Do you know of any households etc to be interviewed? **[please include details]**

Q46 Is there anything else you would like to tell us?

Finally

Q47 What do you think of Tara Park?

	1	2	3
	Happy	Okay	Not happy
Site management			
Size of pitch			
Access to site			
Quality of sheds			
Location			
Cost of electricity			
Cost of gas			
Cost of water			
Cost of rent			

[THEN REPEAT QUESTIONS FOR SECOND HOUSEHOLD, THIRD HOUSEHOLD ETC ON PITCH MAKING SURE THEY ARE REFERENCED CORRECTLY. THE PRINCIPAL HOUSEHOLD SHEET SHOULD HAVE INFORMATION WHICH LINKS TOGETHER ALL QUESTIONNAIRES (eg the site contained 3 households – the principal household and then a cousin of the respondent and his family and a son of the respondent and his family)]

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.