

EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 24 MAY 2016

REPORT BY THE LEADER OF THE COUNCIL

EAST HERTS GYPSIES AND TRAVELLERS AND TRAVELLING  
SHOWPEOPLE ACCOMMODATION NEEDS ASSESSMENT UPDATE,  
APRIL 2016

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WARD(S) AFFECTED: ALL

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**Purpose/Summary of Report**

- This report presents the findings of the East Herts Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment Update Summary, April 2016, which makes recommendations on the amount of provision necessary for both Gypsies and Travellers and Travelling Showpeople for the period to 2033.

This report replaces the agenda item which was withdrawn from the District Planning Executive Panel on 25<sup>th</sup> February 2016.

**RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE  
PANEL: That Council, via the Executive, be advised that:**

<b>(A)</b>	<b>the East Herts Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment Update Summary, April 2016, be approved as part of the evidence base to inform and support the East Herts District Plan; and</b>
<b>(B)</b>	<b>the East Herts Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment Update Summary, April 2016, be approved to inform Development Management decisions.</b>

1.0 Background

- 1.1 Local authorities have a legal responsibility to plan for the accommodation needs of the Gypsy and Traveller community.

The Housing Act 2004 (Section 225) requires local authorities to consider Gypsy and Traveller sites as part of their Accommodation Assessments and to prepare strategies to meet those needs.

- 1.2 In March 2012 the Government, in tandem with the publication of the National Planning Policy Framework, issued its 'Planning policy for traveller sites' document, which set the overarching policy context for the provision of traveller accommodation (to include both Gypsies and Travellers and Travelling Showpeople). That guidance required local planning authorities to "make their own assessment of need for the purposes of planning" (paragraph 4) and that "local planning authorities should [*inter alia*], in producing their Local Plan "identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets" and "identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15".
- 1.3 Thus, an onus was placed on the Council to demonstrate that it could meet the identified accommodation needs of Gypsies and Travellers and Travelling Showpeople in the same way that it has a duty to meet general housing needs. In seeking to comply with this advice, and to provide a robust evidence base to underpin the emerging District Plan, the Council commissioned the East Herts Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment, April 2014, which was considered by the District Planning Executive Panel at its meeting on 17 July 2014. A link to that agenda item can be found at the foot of this report.
- 1.4 Since that time, 'Planning policy for traveller sites' has been amended by the Government, and a revised version was published in August 2015. While the new guidance contains the majority of the same requirements in respect of duty to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople, the definitions around those who constitute Gypsies and Travellers and Travelling Showpeople for the purposes of planning policy have changed. This has necessitated an update to the 2014 Accommodation Needs Assessment.

## 2.0 Report

- 2.1 As stated above, changes to 'Planning policy for traveller sites' came into force in August 2015, which has changed the way that

Gypsies and Travellers and Travelling Showpeople are assessed for accommodation purposes. The main change in respect of planning policy is that, at Annex 1: Glossary, the guidance has removed those Gypsies and Travellers who have “permanently” ceased to travel from the definitions for both Gypsies and Travellers and Travelling Showpeople for planning purposes. A new paragraph 2 to the Annex has been inserted which provides guidance regarding determining whether or not persons would fall within the definition.

- 2.2 As the previous Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment undertaken in 2014 was completed prior to the change in policy, it did not take into account whether or not any of the households surveyed at the time had “permanently” ceased to travel.
- 2.3 In order to ensure that the Council has the most robust evidence base to underpin the emerging District Plan, it was therefore considered necessary to commission an update to the Accommodation Needs Assessment, which would take account of the change in guidance. Furthermore, the updated study would provide a more up to date picture in respect of the current accommodation needs of Gypsies and Travellers and Travelling Showpeople in the district, which may have changed since 2014.
- 2.4 The same consultants, Opinion Research Services (ORS), who undertook the original study, were commissioned to undertake the Update, which has ensured consistency across the evidence base.
- 2.5 A copy of the East Herts Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment, Update Summary, April 2016, is provided at **Essential Reference Paper ‘B’**.
- 2.6 At the Panel meeting a presentation of the Accommodation Needs Assessment Update will be made by one of the ORS team and this will be followed by the opportunity for members to ask questions.
- 2.7 In viewing the Update, it is important to note that the purpose of an Accommodation Needs Assessment is to identify needs, and it is not concerned with matters of how that need could be met on a site specific basis. The conclusions of the Gypsies and Travellers and Travelling Showpeople Identification of Potential Sites Study, October 2014, which suggests approaches that the Council could

take in respect of the selection of locations to meet the identified need, remain unchanged by the Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment Update.

- 2.8 As stated previously, it was initially anticipated that a report to the District Planning Executive Panel on the Accommodation Needs Assessment Update would be considered at its meeting on 25<sup>th</sup> February. However, shortly before the meeting it became apparent that there was the potential that some travellers on the Esbies site may not have been able to take part in the original survey if, due to certain occupancy restrictions, they had been travelling at the time of the initial survey work (which took place in November 2015).
- 2.9 While some additional needs were established for the site at that time, which would have been verbally reported to Panel and the Accommodation Needs Assessment Update amended accordingly, there was a concern that there may potentially have been other families returning to the site that had not previously been identified. Therefore, it was considered proper that the original fieldwork should be supplemented by further additional survey work to establish whether or not this was the case.
- 2.10 Following written pre-notification, the consultants again visited the site in April. Following this, it has been confirmed that no further travellers were identified on the Esbies site as part of this additional fieldwork (beyond those that were originally identified in November and the additional travellers who were subsequently identified in February) and the Accommodation Needs Assessment Update has been completed on that basis.
- 2.11 Taking into account both the amendments to government guidance and changes in circumstances on individual sites since the 2014 Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment was completed, the new figures for both Gypsies and Travellers and Travelling Showpeoples' accommodation needs have been revised accordingly.
- 2.12 In considering the Update, it should be noted that the previous 2014 Accommodation Needs Assessment included end-date pitch and plot provisions to 2031. The version of the draft Accommodation Needs Assessment which was withdrawn in February 2016 then included an end-date of 2032. However, the version of the Accommodation Needs Assessment presented as

part of this report now has an end-date of 2033, which is in order to align it with the latest SHMA timelines.

2.13 The findings of the Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment Update April 2016 are as follows.

2.14 For Gypsies and Travellers, the previous level of need identified in the 2014 Study was for 12 pitches over the plan period (which was then projected to 2031) and this level of need has now decreased to five pitches (to 2033). This is largely the result of the change in definition for assessment purposes of those residents who have permanently ceased to travel, and also due to there being fewer Gypsies and Travellers present at the Esbies site in Sawbridgeworth.

2.15 The breakdown of timescales for when pitches identified in the Update should be provided over the plan period is as follows:

	2016-2022	2022-2027	2027-2033	Total
East Herts	2	3	0	5

2.16 For Travelling Showpeople, whereas the previous level of need was identified in the 2014 study as being for five plots over the plan period (to 2031), this has now increased to nine (to 2033). This increase is most likely to have arisen because of a higher response rate to this study from residents of the single authorised site at Rye House compared to the previous survey.

2.17 The breakdown of timescales for when plots identified in the Update should be provided over the plan period is as follows:

	2016-2022	2022-2027	2027-2033	Total
East Herts	7	1	1	9

2.18 However, beyond the needs identified in the tables above, it should be noted that, where travellers now fall outside the 'Planning policy for traveller sites' definition in terms of being assessed for accommodation needs on Gypsy and Traveller or Travelling Showpeople's sites, the onus will still fall on the Council to make provision for their accommodation needs, in the same way that it has to take into account accommodation needs for the settled community.

- 2.19 As there is generally a cultural aversion to living in bricks and mortar accommodation in travelling communities, it is likely that this provision will need to take the form of park homes, or similar, and be achieved through the District Plan process. It should be noted that these accommodation needs will now fall within general housing needs and will need to be met through site allocations. It is therefore intended that a policy covering Park Homes will be introduced into the Housing Chapter of the District Plan, which will set criteria to ensure their provision.
- 2.20 As stated previously, the Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment Update (the subject of this report) serves to identify both levels of need and the delivery periods over the length of the District Plan within which such pitches and plots should be provided. The Update does not make any recommendations on where that need should be accommodated in locational terms. This will be a matter for the joint Member/Officer Gypsies and Travellers and Travelling Showpeople Identification of Potential Sites Study Working Group to consider, with locations ultimately identified through the emerging District Plan in due course.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

- National Planning Policy Framework (NPPF)  
(<https://www.gov.uk/government/publications/national-planning-policy-framework--2>)
- Planning Practice Guidance (PPG) (General)  
(<http://planningguidance.planningportal.gov.uk/>)
- Planning policy for traveller sites (PPTS), August 2015  
([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457420/Final\\_planning\\_and\\_travellers\\_policy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf))
- East Herts Gypsies and Travellers and Travelling Showpeople Accommodation Needs Assessment, ORS, March 2014  
([http://www.eastherts.gov.uk/media/pdf/5/i/FINAL\\_East\\_Herts\\_GTA\\_A\\_Report\\_-\\_23\\_06\\_14.pdf](http://www.eastherts.gov.uk/media/pdf/5/i/FINAL_East_Herts_GTA_A_Report_-_23_06_14.pdf))
- East Herts Gypsies and Travellers And Travelling Showpeople

Accommodation Needs Assessment, April 2014 – Report to District  
Planning Executive Panel – 17 July 2014  
([http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=151  
&MId=2570&Ver=4](http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=151&MId=2570&Ver=4))

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