



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



**Braintree District Council**  
**Gypsy, Traveller and Travelling**  
**Showpeople**  
**Accommodation Assessment**

Need Summary Report

May 2017



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright May 2017

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2017)

# Contents

<b>1. Introduction .....</b>	<b>4</b>
The Planning Definition in PPTS (2015).....	5
Definition of Travelling.....	5
<b>2. Methodology.....</b>	<b>8</b>
<b>3. Planning Definition .....</b>	<b>10</b>
Applying the Planning Definition .....	10
Unknown Households.....	11
Households that do not meet the Planning Definition.....	12
<b>4. Survey of Travellers .....</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople .....	13
Efforts to contact bricks and mortar households .....	14
<b>5. Current and Future Pitch Provision.....</b>	<b>15</b>
New Household Formation Rates .....	15
Breakdown by 5 Year Bands .....	17
Planning Status of Households .....	17
Bricks and Mortar Interviews.....	18
Pitch Needs – Gypsies and Travellers that meet the Planning Definition .....	18
Pitch Needs – Unknown Gypsies and Travellers.....	19
Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition.....	19
Waiting List .....	20
Plot Needs – Travelling Showpeople that meet the Planning Definition .....	20
Plot Needs – Unknown Travelling Showpeople .....	21
Plot Needs - Travelling Showpeople that do not meet the Planning Definition.....	22
Transit Recommendations .....	22
<b>6. Conclusions .....</b>	<b>24</b>
Gypsies and Travellers .....	24
Travelling Showpeople.....	24
Transit Provision .....	24
Summary of Need to be Addressed .....	24
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition .....</b>	<b>26</b>

# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) update is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Braintree District for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Para 1.8 for the full definition).
- 1.3 The study provides a robust evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act (2016). It also provides the evidence base which can be used to support Local Plan policies and development management.
- 1.4 The Braintree GTAA is part of a wider study that covers the whole of Essex, together with Southend-on-Sea and Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of accommodation need for Gypsies, Travellers and Travelling Showpeople in Braintree District for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS (2015)

- 1.8 For the purposes of the planning system the definition of a Gypsy, Traveller and Travelling Showperson was changed in PPTS (2015). The planning definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- 1.9 The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- 1.10 One of the most important questions that GTAAs will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.
- 1.11 **R v South Hams District Council (1994)** – defined Gypsies as “persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.

- 1.12 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.
- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition households will also have to demonstrate that they plan to travel again for work in the future.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267) that was published in December 2016. A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work' also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose. In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- <sup>2.1</sup> As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAA's for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- <sup>2.2</sup> The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAA's. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- <sup>2.3</sup> PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- <sup>2.4</sup> In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes



<sup>2.5</sup> The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

## 3. Planning Definition

<sup>3.1</sup> The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS has collected information necessary to assess each household against the planning definition. Since PPTS (2015) was issued only a small number of relevant planning appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

<sup>3.2</sup> The household interview included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:

- » Whether any household members have travelled in the past 12 months.
- » Whether household members have ever travelled.
- » The main reasons for travelling.
- » Where household members travel to.
- » The times of the year that household members travel.
- » Where household members stay when they are away travelling.
- » When household members stopped travelling.
- » The reasons why household members stopped travelling.
- » Whether household members intend to travel again in the future.
- » When and the reasons why household members plan to travel again in the future.

<sup>3.3</sup> When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that **household members travel for work purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future.** The same definition applies to Travelling Showpeople as to Gypsies and Travellers.

<sup>3.4</sup> Households that need to be considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

<sup>3.5</sup> Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

### Unknown Households

<sup>3.6</sup> As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be a maximum additional need figure over and above the need identified for households that do meet the planning definition.

<sup>3.7</sup> The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

<sup>3.8</sup> ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.

<sup>3.9</sup> However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

<sup>3.10</sup> The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan

---

<sup>2</sup> See Paragraph 5.8.

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.

policies the Council could consider the use of a criteria-based policy (as suggested in PPTS (2015) Paragraph 11) for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

- <sup>3.11</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, Essex. In his Report that was published on 29th June 2017 he concluded:

**150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, MM242h is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.**

### Households that do not meet the Planning Definition

- <sup>3.12</sup> Households who do not travel or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Braintree.
- 4.2 Through the desk-based research ORS identified 2 public sites (26 pitches), 8 private sites (33 pitches), and no temporary, tolerated or unauthorised sites. There are also 2 Travelling Showpeople yards with planning permission for 6 plots. There are no transit sites.
- 4.3 Interviews were completed between January and September 2016. Up to 3 attempts were made to interview each household where they were not present when interviewers visited.
- 4.4 The table below sets out the sites/yards that were identified and visited, the number of pitches/plots, the number of interviews that were completed, and the reasons why interviews were not completed.

**Figure 1 – Gypsy and Traveller sites and Travelling Showpeople yards visited in Braintree**

Site/Yard Status	Pitches/Plots	Interviews	Reasons for not completing interviews
<b>Public Sites</b>			
Ridgewell, Braintree	12	9	1 x vacant, 2 x no contact possible
Sandiacres, Cressing	14	9	2 x vacant, 3 x no contact possible
<b>Private Sites</b>			
Half Acres, Cressing	4	0	4 x no contact possible
Station Road, Felstead	2	2	-
Ferriers Farm Road, Bures	1	0	1 x no contact possible
Paddock Farm, Hatfield Peveral	1	0	1 x no contact possible
Custom Hall, Toppersfield	1	1	-
Compasses Lane, Pattiswick	2	2	-
Layby, Blake End	1	0	1 x no contact possible
Twin Oaks, Stisted	21	13	3 x vacant, 2 x not implemented, 5 x no contact possible
<b>Travelling Showpeople</b>			
Blackwater Lane, Witham	2	5	-
Fair Rest, Rivenhall End	4	0	1 x refusal, 3 x no contact possible
<b>TOTAL</b>	<b>65</b>	<b>41</b>	

## Efforts to contact bricks and mortar households

- <sup>4.5</sup> ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.
- <sup>4.6</sup> At the time of concluding this report no contacts had been identified to interview (although a number of letters were sent by Registered Providers inviting known Gypsy and Traveller to contact ORS if they had any current or future accommodation needs).

## 5. Current and Future Pitch Provision

- <sup>5.1</sup> This section focuses on the additional pitch provision which is needed in Braintree currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- <sup>5.2</sup> We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.

### New Household Formation Rates

- <sup>5.3</sup> Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (2015)*. The main conclusions are set out here and the full paper is in the Joint Methodology Report.
- <sup>5.4</sup> Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in the Traveller Caravan Count. However this data is very unreliable and erratic – so the only proper way to project future population and household growth is through demographic analysis.
- <sup>5.5</sup> The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- <sup>5.6</sup> The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The most recent was in relation to an appeal in Doncaster (Ref: APP/F4410/W/15/3133490) where the

agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.7 In addition the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.8 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys, and the baseline includes all current authorised households, all households identified as in current need (including concealed households, movement from bricks and mortar and those on waiting lists not currently living on a pitch or plot), as well as households living on tolerated unauthorised pitches or plots who are not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates.
- 5.9 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence from the household interviews has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 in each local authority (by planning status).
- 5.10 In certain circumstances where the numbers of households and children are low it is not appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children. This will be based on the assumption that 50% of likely households to form will stay in the area. This is based on evidence from other GTAAs that ORS have completed across England and Wales.
- 5.11 Research by ORS has also identified a national growth rate of 1.00% for Travelling Showpeople and this has also been adjusted locally based on site demographics.



5.12 The outcomes in Braintree are that new household formation for Gypsies and Travellers who meet the planning definition has used the site demographics as there were only 4 children identified; a rate of 2.00% has been used for Gypsy and Traveller households that do not meet the planning definition based on 48% of the population being aged under 18; the national rate of 1.50% has been used for unknown households; site demographics have been used for Travelling Showpeople who meet and do not meet the planning definition due to low numbers of children; and the national rate of 1.00% has been used for unknown Travelling Showpeople.

### Breakdown by 5 Year Bands

5.13 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the need has also been broken down by 5 year bands as required by PPTS (2015). The way that this is calculated is by including all current need (from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, 5 year need from teenage children, and net movement from bricks and mortar) in the first 5 years. Total net new household formation is split across the 5 year bands based on the compound rate of growth that was applied – as opposed to being spread evenly.

### Planning Status of Households

5.15 Information that was sought from households where an interview was completed allowed each household to be assessed against the planning definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future.

5.16 Figure 2 shows that for Gypsies and Travellers 4 households meet the planning definition, and for Travelling Showpeople 4 households meet the planning definition in that it was able to be determined that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 32 Gypsy and Traveller households and 1 Travelling Showperson household did not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons, or to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.

5.17 The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

Figure 2 – Planning status of households in Braintree

Site/Yard Status	Meet Planning Definition	Unknown	Do Not Meet Planning Definition	TOTAL
Public Sites	1	6	19	26
Private Sites	3	12	13	28
Travelling Showpeople	4	4	1	9
<b>TOTAL</b>	<b>8</b>	<b>22</b>	<b>33</b>	<b>63</b>

## Bricks and Mortar Interviews

- 5.18 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Braintree as none were identified through the fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

## Pitch Needs – Gypsies and Travellers that meet the Planning Definition

- 5.19 The 4 households who meet the planning definition were found on 1 public site and 1 private site. Analysis of the household interviews identify that there is need for 1 additional pitch for a concealed or doubled-up household or single adult, and a need for 2 additional pitches through new household formation. There is also supply from 1 vacant pitch on a public site. There is no other current or future need arising from residents on either site.
- 5.20 Therefore the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **2 additional pitches** over the GTAA period to 2033.

**Figure 3 – Additional need for Gypsy and Traveller households in Braintree that meet the Planning Definition (2016-2033)**

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	1
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>1</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	1
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>1</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	2
<i>(Formation from household demographics)</i>	
<b>Total Future Needs</b>	<b>2</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>2</b>

**Figure 4 – Additional need for Gypsy and Traveller households in Braintree that meet the Planning Definition by 5 year periods**

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	1	1	0	2

### Pitch Needs – Unknown Gypsies and Travellers

- 5.21 Whilst it was not possible to determine the planning status of a total of 18 households as they were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be Gypsies and Travellers and **may** meet the planning definition.
- 5.22 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.23 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.
- 5.24 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means.
- 5.25 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 5 pitches from new household formation (this uses a base of the 18 households and a net growth rate of 1.50%<sup>5</sup>). There is also 1 pitch that will become vacant on one of the public sites in the first 5 years of the GTAA. Therefore additional need *could* increase by up to a further 4 pitches, plus any concealed adult households or 5 year need arising from older teenagers living in these households (if all 18 unknown pitches are deemed to meet the planning definition). However, as an illustration, if the ORS national average of 10% were to be applied this could be as few as no additional pitches.
- 5.26 Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.27 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies.

<sup>5</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

- 5.28 On this basis, it is evident that whilst the needs of the 33 households who do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as many identified as Romany Gypsies or Irish Travellers and may claim that the Council should meet their housing needs through culturally appropriate housing.
- 5.29 Total need for 20 additional pitches has been identified from households that do not meet the planning definition. This is made up of 3 concealed/doubled-up households or single adults, 3 teenagers in need of a pitch of their own in the next 5 years, and 15 from new household formation. This uses a rate of 2.00% based on the demographics of the households. This is offset by supply of 1 vacant pitch on a public site.
- 5.30 A summary of this need for households that do not meet the planning definition can also be found in **Appendix A**.

### Waiting List

- 5.31 There are 2 public sites in Braintree. At the time of reporting information was still being processed by Essex County Council regarding the households on the waiting lists for these sites. This will help to identify how many households are currently living on one of the sites; how many are living in bricks and mortar in Braintree; how many are living on other sites in Braintree; how many are living on sites outside of Braintree; and how many are living in bricks and mortar outside of Braintree.
- 5.32 Should these households wish to be considered for a tenancy on one of the public sites they may have to provide information on their travelling patterns during the site allocation process.

### Plot Needs – Travelling Showpeople that meet the Planning Definition

- 5.33 There were 2 Travelling Showpeople yards identified in Braintree and interviews were completed with 5 extended family groups living on one of the yards. Of these households 4 meet the planning definition and 1 does not. It was not possible to complete any interviews on the other yard as one household refused to be interviewed and 3 were not present during the fieldwork period.
- 5.34 Analysis of the household interviews for those who meet the planning definition identify that there is need for 1 additional plot for an teenage child in need of a plot of their own in the next 5 years, and a need for 4 additional plots through new household formation.
- 5.35 Therefore the overall level of additional need for those households who meet the planning definition of a Travelling Showperson is for **5 additional plots** over the GTAA period to 2033.

Figure 5 – Additional need for Travelling Showpeople households in Braintree that meet the Planning Definition (2016-2033)

Travelling Showpeople - Meeting Planning Definition	Plots
<b>Supply of Plots</b>	
Additional supply from vacant public and private plots	0
Additional supply from plots on new yards	0
Plots to be vacated by households moving to bricks and mortar	0
Plots to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public yards	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	1
Households on yards with temporary planning permission	0
In-migration	0
New household formation	4
<i>(Formation from household demographics)</i>	
<b>Total Future Needs</b>	<b>5</b>
<b>Net Plot Total = (Current and Future Need – Total Supply)</b>	<b>5</b>

Figure 6 – Additional need for Travelling Showpeople households in Braintree that meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	1	2	2	0	5

### Plot Needs – Unknown Travelling Showpeople

<sup>5.36</sup> Whilst it was not possible to determine the planning status of a total of 4 households as they either refused to be interviewed or were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be Travelling Showpeople and **may** meet the planning definition.

<sup>5.37</sup> ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.

- 5.38 However data that has been collected from over 300 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 70% of Travelling Showperson households that have been interviewed meet the planning definition.
- 5.39 This would suggest that it is likely that only a proportion of the potential need identified from these households will need new Travelling Showperson plots, and that the needs of the rest will need to be addressed through other means.
- 5.40 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 1 plot from new household formation (this uses a base of the 4 households and a net growth rate of 1.00%<sup>6</sup>). Therefore additional need *could* increase by up to 1 plot, plus any concealed adult households or 5 year need arising from older teenagers living in these households (if all 4 unknown plots are deemed to meet the planning definition).
- 5.41 Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Plot Needs - Travelling Showpeople that do not meet the Planning Definition

- 5.42 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies. On this basis, it is evident that there is no current or future need arising from the 1 household that does not meet the planning definition.
- 5.43 A summary of this need can be found in **Appendix A**.

### Transit Recommendations

- 5.44 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.
- 5.45 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.46 Discussions held with Officers from ECTU have confirmed that analysis of 'Direction to Leave Notices' may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a

---

<sup>6</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.00% for Travelling Showpeople which has been applied in the absence of further demographic information about these households.

higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.

- 5.47 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.
- 5.48 In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- 5.49 Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides an robust evidence base to enable the Council to assess the housing needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.

### Gypsies and Travellers

- 6.2 In summary there is a need for **2 additional pitches** in Braintree over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for up to 4 additional pitches for Gypsy and Traveller households that may meet the planning definition; and a need for 20 additional pitches for Gypsy and Traveller households who do not meet the planning definition.

### Travelling Showpeople

- 6.3 In summary there is a need for **5 additional plots** in Braintree over the GTAA period to 2033 for Travelling Showpeople households that meet the planning definition; a need for up to 1 additional plot for Travelling Showpeople households that may meet the planning definition; and a need for no additional plots for Travelling Showpeople households who do not meet the planning definition.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Braintree District Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

### Summary of Need to be Addressed

- 6.5 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches and plots that will need to be



addressed either as a result of the GTAA, or through the SHMA or HEDNA and through separate Local Plan policies.

- <sup>6.6</sup> Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 26 additional pitches. The table below breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition. A similar calculation has been made for Travelling Showpeople using the ORS national figure of 70% of households that meet the Planning Definition.

**Figure 7 – Breakdown of need to be addressed for Gypsies and Travellers in Braintree (2016-2033)**

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 10% of unknowns)	2 (2+0)	0	2
Not meeting Planning Definition (incl. 90% of unknowns)	0	24 (20+4)	24
<b>TOTAL</b>	<b>2</b>	<b>24</b>	<b>26</b>

**Figure 8 – Breakdown of need to be addressed for Travelling Showpeople in Braintree (2016-2033)**

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 70% of unknowns)	6 (5+1)	0	6
Not meeting Planning Definition (incl. 30% of unknowns)	0	0 (0+0)	0
<b>TOTAL</b>	<b>6</b>	<b>0</b>	<b>6</b>

## Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 9 - Additional need for unknown Gypsy and Traveller households in Braintree (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	1
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>1</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	5
<i>(Household base 18 and formation rate of 1.50%)</i>	
<b>Total Future Needs</b>	<b>5</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>4</b>

Figure 10 - Additional need for unknown Gypsy and Traveller households in Braintree by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	2	2	0	<b>4</b>

Figure 11 - Additional need for unknown Travelling Showpeople households in Braintree (2016-2033)

Travelling Showpeople - Meeting Planning Definition	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private plots	0
Additional supply from plots on new yards	0
Plots to be vacated by households moving to bricks and mortar	0
Plots to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public yards	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on yards with temporary planning permission	0
In-migration	0
New household formation	1
<i>(Household base 4 and formation rate 1.00%)</i>	
<b>Total Future Needs</b>	<b>1</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>1</b>

Figure 12 - Additional need for unknown Travelling Showpeople households in Braintree by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	0	1	0	<b>1</b>

Figure 13 - Additional need Gypsy and Traveller households in Braintree that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting New Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	1
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>1</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	3
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>3</b>
<b>Future Need</b>	
5 year need from teenage children	3
Households on sites with temporary planning permission	0
In-migration	0
New household formation (years 6-20)	15
<i>(Household base 38 and formation rate 2.00%)</i>	
<b>Total Future Needs</b>	<b>18</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>20</b>

Figure 14 - Additional need for Gypsy and Traveller households in Braintree that do not meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	9	4	5	2	<b>20</b>

Figure 15 - Additional need for Travelling Showpeople households in Braintree that do not meet the Planning Definition (2016-2033)

<b>Travelling Showpeople – Not Meeting Planning Definition</b>	<b>Pitches</b>
<b>Supply of Plots</b>	
Additional supply from vacant public and private plots	0
Additional supply from plots on new yards	0
Plots to be vacated by households moving to bricks and mortar	0
Plots to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public yards	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on yards with temporary planning permission	0
In-migration	0
New household formation	0
<i>(No current or future need from 1 household)</i>	
<b>Total Future Needs</b>	<b>0</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>0</b>

Figure 16 - Additional need for Travelling Showpeople households in Braintree that do not meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	0	0	0	<b>0</b>



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



**Brentwood Borough Council  
Gypsy, Traveller and Travelling  
Showpeople  
Accommodation Assessment**

Need Summary Report

October 2017



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright October 2017

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2017)

# Contents

<b>1. Introduction</b>	<b>4</b>
The Planning Definition in PPTS (2015)	5
Definition of Travelling	5
<b>2. Methodology</b>	<b>8</b>
<b>3. Planning Definition</b>	<b>10</b>
Applying the Planning Definition	10
Unknown Households	11
Households that do not meet the Planning Definition	12
<b>4. Survey of Travellers</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople	13
Efforts to contact bricks and mortar	14
<b>5. Current and Future Pitch Provision</b>	<b>15</b>
New Household Formation Rates	15
Breakdown by 5 Year Bands	17
Planning Status of Households	17
Bricks and Mortar Interviews	17
Pitch Needs – Gypsies and Travellers that meet the Planning Definition	18
Pitch Needs – Unknown Gypsies and Travellers	19
Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition	19
Waiting Lists	20
Plot Needs – Travelling Showpeople	20
Transit Recommendations	20
<b>6. Conclusions</b>	<b>22</b>
Gypsies and Travellers	22
Travelling Showpeople	22
Transit Provision	22
Summary of Need to be Addressed	22
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition</b>	<b>24</b>



# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) Need Summary is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Brentwood Borough for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Paragraph 1.8 for the full definition).
- 1.3 The study will provide an evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, PPTS (2015), and the Housing and Planning Act 2016. It also provides an evidence base which can be used to support Local Plan policies.
- 1.4 The Brentwood Borough GTAA is part of a wider study that covers the whole of Essex, together with the unitary authorities of Southend-on-Sea and Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of accommodation need for Gypsies, Travellers and Travelling Showpeople in Brentwood Borough for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS (2015)

- <sup>1.8</sup> For the purposes of the planning system the definition of a Gypsy, Traveller and Travelling Showperson was changed in PPTS (2015). The planning definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- <sup>1.9</sup> The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- <sup>1.10</sup> One of the most important questions that GTAA’s will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.

- <sup>1.11</sup> **R v South Hams District Council (1994)** – defined Gypsies as “*persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)*” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.

- <sup>1.12</sup> In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two

months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.

- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence.** It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. that the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition households will also have to demonstrate that they plan to travel again for work in the future.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267) that was published in December 2016. A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work' also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose.*

*In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- 2.1 As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAAs for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- 2.2 The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- 2.3 PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- 2.4 In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes

- 2.5 The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

## 3. Planning Definition

- 3.1 The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS collected information necessary to assess each household against the planning definition. As PPTS (2015) has only recently been issued only a small number of relevant appeal decisions have been issued by the Planning Inspectorate on how the new planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

- 3.2 The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:
- » Whether any household members have travelled in the past 12 months.
  - » Whether household members have ever travelled.
  - » The main reasons for travelling.
  - » Where household members travelled to.
  - » The times of the year that household members travelled.
  - » Where household members stay when they are away travelling.
  - » When household members stopped travelling.
  - » The reasons why household members stopped travelling.
  - » Whether household members intend to travel again in the future.
  - » When and the reasons why household members plan to travel again in the future.
- 3.3 When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that household members **travel for works purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future.** The same definition applies to Travelling Showpeople as to Gypsies and Travellers.
- 3.4 Households that need to be formally considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

3.5 Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

### Unknown Households

3.6 As well as calculating need for households that meet the planning definition, the needs of any households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be an additional need figure over and above the need identified for households that do meet the planning definition.

3.7 The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

3.8 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed. However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

3.9 The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan policies the Council could consider the use of a criteria-based policy as suggested in PPTS (2015)

---

<sup>2</sup> See Paragraph 5.8

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.



Paragraph 11, for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

<sup>3.10</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, Essex. In his Report that was published on 29th June 2017 he concluded:

150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, **MM242h** is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.

## Households that do not meet the Planning Definition

<sup>3.11</sup> Households who do not travel for work or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Brentwood.
- 4.2 Through the desk-based research ORS identified no public sites; 14 private sites (30 pitches); 1 temporary site (2 pitches); 2 tolerated sites (7 pitches); 3 unauthorised sites (16 pitches); or transit sites; and no Travelling Showpeople yards.
- 4.3 Interviews were completed between January and September 2016, with some follow-up interviews also completed in May 2017. Up to 3 attempts were made to interview each household where they were not present when interviewers visited. The table below sets out the sites/yards that were identified and visited, the number of pitches/plots, the number of interviews that were completed, and the reasons why interviews were not completed.
- 4.4 A total of 41 interviews were completed. When the pitch baseline is adjusted to take account of vacant pitches this represents an overall response rate of 76%.

**Figure 1 – Gypsy, Traveller and Travelling Showpeople sites and yards visited in Brentwood**

Site/Yard Status	Pitches/Plots	Interviews	Reasons for not completing interviews
<b>Private Sites</b>			
Clementines Farm	1	0	1 x no contact possible
Cottage Garden, Pilgrims Hatch	1	1	-
Deep Dell Park (Willow Farm), Ingatestone	6	5	1 x no contact possible
Lilliputs, Blackmore	2	3	-
Meadow View, Blackmore	2	2	-
Pond End, Kelvedon Hatch	1	0	1 x vacant
Ponderosa, Kelvedon Hatch	1	0	1 x no contact possible
Poplar Farm, Ingatestone	2	0	2 x no contact possible
Roman Triangle, Mountnessing	5	5	-
Rye Etch, Navestock	3	3	-
The Willows', Kelvedon Hatch	1	0	1 x no contact possible
Tree Tops, Navestock	3	1	2 x no contact possible
Warren Lane, Doddinghurst	1	0	1 x no contact possible
Wenlock Meadow	1	1	-
<b>Temporary Sites</b>			
The Willows', Kelvedon Hatch	2	2	-

<b>Tolerated Sites</b>			
Hope Farm, Navestock	3	0	2 x refusals, 1 x no contact possible
Orchard View, Navestock	4	3	1 x no contact possible
<b>Unauthorised Sites</b>			
Greenacres, Blackmore	9	8	3 x no contact possible
Hunters Green, Navestock	1	1	-
Lizvale Farm, Navestock	6	6	-
<b>TOTAL</b>	<b>55</b>	<b>41</b>	

### Efforts to contact bricks and mortar

- 4.5 ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group).
- 4.6 At the time of concluding this report no contacts had been identified to interview.

## 5. Current and Future Pitch Provision

- 5.1 This section focuses on the additional pitch provision that is needed in Brentwood Borough currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- 5.2 We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- 5.3 This section includes an assessment of the total additional provision which is required in the area and the need for any transit sites and/or emergency stopping place provision.

### New Household Formation Rates

- 5.4 Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (August 2015)*. The main conclusions are set out below and the full document can be found in the Joint Methodology Report.
- 5.5 Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only robust way to project future population and household growth is through demographic analysis.
- 5.6 The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- 5.7 The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The most recent was in

relation to an appeal in Doncaster that was issued in November 2016 (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.8 In addition, the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.9 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys. The 'baseline' includes all current authorised households, all households identified as in current need, as well as households living on tolerated unauthorised pitches or plots who are not included as components of current need. The assessments of future need also takes account of modelling projections based on birth and death rates, fertility rates, household dissolution, and in-/out-migration.
- 5.10 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence from the household interviews has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 by planning status. This often leads to different formation rates being applied to households that do and do not meet the planning definition – for example many households that do not meet the planning definition are retired and do not have children and the result of this is to reduce the rate of new household formation.
- 5.11 In certain circumstances where the numbers of households and children are low it may not be appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children.
- 5.12 In Brentwood Borough for Gypsies and Travellers who meet the planning definition formation a rate of 1.40% has been used based on the demographics of the households (34% aged under 18); for unknown Travellers the ORS national rate of 1.50% has been used; and for those who do not meet the planning

definition a rate of 1.85% has been used based on the demographics of the households (44% aged under 18).

### Breakdown by 5 Year Bands

- 5.13 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the overall need has also been broken down by 5 year bands as required by PPTS (2015). The way that this is calculated is by including all current need (for example from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, teenage children in need of a pitch of their own in the next 5 years, and net movement from bricks and mortar) in the first 5 years. In addition the total net new household formation is split across the 5 year bands based on the rate of growth that was applied – as opposed to being spread evenly.

### Planning Status of Households

- 5.14 The outcomes from the questions in the household survey on travelling were used to determine the status of each household against the planning definition in PPTS (2015). This included information on whether household members have ever travelled; why they have stopped travelling; the reasons that they travel; and whether and for what reason they plan to travel again in the future.
- 5.15 Figure 2 shows that for Gypsies and Travellers 9 households meet the planning definition of a Traveller in that it was able to be determined that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 32 Gypsy and Traveller households did not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons, or to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.
- 5.16 The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

Figure 2 – Planning status of households in Brentwood

Site Status	Meet Planning Definition	Unknown	Do Not Meet Planning Definition	TOTAL
Private Sites	7	9	14	30
Temporary Sites	0	0	2	2
Tolerated Sites	0	4	3	7
Unauthorised Sites	2	3	13	18
<b>TOTAL</b>	<b>9</b>	<b>16</b>	<b>32</b>	<b>57</b>

### Bricks and Mortar Interviews

- 5.17 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Brentwood as none were identified through the

fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households in bricks and mortar are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

### Pitch Needs – Gypsies and Travellers that meet the Planning Definition

- 5.18 The households who meet the planning definition were found on 5 private sites and 2 unauthorised sites. Analysis of the household interviews identify that there is need for 2 additional pitches that are currently unauthorised, 3 additional pitches for concealed or doubled-up households or single adults, 2 additional pitches for teenage children in need of a pitch of their own in the next 5 years, and 4 additional pitches through new household formation using a rate of 1.40% based on the demographics of those who were interviewed. There is no supply from vacant pitches.
- 5.19 Therefore the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **11 additional pitches** over the GTAA period to 2033.

**Figure 3 – Additional need for Gypsy and Traveller households in Brentwood that meet the Planning Definition (2017-2033)**

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	2
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	3
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>5</b>
<b>Future Need</b>	
5 year need from teenage children	2
Households on sites with temporary planning permission	0
In-migration	0
New household formation	4
<i>(Household base 14 and formation rate 1.40%)</i>	
<b>Total Future Needs</b>	<b>6</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>11</b>

Figure 4 – Additional need for Gypsy and Traveller households in Brentwood that meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	8	1	1	1	11

### Pitch Needs – Unknown Gypsies and Travellers

- 5.20 Whilst it was not possible to determine the planning status of a total of 16 households as they were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be Gypsies and Travellers and *may* meet the planning definition.
- 5.21 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.22 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.
- 5.23 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means.
- 5.24 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 5 pitches from new household formation (this uses a base of the 16 households and a net growth rate of 1.50%<sup>5</sup>), and by 3 pitches that are currently unauthorised. Therefore additional need *could* increase by up to a further 8 pitches, plus any concealed adult households or 5 year need arising from older teenagers living in these households (if all 16 unknown pitches are deemed to meet the planning definition). However, as an illustration, if the ORS national average of 10% were to be applied this could be as few as 1 additional pitch.
- 5.25 Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.26 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies.

<sup>5</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.



- 5.27 On this basis, it is evident that whilst the needs of the 32 households that do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as some identified as Romany Gypsies.
- 5.28 The 32 households that do not meet the planning definition live on 6 private sites, 1 temporary site, 1 tolerated site and 2 unauthorised sites. Analysis of the site interviews has identified a need of 13 from unauthorised pitches, 2 from pitches with temporary planning permission, 11 from concealed or doubled-up households or single adults, 13 from older teenage children in need of a pitch of their own in the next 5 years and 20 from new household formation using a rate of 1.85% based on the demographics from the households that were interviewed. Therefore the total additional need is for 59 pitches over the GTAA period to 2033.
- 5.29 A summary of this need can be found in **Appendix A**.

### Waiting Lists

- 5.30 There are no public sites in Brentwood Borough so there are no households on waiting lists that need to be considered as potential current or future need.

### Plot Needs – Travelling Showpeople

- 5.31 There were no Travelling Showpeople identified in Brentwood so there are no current or future accommodation needs.

### Transit Recommendations

- 5.32 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.
- 5.33 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.34 Discussions held with Officers from ECTU have confirmed that analysis of 'Direction to Leave Notices' may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.
- 5.35 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped

that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.

- <sup>5.36</sup> In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- <sup>5.37</sup> Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides an robust evidence base to enable the Council to assess the housing needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.

### Gypsies and Travellers

- 6.2 In summary there is a need for **11 additional pitches** in Brentwood over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for up to 8 additional pitches for Gypsy and Traveller households that may meet the planning definition; and a need for 59 additional pitches for Gypsy and Traveller households that do not meet the planning definition.

### Travelling Showpeople

- 6.3 There were no Travelling Showpeople identified in Brentwood so there is no current or future need for additional plots.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Brentwood Borough Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

### Summary of Need to be Addressed

- 6.5 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches that will need to be addressed either as a result of the GTAA, or through the SHMA or HEDNA and through separate Local Plan policies.
- 6.6 Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 78 additional pitches. The table below breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national

average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition.

**Figure 5 – Additional need for Gypsy and Traveller households broken down by potential delivery method**

Site Status	Gypsy and Traveller Local Plan Policy	SHMA Housing Policy	TOTAL
Meet Planning Definition (+ 10% Unknown)	12 (11+1)	0	<b>12</b>
Not meeting Planning Definition (+ 90% Unknown)	0	66 (59+7)	<b>66</b>
<b>TOTAL</b>	<b>12</b>	<b>66</b>	<b>78</b>

## Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 6 - Additional need for unknown Gypsy and Traveller households in Brentwood (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	3
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>3</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	5
<i>(Household base 16 and formation rate of 1.50%)</i>	
<b>Total Future Needs</b>	<b>5</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>8</b>

Figure 7 - Additional need for unknown Gypsy and Traveller households in Brentwood by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	4	1	2	1	8

Figure 8 - Additional need Gypsy and Traveller households in Brentwood that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting New Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	13
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	11
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>24</b>
<b>Future Need</b>	
5 year need from teenage children	13
Households on sites with temporary planning permission	2
In-migration	0
New household formation	20
<i>(Household base 56 and formation rate 1.85%)</i>	
<b>Total Future Needs</b>	<b>35</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>59</b>

Figure 9 - Additional need for Gypsy and Traveller households in Brentwood that do not meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	44	6	6	3	59



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



**Castle Point Borough Council  
Gypsy, Traveller and Travelling  
Showpeople  
Accommodation Assessment**

Need Summary Report

September 2017



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright September 2017

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2017)



# Contents

<b>1. Introduction .....</b>	<b>4</b>
The Planning Definition in PPTS (2015).....	5
Definition of Travelling.....	5
<b>2. Methodology.....</b>	<b>8</b>
<b>3. Planning Definition .....</b>	<b>10</b>
Applying the Planning Definition .....	10
Unknown Households .....	11
Households that do not meet the Planning Definition .....	12
<b>4. Survey of Travellers .....</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople .....	13
Efforts to contact bricks and mortar households .....	13
<b>5. Current and Future Pitch Provision.....</b>	<b>14</b>
New Household Formation Rates .....	14
Breakdown by 5 Year Bands .....	16
Planning Status of Households .....	16
Bricks and Mortar Interviews.....	16
Pitch Needs – Gypsies and Travellers that meet the Planning Definition .....	17
Pitch Needs – Unknown Gypsies and Travellers.....	17
Waiting Lists.....	19
Plot Needs – Travelling Showpeople .....	19
Transit Recommendations .....	19
<b>6. Conclusions .....</b>	<b>20</b>
Gypsies and Travellers .....	20
Travelling Showpeople.....	20
Transit Provision .....	20
Summary of Need to be Addressed .....	20
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition .....</b>	<b>22</b>

# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Castle Point Borough for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Paragraph 1.8 for the full definition).
- 1.3 The study provides an evidence base to enable the Council to assess and meet the needs of the Travelling Community, as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act (1985), the National Planning Policy Framework (2012), Planning Practice Guidance (2014), PPTS (2015), and the Housing and Planning Act (2016). It also provides an evidence base which can be used to support Local Plan policies and development management.
- 1.4 The Castle Point GTAA is part of a wider study that covers the whole of Essex, together with Southend-on-Sea and Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of accommodation need for Gypsies, Travellers and Travelling Showpeople in Castle Point Borough for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS (2015)

- 1.8 For the purposes of the planning system, the definition of Gypsies, Travellers and Travelling Showpeople was changed in PPTS (2015). The definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- 1.9 The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- 1.10 One of the most important questions that GTAAs will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.
- 1.11 **R v South Hams District Council (1994)** – defined Gypsies as “*persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)*” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.
- 1.12 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the

New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.

- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition households will also have to demonstrate that they plan to travel again for work in the future.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267) that was published in December 2016. A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work'*

*also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose. In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- <sup>2.1</sup> As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAA's for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- <sup>2.2</sup> The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAA's. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- <sup>2.3</sup> PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- <sup>2.4</sup> In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes

<sup>2.5</sup> The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

## 3. Planning Definition

- <sup>3.1</sup> The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS has collected information necessary to assess each household against the planning definition. Since PPTS (2015) was issued only a small number of relevant planning appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

- <sup>3.2</sup> The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:
- » Whether any household members have travelled in the past 12 months.
  - » Whether household members have ever travelled.
  - » The main reasons for travelling.
  - » Where household members travelled to.
  - » The times of the year that household members travelled.
  - » Where household members stay when they are away travelling.
  - » When household members stopped travelling.
  - » The reasons why household members stopped travelling.
  - » Whether household members intend to travel again in the future.
  - » When and the reasons why household members plan to travel again in the future.
- <sup>3.3</sup> When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that **household members travel for work purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future.** The same definition applies to Travelling Showpeople as to Gypsies and Travellers.
- <sup>3.4</sup> Households that need to be considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:
- » Households that travel under the planning definition.



- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

3.5 Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

### Unknown Households

3.6 As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be a maximum additional need figure over and above the need identified for households that do meet the planning definition.

3.7 The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

3.8 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed. However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through through separate Local Plan policies.

3.9 The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan policies the Council could consider the use of a criteria-based policy (as suggested in PPTS (2015) Paragraph 11) for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

---

<sup>2</sup> See Paragraph 5.8.

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.

<sup>3.10</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, Essex. In his Report that was published on 29th June 2017 he concluded:

**150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, MM242h is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.**

### Households that do not meet the Planning Definition

<sup>3.11</sup> Households who do not travel or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Castle Point.
- 4.2 Through the desk-based research ORS identified no public sites; 2 private sites with 7 pitches; no sites with temporary planning permission; no sites that are tolerated for planning purposes; no unauthorised sites; no Travelling Showpeople yards; and no transit sites.
- 4.3 Interviews were completed between January and September 2016. Up to 3 attempts were made to interview each household where they were not present when interviewers visited.
- 4.4 The table below sets out the number of pitches, the number of interviews that were completed, and the reasons why interviews were not completed.

**Figure 1 – Gypsy and Traveller sites visited in Castle Point**

Site Status	Pitches/ Plots	Interviews	Reasons for not completing interviews
<b>Private Sites</b>			
Orchard Place, Thundersley	4	0	4 x no contact possible
Janda Field, Thundersley	3	2	1 x no contact possible
<b>TOTAL</b>	<b>7</b>	<b>2</b>	

### Efforts to contact bricks and mortar households

- 4.5 ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.
- 4.6 Despite all of the efforts that were made it was not possible to identify any Gypsies or Travellers living in bricks and mortar to interview. It should be noted that only 6 households were identified in Castle Point in the 2011 Census living in bricks and mortar who identified as Gypsies or Irish Travellers.

## 5. Current and Future Pitch Provision

- <sup>5.1</sup> This section focuses on the additional pitch provision which is needed in Castle Point currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- <sup>5.2</sup> We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- <sup>5.3</sup> This section includes an assessment of the total additional provision which is required in the area and the need for any transit sites and/or emergency stopping place provision.

### New Household Formation Rates

- <sup>5.4</sup> Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (August 2015)*. The main conclusions are set out below and the full document can be found in the Joint Methodology Report.
- <sup>5.5</sup> Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only robust way to project future population and household growth is through demographic analysis.
- <sup>5.6</sup> The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- <sup>5.7</sup> The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and

Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The most recent was in relation to an appeal in Doncaster that was issued in November 2016 (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.8 In addition, the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.9 ORS assessments take full account of the net local household growth rate per annum for each local authority, calculated on the basis of demographic evidence from the site surveys, and the 'baseline' includes all current authorised households, all households identified as in current need (including concealed households, movement from bricks and mortar and those on waiting lists not currently living on a pitch or plot), as well as households living on tolerated unauthorised pitches or plots who are not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates, and in-/out-migration.
- 5.10 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 in each local authority (by travelling status).
- 5.11 In certain circumstances where the numbers of households and children are low it may not be appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children.
- 5.12 In Castle Point for unknown Gypsies and Travellers the national rate of 1.50% has been used; and for those who do not meet the planning definition the demographics of the households have been used due to low numbers of residents. No households that were interviewed met the planning definition.

## Breakdown by 5 Year Bands

5.13 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the overall need has also been broken down by 5 year bands as required by PPTS (2015). The way that this is calculated is by including all current need (from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, 5 year need from teenage children and net movement from bricks and mortar) in the first 5 years. In addition the total net new household formation is split across the 5 year bands based on the rate of growth that was applied – as opposed to being spread evenly.

## Planning Status of Households

5.14 Information that was sought from households where an interview was completed allowed each household to be assessed against the planning definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future.

5.15 Figure 2 shows that for Gypsies and Travellers no households meet the planning definition of a Traveller as none were able to demonstrate that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 2 Gypsy and Traveller households did not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons or to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.

5.16 The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

5.17 There were no Travelling Showpeople identified in Castle Point.

**Figure 2 – Planning status of households in Castle Point**

Site Status	Meet Planning Definition	Unknown	Do Not Meet Planning Definition	TOTAL
Private Sites	0	5	2	7
<b>TOTAL</b>	<b>0</b>	<b>5</b>	<b>2</b>	<b>7</b>

## Bricks and Mortar Interviews

5.18 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Castle Point as none were identified through the fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

## Pitch Needs – Gypsies and Travellers that meet the Planning Definition

- 5.19 There were no Gypsy and Traveller households that were interviewed that meet the planning definition so there is no current or future need for additional pitches.
- 5.20 Therefore the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **no additional pitches** over the GTAA period to 2033.

**Figure 3 – Additional need for households in Castle Point that meet the Planning Definition (2016-33)**

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation <i>(No households interviewed meet the planning definition)</i>	0
<b>Total Future Needs</b>	<b>0</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>0</b>

**Figure 4 – Additional need for households in Castle Point that meet the Planning Definition by 5 year periods**

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	0	0	0	<b>0</b>

## Pitch Needs – Unknown Gypsies and Travellers

- 5.21 Whilst it was not possible to determine the travelling status of a total of 5 households as they either refused to be interviewed, or were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be ethnic Gypsies and Travellers and **may** meet the planning definition.

- 5.22 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.23 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.
- 5.24 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means.
- 5.25 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 1 from new household formation (this uses a base of the 5 household and a net growth rate of 1.50%<sup>5</sup>). Therefore additional need *could* increase by up to a further 1 pitch, plus any concealed adult households or 5 year need arising from older teenagers living in these households (if all unknown pitches are deemed to meet the planning definition). However, as an illustration, if the ORS national average of 10% were to be applied this could be as few as no additional pitches.
- 5.26 Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.27 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies.
- 5.28 On this basis, it is evident that whilst the needs of the 2 households who do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as many identified as Irish Gypsies and may claim that the Council should meet their housing needs through culturally appropriate housing.
- 5.29 Total need for 5 additional pitches has been identified from households that do not meet the planning definition. This is made up of 2 teenage children in need of a pitch of their own in the next 5 years and 3 through new household formation. This is based on the demographics of the households that were interviewed.
- 5.30 A summary of this need for households that do not meet the planning definition can be also be found in **Appendix A**.

---

<sup>5</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.



## Waiting Lists

- 5.31 There are no public sites in Castle Point so there is no waiting list.

## Plot Needs – Travelling Showpeople

- 5.32 There were no Travelling Showpeople yards identified in Castle Point so there is no current or future need for additional plots.

## Transit Recommendations

- 5.33 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.
- 5.34 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.35 Discussions held with Officers from ECTU have confirmed that analysis of ‘Direction to Leave Notices’ may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.
- 5.36 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.
- 5.37 In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- 5.38 Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides a robust evidence base to enable the Council to assess and meet the needs of the Travelling Community in Castle Point as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, PPTS (2015), and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies and development management.

### Gypsies and Travellers

- 6.2 In summary there is a need for **no additional pitches** in Castle Point over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition as none were identified; a need for up to 1 additional pitch for Gypsy and Traveller households that may meet the planning definition; and a need for 5 additional pitches for Gypsy and Traveller households who do not meet the planning definition.

### Travelling Showpeople

- 6.3 There were no Travelling Showpeople identified living in Castle Point so there is no current or future need for additional plots.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Castle Point Borough Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

### Summary of Need to be Addressed

- 6.5 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches and plots that will need to be addressed either as a result of the GTAA, or through the SHMA or HEDNA and through separate Local Plan policies.

<sup>6.6</sup> Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 6 additional pitches. The table below breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition.

**Figure 7 – Breakdown of need to be addressed for Gypsies and Travellers in Castle Point (2016-2033)**

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 10% of unknowns)	0 (0+0)	0	<b>0</b>
Not meeting Planning Definition (incl. 90% of unknowns)	0	6 (5+1)	<b>6</b>
<b>TOTAL</b>	<b>0</b>	<b>6</b>	<b>6</b>

## Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 8 - Additional need for unknown Gypsy and Traveller households in Castle Point (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation (Household base 5 and formation rate of 1.50%)	1
<b>Total Future Needs</b>	<b>1</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>1</b>

Figure 9 - Additional need for unknown Gypsy and Traveller households in Castle Point by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	0	1	0	1

Figure 10 - Additional need for Gypsy and Traveller households in Castle Point that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting Planning Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	2
Households on sites with temporary planning permission	0
In-migration	0
New household formation	3
<i>(Formation from household demographics)</i>	
<b>Total Future Needs</b>	<b>5</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>5</b>

Figure 11 - Additional need for Gypsy and Traveller households in Castle Point that do not meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	2	1	1	1	5



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



**Chelmsford City Council  
Gypsy, Traveller and Travelling  
Showpeople  
Accommodation Assessment**

Need Summary Report

June 2017



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright June 2017

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2017)

*Please note that minor typographical amendments have been made to Figure 1, Figure 4 and Figure 10. These do not change any of the need figures set out in the Need Summary.*

# Contents

<b>1. Introduction .....</b>	<b>4</b>
The Planning Definition in PPTS (2015).....	5
Definition of Travelling.....	5
<b>2. Methodology.....</b>	<b>8</b>
<b>3. Planning Definition .....</b>	<b>10</b>
Applying the Planning Definition .....	10
Unknown Households .....	11
Households that do not meet the Planning Definition .....	12
<b>4. Survey of Travellers .....</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople .....	13
Efforts to contact bricks and mortar households .....	14
<b>5. Current and Future Pitch Provision.....</b>	<b>15</b>
New Household Formation Rates .....	15
Breakdown by 5 Year Bands .....	17
Planning Status of Households .....	17
Bricks and Mortar Interviews.....	18
Pitch Needs – Gypsies and Travellers that meet the Planning Definition .....	18
Pitch Needs – Unknown Gypsies and Travellers.....	19
Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition.....	20
Waiting Lists.....	20
Plot Needs – Travelling Showpeople that meet the Planning Definition .....	21
Plot Needs – Unknown Travelling Showpeople .....	22
Plot Needs – Travelling Showpeople who do not meet the Planning Definition.....	22
Transit Recommendations .....	23
<b>6. Conclusions .....</b>	<b>24</b>
Gypsies and Travellers .....	24
Travelling Showpeople.....	24
Transit Provision .....	24
Summary of Need to be Addressed .....	24
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition .....</b>	<b>26</b>



# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) Need Summary is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Chelmsford City for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Paragraph 1.8 for the full definition).
- 1.3 The study will provide an evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, PPTS (2015), and the Housing and Planning Act 2016. It also provides an evidence base which can be used to support Local Plan policies.
- 1.4 The Chelmsford City Council GTAA is part of a wider study that covers the whole of Essex, together with the unitary authorities of Southend-on-Sea and Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of need for Gypsies, Travellers and Travelling Showpeople in Chelmsford City Council for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS (2015)

- 1.8 For the purposes of the planning system, the definition of Travellers was changed in PPTS (2015). The new definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- 1.9 The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- 1.10 One of the most important questions that GTAAs will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.
- 1.11 **R v South Hams District Council (1994)** – defined Gypsies as “*persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)*” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.
- 1.12 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the

New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.

- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition households will also have to demonstrate that they plan to travel again for work in the future.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267) that was published in December 2016. A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work'*

*also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose. In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- <sup>2.1</sup> As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAAs for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- <sup>2.2</sup> The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- <sup>2.3</sup> PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- <sup>2.4</sup> In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes

<sup>2.5</sup> The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

## 3. Planning Definition

<sup>3.1</sup> The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS collected information necessary to assess each household against the planning definition. As PPTS (2015) has only recently been issued only a small number of relevant appeal decisions have been issued by the Planning Inspectorate on how the new planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

<sup>3.2</sup> The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:

- » Whether any household members have travelled in the past 12 months.
- » Whether household members have ever travelled.
- » The main reasons for travelling.
- » Where household members travelled to.
- » The times of the year that household members travelled.
- » Where household members stay when they are away travelling.
- » When household members stopped travelling.
- » The reasons why household members stopped travelling.
- » Whether household members intend to travel again in the future.
- » When and the reasons why household members plan to travel again in the future.

<sup>3.3</sup> When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that household members **travel for works purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future**. The same definition applies to Travelling Showpeople as to Gypsies and Travellers.

<sup>3.4</sup> Households that need to be formally considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

<sup>3.5</sup> Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

## Unknown Households

<sup>3.6</sup> As well as calculating need for households that meet the planning definition, the needs of any households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be an additional need figure over and above the need identified for households that do meet the planning definition.

<sup>3.7</sup> The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

<sup>3.8</sup> ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed. However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

<sup>3.9</sup> The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan policies the Council could consider the use of a criteria-based policy as suggested in PPTS (2015)

---

<sup>2</sup> See Paragraph 5.8

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.



Paragraph 11, for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

- <sup>3.10</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, Essex. In his Report that was published on 29th June 2017 he concluded:

**150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, MM242h is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.**

### Households that do not meet the Planning Definition

- <sup>3.11</sup> Households who do not travel for work or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Chelmsford City Council.
- 4.2 Through the desk-based research ORS identified 2 public sites (22 pitches), 14 private sites (53 pitches), 1 site that is tolerated for planning purposes (1 pitch), 5 unauthorised sites (5 pitches), and 3 Travelling Showpeople yards (42 plots). There are no transit sites. Interviews were completed between January and November 2016. Up to 3 attempts were made to interview each household where they were not present when interviewers visited.
- 4.3 The table below sets out the number of pitches, the number of interviews that were completed, and the reasons why interviews were not completed.

**Figure 1 – Gypsy, Traveller and Travelling Showpeople sites and yards visited in Chelmsford City Council**

Site/Yard Status	Pitches/ Plots	Interviews	Reasons for not completing interviews
<b>Public Sites</b>			
Cranham Hall Caravan Site, Little Waltham	10	5	2 x refusals, 3 x no contact possible
Ladygrove Caravan Park, Writtle	12	10	2 x no contact possible
<b>Private Sites</b>			
Apple Blossom, Little Waltham	1	0	1 x no contact possible
Barracks Field, Boreham	3	0	3 x no contact possible
Blundells, Pleshey	1	0	1 x no contact possible
Copper Farm, Stock	1	0	1 x no contact possible
Greenfields, Edney Common	1	0	1 x no contact possible
Hillview, Runwell	1	1	-
Leedanton Farm, Downham	1	0	1 x no contact possible
Little Paddocks, Writtle	1	2	-
Meadow Lane, Runwell	37	21	5 x vacant, 2 x refusals, 14 x no contact possible
Oak Vale/Orchard View, Little Waltham	2	0	2 x no contact possible
Old Brook, Sandon	1	0	1 x no contact possible
Railside, Boreham	1	0	1 x no contact possible
Riverhaven, Galleywood	1	0	1 x non-Travellers
The Willows, Downham	1	1	-
<b>Tolerated Sites</b>			
Jobs Yard, Great Waltham	1	1	-

<b>Unauthorised Sites</b>			
Dowcett Farm, Ramsden Heath	1	0	1 x no contact possible
Land adjacent Hilltop, Runwell	1	0	1 x no contact possible
Littlefield, Writtle	1	0	1 x no contact possible
Plot B Paradise Lost, Runwell	1	0	1 x no contact possible
Plot C Paradise Lost, Runwell	1	0	1 x no contact possible
<b>Travelling Showpeople Yards</b>			
Fairhurst, Chelmsford	1	0	1 x no contact possible
Hassenbrookes, Writtle	40	14	26 x no contact possible
Rosebud, Chelmsford	1	0	1 x no contact possible
<b>TOTAL</b>	<b>123</b>	<b>55</b>	

### Efforts to contact bricks and mortar households

- 4.4 ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.
- 4.5 At the time of concluding this report no contacts had been identified to interview (although a number of letters were sent by Registered Providers inviting known Gypsy and Traveller to contact ORS if they had any current or future accommodation needs).

## 5. Current and Future Pitch Provision

- <sup>5.1</sup> This section focuses on the additional pitch provision that is needed in Chelmsford City Council currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- <sup>5.2</sup> We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- <sup>5.3</sup> This section includes an assessment of the total additional provision which is required in the area and the need for any transit sites and/or emergency stopping place provision.

### New Household Formation Rates

- <sup>5.4</sup> Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (August 2015)*. The main conclusions are set out below and the full document can be found in the Joint Methodology Report.
- <sup>5.5</sup> Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only robust way to project future population and household growth is through demographic analysis.
- <sup>5.6</sup> The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- <sup>5.7</sup> The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The

most recent was in relation to an appeal in Doncaster that was issued in November 2016 (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.8 In addition, the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.9 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys. The 'baseline' includes all current authorised households, all households identified as in current need, as well as households living on tolerated unauthorised pitches or plots who are not included as components of current need. The assessments of future need also takes account of modelling projections based on birth and death rates, fertility rates, household dissolution, and in-/out-migration.
- 5.10 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence from the household interviews has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 by planning status. This often leads to different formation rates being applied to households that do and do not meet the planning definition – for example many households that do not meet the planning definition are retired and do not have children and the result of this is to reduce the rate of new household formation.
- 5.11 In certain circumstances where the numbers of households and children are low it may not be appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children.
- 5.12 In Chelmsford City Council for Gypsies and Travellers who meet the planning definition formation a rate of 2.50% has been used based on the demographics of the households (60% aged under 18); for unknown Travellers the ORS national rate of 1.50% has been used; and for those who do not meet

the planning definition a rate of 1.50% has been used based on the demographics of the households (39% aged under 18). For Travelling Showpeople who meet the planning definition a rate of 2.00% has been used based on the demographics of the households (49% aged under 18); for unknown Showpeople the ORS national rate of 1.00% has been used; and for those who do not meet the planning definition a rate of 0.00% has been used as all residents are aged over 50.

### Breakdown by 5 Year Bands

- <sup>5.13</sup> In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the overall need has also been broken down by 5 year bands as required by PPTS (2015). The way that this is calculated is by including all current need (for example from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, teenage children in need of a pitch of their own in the next 5 years, and net movement from bricks and mortar) in the first 5 years. In addition the total net new household formation is split across the 5 year bands based on the rate of growth that was applied – as opposed to being spread evenly.

### Planning Status of Households

- <sup>5.14</sup> The outcomes from the questions in the household survey on travelling were used to determine the status of each household against the planning definition in PPTS (2015). This included information on whether household members have ever travelled; why they have stopped travelling; the reasons that they travel; and whether and for what reason they plan to travel again in the future.
- <sup>5.15</sup> Figure 2 shows that for Gypsies and Travellers 6 households and for Travelling Showpeople 8 households meet the planning definition of a Traveller in that it was able to be determined that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 35 Gypsy and Traveller households and 6 Travelling Showpeople households did not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons, or to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.
- <sup>5.16</sup> The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

Figure 2 – Travelling status of households in Chelmsford City Council

Site Status	Meet Planning Definition	Unknown <sup>5</sup>	Do Not Meet Planning Definition	TOTAL
Public Sites	2	7	13	<b>22</b>
Private Sites	4	28	21	<b>53</b>
Tolerated Sites	0	0	1	<b>1</b>
Unauthorised Sites	0	5	0	<b>5</b>
Travelling Showpeople	8	28	6	<b>42</b>
<b>TOTAL</b>	<b>14</b>	<b>68</b>	<b>41</b>	<b>123</b>

## Bricks and Mortar Interviews

<sup>5.17</sup> Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Chelmsford as none were identified through the fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households in bricks and mortar are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

## Pitch Needs – Gypsies and Travellers that meet the Planning Definition

<sup>5.18</sup> The 6 households who meet the planning definition of Travelling were found on 1 public site and 2 private sites. Analysis of the household information for the households that meet the planning definition indicates that there is a need for 2 additional pitches for concealed or doubled-up households or single adults and for 1 additional pitch for a teenage child in need of a pitch of their own in the next 5 years.

<sup>5.19</sup> The household demographics indicate that a new household formation rate of 2.50% should be used. When applied to a household base of 9 (6 current households plus 2 concealed and 1 from 5 year need) this results in a need for 5 additional pitches through net new household formation.

<sup>5.20</sup> In addition analysis of the households that do not meet the planning definition shows that 1 household on the public site is seeking to move to bricks and mortar and 1 household is seeking to move to another area – this gives supply of 2 pitches.

<sup>5.21</sup> Therefore the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **6 additional pitches** over the GTAA period to 2033.

<sup>5</sup> Excludes 1 pitch found to be occupied by non-ethnic Gypsies or Travellers

Figure 3 – Additional need for households in Chelmsford City Council that meet the Planning Definition (2016-33)

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	1
Pitches to be vacated by households moving to another area	1
<b>Total Supply</b>	<b>2</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	2
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>2</b>
<b>Future Need</b>	
5 year need from teenage children	1
Households on sites with temporary planning permission	0
In-migration	0
New household formation	5
<i>(Household base 9 and formation rate 2.50%)</i>	
<b>Total Future Needs</b>	<b>6</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>6</b>

Figure 4 – Additional need for households in Chelmsford City Council that meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	2	1	2	1	6

## Pitch Needs – Unknown Gypsies and Travellers

- 5.22 Whilst it was not possible to determine the planning status of a total of 40 households as they either refused to be interviewed, or were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be ethnic Gypsies and Travellers and *may* meet the planning definition.
- 5.23 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.24 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.



- 5.25 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means.
- 5.26 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 5 pitches that are currently unauthorised and by up to 12 pitches from new household formation (this uses a base of the 40 households and a net growth rate of 1.50%<sup>6</sup>). Therefore additional need *could* increase by up to a further 17 pitches, plus any concealed adult households or 5 year need arising from teenagers living in these households (if all 40 unknown pitches are deemed to meet the planning definition). However, as an illustration, if the ORS national average of 10% were to be applied this could be as few as 2 additional pitches. Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.27 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through separate Local Plan policies.
- 5.28 On this basis, it is evident that whilst the needs of the 35 households who do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to consider their specific needs.
- 5.29 Total need for 18 additional pitches has been identified from households that do not meet the planning definition. This is made up of 3 concealed or doubled-up households or single adults, 3 teenagers who will be in need of a pitch of their own in the next 5 years, and 12 from new household formation. This uses a rate of 1.50% based on the demographics of the households.
- 5.30 A summary of this need for households that do not meet the planning definition can also be found in **Appendix A**.

### Waiting Lists

- 5.31 There are 2 public sites in Chelmsford City Council. At the time of reporting information was still being processed by Essex County Council regarding the households on the waiting lists for these sites. This will help to identify how many households are currently living on one of the sites; how many are living in bricks and mortar in Chelmsford City Council; how many are living on other sites in Chelmsford City Council; how many are living on sites outside of Chelmsford City Council; and how many are living in bricks and mortar outside of Chelmsford City Council.

---

<sup>6</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

5.32 Should these households wish to be considered for a tenancy on one of the public sites they may have to provide information on their travelling patterns during the site allocation process if there are specific planning conditions that restrict occupation to households that meet the planning definition.

### Plot Needs – Travelling Showpeople that meet the Planning Definition

5.33 There was 1 large and 2 small Travelling Showpeople yards identified in Chelmsford City Council. The 8 households who meet the planning definition of Travelling were all found on the large yard. Analysis of the household information for the households that meet the planning definition indicates that there is a current need for 10 additional plots for teenage children in need of plots of their own in the next 5 years.

5.34 The household demographics indicate that a new household formation rate of 2.00% should be used. When applied to a household base of 18 (8 current households plus 10 from 5 year need) this results in a need for 7 additional plots through net new household formation.

5.35 In addition 1 household on the large yard is actively seeking to purchase land to develop a new private yard due to over-crowding and lack of space to store and maintain rides.

5.36 Therefore the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **16 additional plots** over the GTAA period to 2033.

**Figure 5 – Additional need for Travelling Showpeople households in Chelmsford City Council that meet the Planning Definition (2016-33)**

Travelling Showpeople - Meeting Planning Definition	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private plots	0
Additional supply from pitches on new plots	0
Plots to be vacated by households moving to bricks and mortar	0
Plots to be vacated by households moving to another area	1
<b>Total Supply</b>	<b>1</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	10
Households on plots with temporary planning permission	0
In-migration	0
New household formation	7
<i>(Household base 18 and formation rate 2.00%)</i>	
<b>Total Future Needs</b>	<b>17</b>
<b>Net Plot Total = (Current and Future Need – Total Supply)</b>	<b>16</b>

**Figure 6 – Additional need for Travelling Showpeople households in Chelmsford City Council that meet the Planning Definition by 5 year periods**

Years	0-5	6-10	11-15	16-17	
	2016-21	2021-26	2026-31	2031-33	Total
	11	2	2	1	<b>16</b>

### Plot Needs – Unknown Travelling Showpeople

- 5.37 Whilst it was not possible to determine the planning status of a total of 28 households as they either refused to be interviewed, or were not at home at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be Travelling Showpeople and **may** meet the planning definition.
- 5.38 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.39 Data that has been collected from over 300 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 70% of Showpeople households that have been interviewed meet the planning definition.
- 5.40 This would suggest that it is likely that only a proportion of the potential need identified from these households will need new Gypsy and Traveller pitches, and that the needs of the remainder will need to be addressed through other means such as the SMHA or HEDNA and through separate Local Plan policies.
- 5.41 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 5 plots from new household formation (this uses a base of the 28 households and a net growth rate of 1.00%<sup>7</sup>). Therefore additional need *could* increase by up to a further 5 plots, plus any concealed adult households or 5 year need arising from teenagers living in these households (if all 28 unknown households are deemed to meet the planning definition). However, as an illustration, if the national average of 70% were to be applied this could be as few as 4 additional plots. Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Plot Needs – Travelling Showpeople who do not meet the Planning Definition

- 5.42 Whilst a total of 6 households were identified who do not meet the planning definition all of the residents are aged over 50 and no current or future needs were identified.

<sup>7</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

## Transit Recommendations

- 5.43 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.
- 5.44 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.45 Discussions held with Officers from ECTU have confirmed that analysis of ‘Direction to Leave Notices’ may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.
- 5.46 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.
- 5.47 In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- 5.48 Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This GTAA provides a robust evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, PPTS (2015), and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.

### Gypsies and Travellers

- 6.2 In summary there is a need for **6 additional pitches** in Chelmsford City Council over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for up to 17 additional pitches for Gypsy and Traveller households that may meet the planning definition; and a need for 18 additional pitches for Gypsy and Traveller households who do not meet the planning definition.

### Travelling Showpeople

- 6.3 In summary there is a need for **16 additional plots** in Chelmsford City Council over the GTAA period to 2033 for Travelling Showpeople households that meet the planning definition; a need for up to 5 additional plots for Travelling Showpeople households that may meet the planning definition; and a need for no additional plots for Travelling Showpeople households who do not meet the planning definition as all residents are aged 50 and over.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Chelmsford City Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

### Summary of Need to be Addressed

- 6.5 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches and plots that will need to be

addressed either as a result of the GTAA, or through the SHMA or HEDNA and through separate Local Plan policies.

- <sup>6.6</sup> Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 41 additional pitches. The table below breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition. A similar calculation has been made for Travelling Showpeople using the assumption that 70% of unknown households will meet the planning definition.

Figure 7 – Breakdown of need to be addressed for Gypsies and Travellers in Chelmsford City Council (2016-2033)

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 10% of unknowns)	8 (6+2)	0	<b>8</b>
Do not meet Planning Definition (incl. 90% of unknowns)	0	33 (18+15)	<b>33</b>
<b>TOTAL</b>	<b>8</b>	<b>33</b>	<b>41</b>

Figure 8 – Breakdown of need to be addressed Travelling Showpeople in Chelmsford City Council (2016-2033)

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 70% of unknowns)	20 (16+4)	0	<b>20</b>
Do not meet Planning Definition (incl. 30% of unknowns)	0	1 (0+1)	<b>1</b>
<b>TOTAL</b>	<b>20</b>	<b>1</b>	<b>21</b>

## Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 9 - Additional need for unknown Gypsy and Traveller households in Chelmsford City Council (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	5
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>5</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	12
<i>(Household base 40 and formation rate of 1.50%)</i>	
<b>Total Future Needs</b>	<b>12</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>17</b>

Figure 10 - Additional need for unknown Gypsy and Traveller households in Chelmsford City Council by 5 year periods

Years	0-5	6-10	11-15	16-17	
	2016-21	2021-26	2026-31	2031-33	Total
	8	3	4	2	17

Figure 11 - Additional need for Gypsy and Traveller households in Chelmsford City Council that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting Planning Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	3
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>3</b>
<b>Future Need</b>	
5 year need from teenage children	3
Households on sites with temporary planning permission	0
In-migration	0
New household formation	12
<i>(Household base 37 and formation rate 1.50%)</i>	
<b>Total Future Needs</b>	<b>15</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>18</b>

Figure 12 - Additional need for Gypsy and Traveller households in Chelmsford City Council that do not meet the Planning Definition by 5 year periods

<b>Years</b>	<b>0-5</b>	<b>6-10</b>	<b>11-15</b>	<b>16-17</b>	
	<b>2016-21</b>	<b>2021-26</b>	<b>2026-31</b>	<b>2031-33</b>	<b>Total</b>
	9	3	4	2	<b>18</b>



Figure 13 – Additional need for unknown Travelling Showpeople households in Chelmsford City Council (2016-33)

Travelling Showpeople - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private plots	0
Additional supply from plots on new yards	0
Plots to be vacated by households moving to bricks and mortar	0
Plots to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on plots with temporary planning permission	0
In-migration	0
New household formation	5
<i>(Household base 27 and formation rate 1.00%)</i>	
<b>Total Future Needs</b>	<b>5</b>
<b>Net Plot Total = (Current and Future Need – Total Supply)</b>	<b>5</b>

Figure 14 – Additional need for unknown Travelling Showpeople Households in Chelmsford City Council by 5 year periods

Years	0-5	6-10	11-15	16-17	
	2016-21	2021-26	2026-31	2031-33	Total
	1	1	2	1	<b>5</b>

Figure 15 – Additional need for Travelling Showpeople households in Chelmsford City Council that do not meet the Planning Definition (2016-33)

<b>Travelling Showpeople – Not Meeting Planning Definition</b>	<b>Pitches</b>
<b>Supply of Plots</b>	
Additional supply from vacant public and private plots	0
Additional supply from plots on new yards	0
Plots to be vacated by households moving to bricks and mortar	0
Plots to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on plots with temporary planning permission	0
In-migration	0
New household formation	0
<i>(No new household formation from 5 households)</i>	
<b>Total Future Needs</b>	<b>0</b>
<b>Net Plot Total = (Current and Future Need – Total Supply)</b>	<b>0</b>

Figure 16 – Additional need for Travelling Showpeople Households in Chelmsford City Council that do not meet the Planning Definition by 5 year periods

<b>Years</b>	<b>0-5</b>	<b>6-10</b>	<b>11-15</b>	<b>16-17</b>	
	<b>2016-21</b>	<b>2021-26</b>	<b>2026-31</b>	<b>2031-33</b>	<b>Total</b>
	0	0	0	0	<b>0</b>



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



**VIBRANT**  
**PROSPEROUS**  
**THRIVING**  
**WELCOMING**

**Colchester Borough Council  
Gypsy, Traveller and Travelling  
Showpeople  
Accommodation Assessment**

Need Summary Report

May 2017



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright May 2017

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2017)

# Contents

<b>1. Introduction .....</b>	<b>4</b>
The Planning Definition in PPTS (2015).....	5
Definition of Travelling.....	5
<b>2. Methodology.....</b>	<b>8</b>
<b>3. Planning Definition .....</b>	<b>10</b>
Applying the Planning Definition .....	10
Unknown Households .....	11
Households that do not meet the Planning Definition .....	12
<b>4. Survey of Travellers .....</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople .....	13
Efforts to contact bricks and mortar .....	13
<b>5. Current and Future Pitch Provision.....</b>	<b>15</b>
New Household Formation Rates .....	15
Breakdown by 5 Year Bands .....	17
Planning Status of Households .....	17
Bricks and Mortar Interviews.....	18
Pitch Needs – Gypsies and Travellers that meet the Planning Definition .....	18
Pitch Needs – Unknown Gypsies and Travellers.....	19
Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition.....	19
Waiting Lists.....	20
Plot Needs – Travelling Showpeople .....	20
Transit Recommendations .....	20
<b>6. Conclusions .....</b>	<b>22</b>
Gypsies and Travellers .....	22
Travelling Showpeople.....	22
Transit Provision .....	22
Summary of Need to be Addressed .....	22
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition .....</b>	<b>24</b>

# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Colchester Borough for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Para 1.8 for the full definition).
- 1.3 The study provides a robust evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act (2016). It also provides the evidence base which can be used to support Local Plan policies and development management.
- 1.4 The Colchester GTAA is part of a wider study that covers the whole of Essex, together with Southend-on-Sea and Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of accommodation need for Gypsies, Travellers and Travelling Showpeople in Colchester Borough for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS (2015)

- 1.8 For the purposes of the planning system the definition of a Gypsy, Traveller and Travelling Showperson was changed in PPTS (2015). The planning definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- 1.9 The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- 1.10 One of the most important questions that GTAAs will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.
- 1.11 **R v South Hams District Council (1994)** – defined Gypsies as “*persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)*” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.

- 1.12 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.
- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition households may also have to demonstrate that they plan to travel again for work in the future.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire that was published in December 2016 (Appeal Ref: APP/J1915/W/16/3145267). A summary can be seen below.



*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work' also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose. In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- <sup>2.1</sup> As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAA's for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- <sup>2.2</sup> The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAA's. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- <sup>2.3</sup> PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- <sup>2.4</sup> In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes

<sup>2.5</sup> The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*‘The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.’*

## 3. Planning Definition

<sup>3.1</sup> The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS has collected information necessary to assess each household against the planning definition. Since PPTS (2015) was issued only a small number of relevant planning appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

<sup>3.2</sup> The household interview included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:

- » Whether any household members have travelled in the past 12 months.
- » Whether household members have ever travelled.
- » The main reasons for travelling.
- » Where household members travel to.
- » The times of the year that household members travel.
- » Where household members stay when they are away travelling.
- » When household members stopped travelling.
- » The reasons why household members stopped travelling.
- » Whether household members intend to travel again in the future.
- » When and the reasons why household members plan to travel again in the future.

<sup>3.3</sup> The outcomes from these questions on travelling were used to assess the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that **household members travel for work purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future**. The same definition applies to Travelling Showpeople as to Gypsies and Travellers.

<sup>3.4</sup> Households that need to be formally considered in the GTAA fall under one of 3 classifications. Only those households that meet, or may meet, the planning definition will form the formal components of need to be included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.

- » Households where an interview was not possible who *may* fall under the planning definition.

3.5 Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

## Unknown Households

3.6 As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period) need to be considered as part of the GTAA where they are believed to be Gypsies, Travellers or Showpeople who *may* meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that seeks an estimate of potential need from these households. This will be a maximum additional need figure over and above the need identified for households that do meet the planning definition.

3.7 The estimate seeks to identify potential current and future need from many pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50% has been used as the demographics of residents are unknown. This approach is consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

3.8 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.

3.9 However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>2</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

3.10 The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan policies the Council could consider the use of a criteria-based policy (as suggested in PPTS (2015) Paragraph 11) for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

---

<sup>2</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.

<sup>3.11</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, Essex. In his Report that was published on 29th June 2017 he concluded:

**150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, MM242h is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.**

### Households that do not meet the Planning Definition

<sup>3.12</sup> Households who do not travel or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>3</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>3</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Colchester.
- 4.2 Through the desk-based research ORS identified 1 public site (12 pitches); 9 private sites (15 pitches); 1 tolerated site (1 pitch); and no temporary, transit or unauthorised sites. There are also no Travelling Showpeople yards.
- 4.3 Interviews were completed between January and September 2016. Up to 3 attempts were made to interview each household where they were not present when interviewers visited. The table below sets out the sites/yards that were identified and visited, the number of pitches/plots, the number of interviews that were completed, and the reasons why interviews were not completed.

**Figure 1 – Gypsy and Traveller sites visited in Colchester**

Status	Pitches/Plots	Interviews	Reasons for not completing interviews
<b>Public Sites</b>			
Severalls Lane	12	8	1 x refusal, 3 x no contact possible
<b>Private Sites</b>			
Bridge Side, Stanway	3	0	3 x no contact possible
Clearview, Aldham	1	1	-
Colt Farm, Tiptree	2	1	1 x no contact possible
Emmanuel, Tiptree	1	0	1 x vacant
Gwynlian, Tiptree	1	0	1 x no contact possible
Nunns Farm, Layer Breton	1	1	-
Vernons Road, Chappel	3	1	2 x no contact possible
Stableview, Tiptree	1	1	-
The Paddocks, Tiptree	2	1	1 x no contact possible
<b>Tolerated Sites</b>			
Ponys Farm, Tiptree	1	1	-
<b>TOTAL</b>	<b>28</b>	<b>15</b>	

### Efforts to contact bricks and mortar

- 4.4 ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the

Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.

- <sup>4.5</sup> At the time of concluding this report no contacts had been identified to interview (although a number of letters were sent by Registered Providers inviting known Gypsy and Traveller to contact ORS if they had any current or future accommodation needs).



## 5. Current and Future Pitch Provision

- <sup>5.1</sup> This section focuses on the additional pitch provision which is needed in Colchester currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- <sup>5.2</sup> We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.

### New Household Formation Rates

- <sup>5.3</sup> Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (2015)*. The main conclusions are set out here and the full paper is in the Joint Methodology.
- <sup>5.4</sup> Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in the Traveller Caravan Count. However this data is very unreliable and erratic – so the only proper way to project future population and household growth is through demographic analysis.
- <sup>5.5</sup> The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- <sup>5.6</sup> The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The most recent was in relation to an appeal in Doncaster (Ref: APP/F4410/W/15/3133490) where the

agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.7 In addition the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.8 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys, and the baseline includes all current authorised households, all households identified as in current need (including concealed households, movement from bricks and mortar and those on waiting lists not currently living on a pitch or plot), as well as households living on tolerated unauthorised pitches or plots who are not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates.
- 5.9 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence from the household interviews has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 in each local authority (by planning status).
- 5.10 In certain circumstances where the numbers of households and children are low it is not appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children. This will be based on the assumption that 50% of likely households to form will stay in the area. This is based on evidence from other GTAAs that ORS have completed across England and Wales.
- 5.11 Research by ORS has also identified a national growth rate of 1.00% for Travelling Showpeople and this has also been adjusted locally based on site demographics.

5.12 The outcomes in Colchester are that new household formation for Gypsies and Travellers who meet the planning definition has used the site demographics as there were only 4 children identified; a rate of 1.50% has been used for Gypsy and Traveller households that do not meet the planning definition based on 38% of the population being aged under 18; and the ORS national rate of 1.50% has been used for unknown households.

### Breakdown by 5 Year Bands

5.13 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the need has also been broken down by 5 year bands as required by PPTS (2015). The way that this is calculated is by including all current need (from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, 5 year need from teenage children, and net movement from bricks and mortar) in the first 5 years. Total net new household formation is split across the 5 year bands based on the compound rate of growth that was applied – as opposed to being spread evenly.

### Planning Status of Households

5.14 Information that was sought from households where an interview was completed allowed each household to be assessed against the planning definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future.

5.15 Figure 2 shows that for Gypsies and Travellers 2 households meet the planning definition in that it was able to be determined that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 13 Gypsy and Traveller households did not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons, to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.

5.16 The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

**Figure 2 – Planning status of households in Colchester**

Site Status	Meet Planning Definition	Unknown	Do Not Meet Planning Definition	TOTAL
Public Sites	2	4	6	<b>12</b>
Private Sites	0	8	6	<b>14</b>
Tolerated Sites	0	0	1	<b>1</b>
<b>TOTAL</b>	<b>2</b>	<b>12</b>	<b>13</b>	<b>27</b>

## Bricks and Mortar Interviews

- 5.17 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Colchester as none were identified through the fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

## Pitch Needs – Gypsies and Travellers that meet the Planning Definition

- 5.18 The 2 households who meet the planning definition were found on 1 public site. Analysis of the household interviews identify that there is need for 2 additional pitches through new household formation. There is no supply from vacant pitches, and there is no other current or future need arising from these households.
- 5.19 Therefore the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **2 additional pitches** over the GTAA period to 2033.

**Figure 3 – Additional need for Gypsy and Traveller households in Colchester that meet the Planning Definition (2016-2033)**

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation ( <i>from household demographics</i> )	2
<b>Total Future Needs</b>	<b>2</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>2</b>

**Figure 4 – Additional need for Gypsy and Traveller households in Colchester that meet the Planning Definition by 5 year periods**

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	1	1	0	2

### Pitch Needs – Unknown Gypsies and Travellers

- 5.20 Whilst it was not possible to determine the planning status of a total of 12 households as they were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be Gypsies and Travellers and **may** meet the planning definition.
- 5.21 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.22 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.
- 5.23 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means.
- 5.24 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 4 pitches from new household formation (this uses a base of the 12 households and a net growth rate of 1.50%<sup>4</sup>). There is also 1 pitch that will become vacant on the public site in the first 5 years of the GTAA. Therefore additional need *could* increase by up to a further 3 pitches, plus any concealed adult households or 5 year need arising from older teenagers living in these households (if all 12 unknown pitches are deemed to meet the planning definition). However, as an illustration, if the ORS national average of 10% were to be applied this could be as few as no additional pitches.
- 5.25 Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.26 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies.

<sup>4</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

- 5.27 On this basis, it is evident that whilst the needs of the 13 households who do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as many identified as Romany Gypsies or Irish Travellers and may claim that the Council should meet their housing needs through culturally appropriate housing.
- 5.28 Total need for 10 additional pitches has been identified from households that do not meet the planning definition. This is made up of 1 concealed/doubled-up households or single adult, 4 teenage children in need of a pitch of their own in the next 5 years, and 5 from new household formation. This uses a rate of 1.50% based on the demographics of the households.
- 5.29 A summary of this need for households that do not meet the planning definition can also be found in **Appendix A**.

### Waiting Lists

- 5.30 There is 1 public site in Colchester. At the time of reporting information was still being processed by Essex County Council regarding the households on the waiting lists for the site. This will help to identify how many households are currently living on the site; how many are living in bricks and mortar in Colchester; how many are living on other sites in Colchester; how many are living on sites outside of Colchester; and how many are living in bricks and mortar outside of Colchester.
- 5.31 Should these households wish to be considered for a tenancy on one of the public sites they may have to provide information on their travelling patterns during the site allocation process as and when a pitch becomes available.

### Plot Needs – Travelling Showpeople

- 5.32 There were no Travelling Showpeople identified in Colchester so there are no current or future accommodation needs.

### Transit Recommendations

- 5.33 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.
- 5.34 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.35 Discussions held with Officers from ECTU have confirmed that analysis of ‘Direction to Leave Notices’ may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a

higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.

- <sup>5.36</sup> This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.
- <sup>5.37</sup> In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- <sup>5.38</sup> Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides an robust evidence base to enable the Council to assess the housing needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.

### Gypsies and Travellers

- 6.2 In summary there is a need for **2 additional pitches** in Colchester over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for up to 3 additional pitches for Gypsy and Traveller households that may meet the planning definition; and a need for 10 additional pitches for Gypsy and Traveller households who do not meet the planning definition.

### Travelling Showpeople

- 6.3 There were no Travelling Showpeople identified in Colchester so there is no current or future need for additional plots.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Colchester Borough Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

### Summary of Need to be Addressed

- 6.5 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches and plots that will need to be addressed either as a result of the GTAA, or through the SHMA or HEDNA and through separate Local Plan policies.



6.6 Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 15 additional pitches. The table below breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition.

**Figure 5 – Breakdown of need to be addressed for Gypsies and Travellers in Epping Forest (2016-2033)**

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 10% of unknowns)	3 (2+0)	0	<b>2</b>
Not meeting Planning Definition (incl. 90% of unknowns)	0	13 (10+3)	<b>13</b>
<b>TOTAL</b>	<b>2</b>	<b>13</b>	<b>15</b>

# Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 6 - Additional need for unknown Gypsy and Traveller households in Colchester (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	1
<b>Total Supply</b>	<b>1</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	4
<i>(Household base 12 and formation rate of 1.50%)</i>	
<b>Total Future Needs</b>	<b>4</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>3</b>

Figure 7 - Additional need for unknown Gypsy and Traveller households in Colchester by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	1	2	0	<b>3</b>

Figure 8 - Additional need Gypsy and Traveller households in Colchester that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting New Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	1
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>1</b>
<b>Future Need</b>	
5 year need from teenage children	4
Households on sites with temporary planning permission	0
In-migration	0
New household formation	5
<i>(Household base 19 and formation rate 1.50%)</i>	
<b>Total Future Needs</b>	<b>9</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>10</b>

Figure 9 - Additional need for Gypsy and Traveller households in Colchester that do not meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	6	2	2	0	<b>10</b>



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



**Epping Forest District Council  
Gypsy, Traveller and Travelling  
Showpeople  
Accommodation Assessment**

**Need Summary Report  
(Final Version)**

**September 2017**



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright September 2017

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2017)

# Contents

<b>1. Introduction</b>	<b>1</b>
The Planning Definition in PPTS	2
Definition of Travelling	2
<b>2. Methodology</b>	<b>5</b>
<b>3. Planning Definition</b>	<b>7</b>
Applying the Planning Definition	7
Unknown Households	8
Households that do not meet the Planning Definition	9
<b>4. Survey of Travellers</b>	<b>10</b>
Interviews with Gypsies, Travellers and Travelling Showpeople	10
Efforts to contact bricks and mortar households	12
<b>5. Current and Future Pitch Provision</b>	<b>13</b>
New Household Formation Rates	13
Breakdown by 5 Year Bands	14
Planning Status of Households	15
Bricks and Mortar Interviews	15
Pitch Needs – Gypsies and Travellers that meet the Planning Definition	16
Pitch Needs – Unknown Gypsies and Travellers	16
Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition	17
Waiting List	18
Plot Needs – Travelling Showpeople	18
Transit Recommendations	18
<b>6. Conclusions</b>	<b>20</b>
Gypsies and Travellers	20
Travelling Showpeople	20
Transit Provision	20
Summary of Need to be Addressed	20
Epping Forest District Local Plan 2011-2033	21
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition</b>	<b>22</b>

# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Epping Forest District for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term persons...who have ceased to travel permanently, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Paragraph 1.8 for the full definition).
- 1.3 The study will provide an evidence base to enable the Council to comply with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act 2016. It also provides the evidence base which underwrites the Gypsy and Traveller Accommodation Policy of the Epping Forest District Local Plan 2011-2033.
- 1.4 The Epping Forest District GTAA is part of a wider study that covers the whole of Essex, together with the unitary authorities of Southend-on-Sea and Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of need for Gypsies, Travellers and Travelling Showpeople in Epping Forest District for the period 2016-2033, as well as for the Local Plan period from 2011-2033.
- 1.7 The baseline date for the study is **September 2016**. This version of the report has been updated to reflect the wording of the overall Essex, Southend-on-Sea and Thurrock Gypsy, Traveller and Travelling Showpeople Accommodation Assessment Summary (2016-2033) that was agreed by EPOA in January 2018. The findings do not differ from the report published with the Epping Forest District Local Plan Submission Version in December 2017. This report supersedes previous versions.

---

<sup>1</sup> *Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology* (January 2018)

## The Planning Definition in PPTS

- 1.8 For the purposes of the planning system, the definition was changed in the revised PPTS. The new definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- 1.9 The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- 1.10 One of the most important questions that GTAAs will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’.
- 1.11 **R v South Hams District Council (1994)** – defined Gypsies as “*persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)*” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.
- 1.12 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.



- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled in the past for work purposes. In addition households will also have to demonstrate that they plan to travel again in the future for work purposes.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire that was published in December 2016 (Appeal Ref: APP/J1915/W/16/3145267). A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work' also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose. In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an*

*extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- <sup>2.1</sup> As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAAs for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- <sup>2.2</sup> The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- <sup>2.3</sup> PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- <sup>2.4</sup> In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes

- <sup>2.5</sup> The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

## 3. Planning Definition

<sup>3.1</sup> The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS has collected information necessary to assess each household against the planning definition. Since PPTS (2015) was issued only a small number of relevant planning appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

<sup>3.2</sup> The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:

- » Whether any household members have travelled in the past 12 months.
- » Whether household members have ever travelled.
- » The main reasons for travelling.
- » Where household members travelled to.
- » The times of the year that household members travelled.
- » Where household members stay when they are away travelling.
- » When household members stopped travelling.
- » The reasons why household members stopped travelling.
- » Whether household members intend to travel again in the future.
- » When and the reasons why household members plan to travel again in the future.

<sup>3.3</sup> When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that **household members travel for work purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future.** The same definition applies to Travelling Showpeople as to Gypsies and Travellers.

<sup>3.4</sup> Households that need to be considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.

- » Households where an interview was not possible who may fall under the planning definition.

3.5 Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

## Unknown Households

3.6 As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be a maximum additional need figure over and above the need identified for households that do meet the planning definition.

3.7 The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

3.8 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.

3.9 However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

3.10 The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan policies the Council could consider the use of a criteria-based policy (as suggested in PPTS (2015) Paragraph 11) for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

---

<sup>2</sup> See Paragraph 5.8.

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.

<sup>3.11</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, Essex. In his Report that was published on 29th June 2017 he concluded:

**150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, MM242h is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.**

### Households that do not meet the Planning Definition

<sup>3.12</sup> Households who do not travel or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Epping Forest District.
- 4.2 Through the desk-based research ORS identified 1 public site (16 pitches), 39 private sites (109 pitches), 8 sites with temporary permission (15 pitches); 6 unauthorised sites (8 pitches) including 1 unauthorised pitch on a private site. In addition 1 Travelling Showpeople yard was identified (9 plots).
- 4.3 Interviews were completed between May and August 2016. Up to 3 attempts were made to interview each household where they were not present when interviewers visited.
- 4.4 The table below sets out the number of interviews that were completed and the reasons why interviews were not able to be completed.

**Figure 1 – Gypsy and Traveller sites visited in Epping Forest District**

Site/Yard Status	Pitches/Plots	Interviews	Reasons for not completing interviews
<b>Public Sites</b>			
Hop Gardens, Toothill	16	4	12 x non-Travellers
<b>Private Sites</b>			
Carrisbrook	1	0	1 x no contact possible
Downshoppitt	4	3	1 x refusal
Green Acres	1	1	-
Greenleaves	15	4	5 x pitches not there, 4 x vacant pitches, 2 x no contact possible
Hallmead Nursery	4	0	4 x no contact possible
Holmsfield Nursery	8	2	Owner refused access to other pitches
Horsemanside Farm	4	0	4 x refusals
Hosanna Lodge	1	0	1 x refusal
James Mead, Waltham Road	2	0	2 x no contact possible
Longmead, Mill Lane	1	0	1 x no contact possible
Mamelons Farmyard, Waltham Road	14	1	Owner refused access to other pitches
Moss Nursery	5	1	4 x no contact possible
Oakwood, Tylers Cross Nursery	1	1	-
Peartree Corner, Tylers Cross Nursery	3	2	1 x pitch not set out
Plot 1, Silverwood Close	1	0	1 x vacant pitch
Plot 2, Moores Estate	1	0	1 x pitch not set out
Plot 2, Silverwood Close	1	0	1 x no contact possible
Plot 3 & 4, Silverwood Close	2	0	2 x vacant pitches
Plot 3, Moores Estate	1	0	1 x pitch not set out



Plot 3A, Moores Estate	2	1	1 x pitch not set out
Plot 4, Moores Estate	1	0	1 x pitch not set out
Plot 5, Moores Estate	3	1	2 x pitch not set out
Plot 5, Silverwood Close	1	1	-
Plot 6, Silverwood Close	1	1	-
Plot 7, Silverwood Close	1	1	-
Plot 8, Silverwood Close	1	0	1 x pitch not set out
Pond View	1	0	1 x no contact possible
Richards Farm (aka Southall)	3	3	-
Rose Nursery (La Rosa Nursery)	1	0	1 x no contact possible
Rosewood, Tylers Cross Nursery	3	3	-
Shannons, Tylers Cross Nursery	1	0	1 x no contact possible
Silverwood Yard, Tylers Cross Nursery	1	0	1 x no contact possible
Small Meadow, Weald Hall Lane	1	1	-
Springfield, Tylers Cross Nursery	2	0	2 x non-Travellers
Springfields, off Church Road	1	0	1 x no contact possible
Stoneshott View	1	0	1 x no contact possible
The Dales	1	1	-
Tomary	12	1	Owner refused access to other pitches
Woodside	1	0	1 x no contact possible
<b>Temporary Sites</b>			
38 Roydon Lodge, Chalet Estate, Roydon	1	0	1 x no contact possible
Ashview, Hamlet Hill, Roydon	1	0	1 x no contact possible
Auburnville	1	0	1 x no contact possible
Devoncot	2	0	2 x no contact possible
Haslingfield, Meadgate Road	2	0	2 x no contact possible
Rose Farm	1	1	-
Sedge Gate Nursery, Sedge Green, Nazeing	4	0	4 x no contact possible
Sons Nursery	3	0	3 x no contact possible
<b>Tolerated Sites</b>			
None	-	-	-
<b>Unauthorised Sites/Pitches</b>			
21a Roydon Lodge	1	0	1 x no contact possible
5 & 6 Roydon Lodge	2	0	2 x no contact possible
Green Acres	1	1	-
Steers Pigstye	1	0	1 x no contact possible
Sunnyside, Nazeing	2	2	-
Valley View	1	0	1 x no contact possible
<b>Travelling Showpeople Yards</b>			
Land at Moreton Sand & Gravel Pit	9	1	8 x no contact possible
<b>TOTAL</b>	<b>157</b>	<b>38</b>	

## Efforts to contact bricks and mortar households

- <sup>4.5</sup> ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.
- <sup>4.6</sup> At the time of concluding this report no contacts had been identified to interview (although a number of letters were sent by Registered Providers inviting known Gypsy and Traveller to contact ORS if they had any current or future accommodation needs).

## 5. Current and Future Pitch Provision

- <sup>5.1</sup> This section focuses on the additional pitch provision which is needed in Epping Forest District currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- <sup>5.2</sup> We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- <sup>5.3</sup> This section includes an assessment of the total additional provision which is required in the area and the need for any transit sites and/or emergency stopping place provision.

### New Household Formation Rates

- <sup>5.4</sup> Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (August 2015)*. The main conclusions are set out below and the full document can be found in the Joint Methodology Report.
- <sup>5.5</sup> Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only robust way to project future population and household growth is through demographic analysis.
- <sup>5.6</sup> The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- <sup>5.7</sup> The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The most recent was in relation to an appeal in Doncaster that was issued in November 2016 (Ref:

APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.8 In addition, the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.9 ORS assessments take full account of the net local household growth rate per annum for each local authority, calculated on the basis of demographic evidence from the site surveys, and the 'baseline' includes all current authorised households, all households identified as in current need (including concealed households, movement from bricks and mortar and those on waiting lists not currently living on a pitch or plot), as well as households living on tolerated unauthorised pitches or plots who are not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates, and in-/out-migration.
- 5.10 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 in each local authority (by planning status).
- 5.11 In certain circumstances where the numbers of households and children are low it may not be appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children.
- 5.12 In Epping Forest District for Gypsies and Travellers that meet the planning definition a rate of 1.90% has been used as there was a higher proportion (46%) of children and teenagers aged under 18; for unknown Gypsies and Travellers the ORS national rate of 1.50% has been used; and for Gypsies and Travellers who do not meet the planning definition a rate of 1.10% has been used as there was a lower proportion (27%) of children and teenagers aged under 18.

## Breakdown by 5 Year Bands

- 5.13 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the overall need has also been broken down by 5 year bands as required by PPTS

(2015). The way that this is calculated is by including all current need (from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, 5 year need from teenage children and net movement from bricks and mortar) in the first 5 years. In addition the total net new household formation is split across the 5 year bands based on the rate of growth that was applied – as opposed to being spread evenly.

## Planning Status of Households

- 5.14 Information that was sought from households where an interview was completed allowed each household to be assessed against the planning definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future.
- 5.15 Figure 2 shows that for Gypsies and Travellers 15 households meet the planning definition of a Traveller as they were able to demonstrate that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 21 Gypsy and Traveller households and 2 Travelling Showpeople households did not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons, or to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.
- 5.16 The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

**Figure 2 – Planning status of households in Epping Forest District**

Site/Yard Status	Meet Planning Definition	Unknown	Do Not Meet Planning Definition	TOTAL <sup>5</sup>
Public Sites	0	0	3	<b>3</b>
Private Sites	11	58	18	<b>87</b>
Temporary Sites	1	14	0	<b>15</b>
Unauthorised Sites/Pitches	3	5	0	<b>8</b>
Travelling Showpeople	0	8	2	<b>10</b>
<b>TOTAL</b>	<b>15</b>	<b>85</b>	<b>23</b>	<b>123</b>

## Bricks and Mortar Interviews

- 5.17 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Epping Forest District as none were identified through the fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

<sup>5</sup> This is lower than the total number of pitches that were identified due to pitches that were vacant, unimplemented or not occupied by ethnic Gypsies and Travellers.

## Pitch Needs – Gypsies and Travellers that meet the Planning Definition

5.18 There were 15 Gypsy and Traveller households in Epping Forest District that were interviewed that meet the planning definition. Total need for **24 additional pitches** has been identified from households that meet the planning definition. This is made up of 3 unauthorised pitches, 1 temporary pitch, 3 concealed or doubled-up households or adults, 8 teenage children in need of a pitch of their own in the next 5 years and 10 through new household formation. This uses a rate of 1.90% based on the demographics of the households. This is offset by supply of 1 pitch on the public site in the first 5 years of the GTAA.

Figure 3 – Additional need for households in Epping Forest District that meet the Planning Definition (2016-2033)

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	1
<b>Total Supply</b>	<b>1</b>
<b>Current Need</b>	
Households on unauthorised developments	3
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	3
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>6</b>
<b>Future Need</b>	
5 year need from teenage children	8
Households on sites with temporary planning permission	1
In-migration	0
New household formation (Household base 26 and formation rate 1.90% )	10
<b>Total Future Needs</b>	<b>19</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>24</b>

Figure 4 – Additional need for households in Epping Forest District that meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	16	3	3	2	<b>24</b>

## Pitch Needs – Unknown Gypsies and Travellers

5.19 Whilst it was not possible to determine the planning status of a total of 77 households as they either refused to be interviewed, or were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be ethnic Gypsies and Travellers and *may* meet the planning definition.

- 5.20 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.21 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.
- 5.22 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means such as the SHMA or HEDNA and through separate Local Plan policies.
- 5.23 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 5 from unauthorised pitches, by up to 14 from temporary pitches, and by up to 22 from new household formation (this uses a base of the 77 household and a net growth rate of 1.50%<sup>6</sup>). Therefore additional need *could* increase by up to a further 41 pitches, plus any concealed households or 5 year need arising from older teenagers living in these households (if all unknown pitches are deemed to meet the planning definition). However, as an illustration, if the ORS national average of 10% were to be applied this could be as few as 4 additional pitches.
- 5.24 In addition during the fieldwork it was found that 12 of the 16 pitches on the public site at Hop Gardens did not appear to be occupied by ethnic Gypsies or Travellers. It is known that one of these pitches is occupied by an employee of Essex County Council who is the Site Manager. The assessment of need currently excludes these 12 households. Should it be found that the pitches are in fact occupied by Gypsies or Travellers need from unknown households could rise by up to a further 4 pitches.
- 5.25 Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.26 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies.
- 5.27 On this basis, it is evident that whilst the needs of the 21 households that do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as many identified as Romany Gypsies or Irish Travellers and may claim that the Council should meet their housing needs through culturally appropriate housing.
- 5.28 Total need for 4 additional pitches has been identified from households that do not meet the planning definition. This is made up of 4 from new household formation. This uses a rate of 1.10% based on the demographics of the households.

---

<sup>6</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

- 5.29 A summary of this need for households that do not meet the planning definition can also be found in **Appendix A**.

### Waiting List

- 5.30 There is 1 public site in Epping Forest District. At the time of reporting information was still being processed by Essex County Council regarding the households on the waiting lists for these sites. This will help to identify how many households are currently living on one of the sites; how many are living in bricks and mortar in Epping Forest District; how many are living on other sites in Epping Forest District; how many are living on sites outside of Epping Forest District; and how many are living in bricks and mortar outside of Epping Forest District.
- 5.31 Should any households wish to be considered for a tenancy on the public site they may have to provide information on their travelling patterns during the pitch allocation process.

### Plot Needs – Travelling Showpeople

- 5.32 There was 1 Travelling Showpeople yard identified in Epping Forest District. Whilst it was only possible to interview 1 household (that did not meet the planning definition or have any current or future accommodation needs), it was identified during the interview that the yard is becoming overcrowded as families expand and that more plots for Travelling Showpeople are needed in the area.

### Transit Recommendations

- 5.33 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.
- 5.34 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.35 Discussions held with Officers from ECTU have confirmed that analysis of 'Direction to Leave Notices' may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.
- 5.36 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.



- <sup>5.37</sup> In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- <sup>5.38</sup> Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides a robust evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, PPTS (2015), and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies and development management.

### Gypsies and Travellers

- 6.2 In summary there is a need for **24 additional pitches** in Epping Forest District over the GTAA period from 2016 to 2033 for Gypsy and Traveller households that meet the planning definition; a need for up to 41 additional pitches for Gypsy and Traveller households that may meet the planning definition; and a need for 4 additional pitches for Gypsy and Traveller households that do not meet the planning definition.

### Travelling Showpeople

- 6.3 Only one interview was completed with a Travelling Showperson in Epping Forest District. Whilst the household does not meet the planning definition or have any current or future accommodation needs, the interview did identify that the other 8 plots at the yard were becoming over-crowded and that additional plots will be needed to meet the needs of expanding families.

### Transit Provision

- 6.1 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Epping Forest District Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

### Summary of Need to be Addressed

- 6.2 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches and plots that will need to be addressed either as a result of the GTAA, or through the SHMA or HEDNA and through separate Local Plan policies.

- 6.3 Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 69 additional pitches. The table below breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition.

Figure 5 – Breakdown of need to be addressed for Gypsies and Travellers in Epping Forest District (2016-2033)

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 10% of unknowns)	28 (24+4)	0	<b>28</b>
Not meeting Planning Definition (incl. 90% of unknowns)	0	41 (4+37)	<b>41</b>
<b>TOTAL</b>	<b>28</b>	<b>41</b>	<b>69</b>

### Epping Forest District Local Plan 2011-2033

- 6.4 The new Epping Forest District Local Plan is scheduled to run from 2011 to 2033. Therefore, while this GTAA has a base date of September 2016, it does not cover the period 2011-2016. In the period 2011-2016 a total of 16 additional permanent pitches were completed in Epping Forest District.
- 6.5 It is appropriate to add the 16 completed permanent pitches to the identified need for a further 24 pitches for the GTAA period 2016-2033 because if the 16 pitches had not been delivered then the need would have been 16 pitches higher in 2016. Therefore, the total identified need for pitches in Epping Forest District over the Local Plan period of 2011-2033 is 40 pitches. This leaves a total of 24 pitches to be identified over the remainder of the plan period for households that meet the planning definition; up to 41 pitches for unknown households; and 4 pitches for households that do not meet the planning definition.

Figure 6 – Need adjusted for the Epping Forest District Local Plan Period 2011-2033

Local Plan Need 2011-2033	Pitches
Number of pitches required 2011-2033	40
Completions 2011-2016	16
<b>Remaining requirement to be identified</b>	<b>24</b>

Figure 7 – Need adjusted for the Epping Forest District Local Plan Period by 5 year periods

Years	0-5	6-10	11-15	16-20	20-22	Total <sup>7</sup>
	2011-16	2016-21	2021-26	2026-31	2031-33	
Meet Planning Definition	16	16	3	3	2	<b>24</b>
Unknown	-	25	6	7	3	<b>41</b>
Do not meet Planning Definition	-	1	1	2	0	<b>4</b>
<b>TOTAL</b>		<b>42</b>	<b>10</b>	<b>12</b>	<b>5</b>	<b>69</b>

<sup>7</sup> Excluding the 16 pitches delivered between 2011-16.

# Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 8 - Additional need for unknown Gypsy and Traveller households in Epping Forest District (2016-2033)

Gypsies and Travellers – Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	5
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>5</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	14
In-migration	0
New household formation (Household base 77 and formation rate of 1.50%)	22
<b>Total Future Needs</b>	<b>36</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>41</b>

Figure 9 - Additional need for unknown Gypsy and Traveller households in Epping Forest District by 5 year periods

Years	0-5	6-10	11-15	16-17	
	2016-21	2021-26	2026-31	2031-33	Total
	25	6	7	3	<b>41</b>

Figure 10 - Additional need for Gypsy and Traveller households in Epping Forest District that do not meet the Planning Definition (2016-2033)

<b>Gypsies and Travellers – Not Meeting Planning Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	4
<i>(Household base 21 and formation rate 1.10%)</i>	
<b>Total Future Needs</b>	<b>4</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>4</b>

Figure 11 - Additional need for Gypsy and Traveller households in Epping Forest District that do not meet the Planning Definition by 5 year periods

<b>Years</b>	<b>0-5</b>	<b>6-10</b>	<b>11-15</b>	<b>16-17</b>	
	<b>2016-21</b>	<b>2021-26</b>	<b>2026-31</b>	<b>2031-33</b>	<b>Total</b>
	1	1	2	0	<b>4</b>



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



**Harlow Council**  
**Gypsy, Traveller and Travelling**  
**Showpeople**  
**Accommodation Assessment**

Need Summary Report

August 2017



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright August 2017

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2017)

# Contents

<b>1. Introduction .....</b>	<b>4</b>
The Planning Definition in PPTS (2015).....	5
Definition of Travelling.....	5
<b>2. Methodology.....</b>	<b>8</b>
<b>3. Planning Definition .....</b>	<b>10</b>
Applying the Planning Definition .....	10
Unknown Households .....	11
Households that do not meet the Planning Definition .....	12
<b>4. Survey of Travellers .....</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople .....	13
Efforts to contact bricks and mortar households .....	13
<b>5. Current and Future Pitch Provision.....</b>	<b>15</b>
New Household Formation Rates .....	15
Breakdown by 5 Year Bands .....	17
Planning Status of Households .....	17
Bricks and Mortar Interviews.....	17
Pitch Needs – Gypsies and Travellers that meet the Planning Definition .....	18
Pitch Needs – Unknown Gypsies and Travellers.....	18
Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition.....	19
Waiting Lists.....	20
Plot Needs – Travelling Showpeople .....	20
Transit Recommendations .....	20
<b>6. Conclusions .....</b>	<b>22</b>
Gypsies and Travellers .....	22
Travelling Showpeople.....	22
Transit Provision .....	22
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition .....</b>	<b>24</b>



# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Harlow for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Paragraph 1.8 for the full definition).
- 1.3 The study provides an evidence base to enable the Council to assess and meet the needs of the Travelling Community, as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act (1985), the National Planning Policy Framework (2012), Planning Practice Guidance (2014), PPTS (2015), and the Housing and Planning Act (2016). It also provides an evidence base which can be used to support Local Plan policies and development management.
- 1.4 The Harlow GTAA is part of a wider study that covers the whole of Essex, together with Southend-on-Sea and Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of accommodation need for Gypsies, Travellers and Travelling Showpeople in Harlow for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS (2015)

- 1.8 For the purposes of the planning system, the definition of Gypsies, Travellers and Travelling Showpeople was changed in PPTS (2015). The new definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- 1.9 The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- 1.10 One of the most important questions that GTAA’s will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.
- 1.11 **R v South Hams District Council (1994)** – defined Gypsies as “*persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)*” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.
- 1.12 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the

New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.

- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled in the past for work purposes. In addition households will also have to demonstrate that they plan to travel again in the future for work purposes.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267) that was published in December 2016. A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work'*

*also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose. In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- <sup>2.1</sup> As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAAs for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- <sup>2.2</sup> The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- <sup>2.3</sup> PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- <sup>2.4</sup> In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes

<sup>2.5</sup> The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

## 3. Planning Definition

<sup>3.1</sup> The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS has collected information necessary to assess each household against the planning definition. Since PPTS (2015) was issued only a small number of relevant planning appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

<sup>3.2</sup> The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:

- » Whether any household members have travelled in the past 12 months.
- » Whether household members have ever travelled.
- » The main reasons for travelling.
- » Where household members travelled to.
- » The times of the year that household members travelled.
- » Where household members stay when they are away travelling.
- » When household members stopped travelling.
- » The reasons why household members stopped travelling.
- » Whether household members intend to travel again in the future.
- » When and the reasons why household members plan to travel again in the future.

<sup>3.3</sup> When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate **that household members travel for work purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future.** The same definition applies to Travelling Showpeople as to Gypsies and Travellers.

<sup>3.4</sup> Households that need to be considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

<sup>3.5</sup> Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

## Unknown Households

<sup>3.6</sup> As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be a maximum additional need figure over and above the need identified for households that do meet the planning definition.

<sup>3.7</sup> The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

<sup>3.8</sup> ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.

<sup>3.9</sup> However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

<sup>3.10</sup> The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan

---

<sup>2</sup> See Paragraph 5.8.

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.



policies the Council could consider the use of a criteria-based policy (as suggested in PPTS (2015) Paragraph 11) for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

- <sup>3.11</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, Essex. In his Report that was published on 29th June 2017 he concluded:

**150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, MM242h is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.**

### Households that do not meet the Planning Definition

- <sup>3.12</sup> Households who do not travel or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Harlow.
- 4.2 Through the desk-based research ORS identified 2 public sites (36 pitches); no private sites; 1 site with temporary planning permission (1 pitch)<sup>5</sup>; no sites that are tolerated for planning purposes; no unauthorised sites; no Travelling Showpeople yards; and no transit sites.
- 4.3 Interviews were completed between January and September 2016. Up to 3 attempts were made to interview each household where they were not present when interviewers visited. The table below sets out the number of pitches, the number of interviews that were completed, and the reasons why interviews were not completed.

**Figure 1 – Gypsy and Traveller sites visited in Harlow**

Site Status	Pitches/ Plots	Interviews	Reasons for not completing interviews
<b>Public Sites</b>			
Elizabeth Way, Harlow	21	10	3 x refusals, 8 x no contact possible
Fernhill Lane, Harlow	15	8	7 x vacant
<b>Temporary Sites</b>			
Skins Farm, Harlow	1	0	1 x no contact possible
<b>TOTAL</b>	<b>37</b>	<b>18</b>	

- 4.4 A total of 5 households on the public sites stated that it was their intention to move away from the sites, either to bricks and mortar, or to other sites in Essex or Kent.

### Efforts to contact bricks and mortar households

- 4.5 ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.

<sup>5</sup> Temporary planning permission expired in January 2017 which was after the baseline date for the GTAA.

<sup>4.6</sup> At the time of concluding this report no contacts had been identified to interview (although a number of letters were sent by Registered Providers inviting known Gypsy and Traveller to contact ORS if they had any current or future accommodation needs).

## 5. Current and Future Pitch Provision

- <sup>5.1</sup> This section focuses on the additional pitch provision which is needed in Harlow currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- <sup>5.2</sup> We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- <sup>5.3</sup> This section includes an assessment of the total additional provision which is required in the area and the need for any transit sites and/or emergency stopping place provision.

### New Household Formation Rates

- <sup>5.4</sup> Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (August 2015)*. The main conclusions are set out below and the full document can be found in the Joint Methodology Report.
- <sup>5.5</sup> Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only robust way to project future population and household growth is through demographic analysis.
- <sup>5.6</sup> The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- <sup>5.7</sup> The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The

most recent was in relation to an appeal in Doncaster that was issued in November 2016 (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.8 In addition, the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.9 ORS assessments take full account of the net local household growth rate per annum for each local authority, calculated on the basis of demographic evidence from the site surveys, and the 'baseline' includes all current authorised households, all households identified as in current need (including concealed households, movement from bricks and mortar and those on waiting lists not currently living on a pitch or plot), as well as households living on tolerated unauthorised pitches or plots who are not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates, and in-/out-migration.
- 5.10 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 in each local authority (by travelling status).
- 5.11 In certain circumstances where the numbers of households and children are low it may not be appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children.
- 5.12 In Harlow for unknown Gypsies and Travellers the national rate of 1.50% has been used; and for those who do not meet the new definition a rate of 1.90% has been used based on the demographics of the households. No households that were interviewed met the planning definition.

## Breakdown by 5 Year Bands

5.13 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the overall need has also been broken down by 5 year bands as required by PPTS (2015). The way that this is calculated is by including all current need (from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, 5 year need from teenage children, and net movement from bricks and mortar) in the first 5 years. In addition the total net new household formation is split across the 5 year bands based on the rate of growth that was applied – as opposed to being spread evenly.

## Planning Status of Households

5.14 Information that was sought from households where an interview was completed allowed each household to be assessed against the planning definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future.

5.15 Figure 2 shows that for Gypsies and Travellers no households meet the planning definition of a Traveller as none were able to demonstrate that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 18 Gypsy and Traveller households did not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons, to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.

5.16 The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

5.17 There were no Travelling Showpeople identified in Harlow.

**Figure 2 – Planning status of households in Harlow**

Site Status	Meet Planning Definition	Unknown	Do Not Meet Planning Definition	TOTAL
Public Sites	0	11	18	29
Temporary Sites	0	1	0	1
<b>TOTAL</b>	<b>0</b>	<b>12</b>	<b>18</b>	<b>30</b>

## Bricks and Mortar Interviews

5.18 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Harlow as none were identified through the fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is

fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

### Pitch Needs – Gypsies and Travellers that meet the Planning Definition

- 5.19 There were no Gypsy and Traveller households that were interviewed that meet the planning definition so there is no current or future need for additional pitches.
- 5.20 Therefore the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **no additional pitches** over the GTAA period to 2033.

**Figure 3 – Additional need for households in Harlow that meet the Planning Definition (2016-33)**

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation <i>(No households interviewed meet the planning definition)</i>	0
<b>Total Future Needs</b>	<b>0</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>0</b>

**Figure 4 – Additional need for households in Harlow that meet the Planning Definition by 5 year periods**

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	0	0	0	<b>0</b>

### Pitch Needs – Unknown Gypsies and Travellers

- 5.21 Whilst it was not possible to determine the travelling status of a total of 12 households as they either refused to be interviewed, or were not on site at the time of the fieldwork, the needs of these

households still need to be recognised by the GTAA as they are believed to be ethnic Gypsies and Travellers and **may** meet the planning definition.

- 5.22 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.23 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.
- 5.24 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means.
- 5.25 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 1 from the temporary pitch, by up to 3 from new household formation (this uses a base of the 12 household and a net growth rate of 1.50%<sup>6</sup>). In addition there is supply in the first 5 years from 2 of the vacant pitches on the public sites<sup>7</sup>. Therefore additional need *could* increase by up to a further 2 pitches, plus any concealed adult households or 5 year need arising from older teenagers living in these households (if all unknown pitches are deemed to meet the planning definition). However, as an illustration, if the national average of 10% were to be applied this could be as few as no additional pitches.
- 5.26 Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.27 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies. On this basis, it is evident that whilst the needs of the 18 households who do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as many identified as Romany Gypsies and may claim that the Council should meet their housing needs through culturally appropriate housing.
- 5.28 Total need for 7 additional pitches has been identified from households that do not meet the planning definition. This is made up of 4 concealed or doubled-up households or adult children, 3 teenage children in need of a pitch of their own in the next 5 years and 9 through new household

---

<sup>6</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

<sup>7</sup> Whilst there are 7 vacant pitches and 5 pitches due to be vacated by households moving away from the study area or to bricks and mortar, only pitches to cover current need in the first 5 years of the GTAA period have been taken into consideration.



formation. This uses a rate of 1.90% based on the demographics of the households. This is offset by supply of 9 pitches in the first 5 years of the GTAA<sup>8</sup>.

- 5.29 A summary of this need for households that do not meet the planning definition can be also be found in **Appendix A**.

## Waiting Lists

- 5.30 There are 2 public sites in Harlow. At the time of reporting information was still being processed by Essex County Council regarding the households on the waiting lists for these sites. This will help to identify how many households are currently living on one of the sites; how many are living in bricks and mortar in Harlow; how many are living on other sites in Harlow; how many are living on sites outside of Harlow; and how many are living in bricks and mortar outside of Harlow. However given that there were 7 vacant pitches at the time of the fieldwork it is not felt that there are any households on the waiting list wishing to move to a public site in Harlow.
- 5.31 Should any households wish to be considered for a tenancy on one of the public sites they may have to provide information on their travelling patterns during the site allocation process.

## Plot Needs – Travelling Showpeople

- 5.32 There were no Travelling Showpeople yards identified in Harlow so there is no need for any additional plots for Travelling Showpeople.

## Transit Recommendations

- 5.33 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.
- 5.34 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.35 Discussions held with Officers from ECTU have confirmed that analysis of ‘Direction to Leave Notices’ may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.
- 5.36 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and

---

<sup>8</sup> Whilst there are 10 remaining vacant pitches or pitches due to be vacated, only pitches to cover current need in the first 5 years of the GTAA period have been taken into consideration.

the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.

- <sup>5.37</sup> In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- <sup>5.38</sup> Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides a robust evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, PPTS (2015), and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies and development management.

### Gypsies and Travellers

- 6.2 In summary there is a need for **no additional pitches** in Harlow over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for up to 2 additional pitches for Gypsy and Traveller households that may meet the planning definition; and a need for 7 additional pitches for Gypsy and Traveller households who do not meet the planning.

### Travelling Showpeople

- 6.3 There were no Travelling Showpeople identified living in Harlow so there is no current or future need for additional plots.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Harlow Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

### Summary of Need to be Addressed

- 6.5 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches and plots that will need to be addressed either as a result of the GTAA, or through the SHMA or HEDNA and through separate Local Plan policies.

6.6 Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 9 additional pitches. The table below breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition.

**Figure 7 – Breakdown of need to be addressed for Gypsies and Travellers in Harlow (2016-2033)**

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 10% of unknowns)	0 (0+0)	0	<b>0</b>
Not meeting Planning Definition (incl. 90% of unknowns)	0	9 (7+2)	<b>9</b>
<b>TOTAL</b>	<b>0</b>	<b>9</b>	<b>9</b>

# Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 8 - Additional need for unknown Gypsy and Traveller households in Harlow (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	2
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>2</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	1
In-migration	0
New household formation (Household base 12 and formation rate of 1.50%)	3
<b>Total Future Needs</b>	<b>4</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>2</b>

Figure 9 - Additional need for unknown Gypsy and Traveller households in Harlow by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	1	1	0	<b>2</b>

Figure 10 - Additional need for Gypsy and Traveller households in Harlow that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting Planning Definition</b>		<b>Pitches</b>
<b>Supply of Pitches</b>		
Additional supply from vacant public and private pitches		4
Additional supply from pitches on new sites		0
Pitches vacated by households moving to bricks and mortar		1
Pitches vacated by households moving away from the study area		4
<b>Total Supply</b>		<b>9</b>
<b>Current Need</b>		
Households on unauthorised developments		0
Households on unauthorised encampments		0
Concealed households/Doubling-up/Over-crowding		4
Movement from bricks and mortar		0
Households on waiting lists for public sites		0
<b>Total Current Need</b>		<b>4</b>
<b>Future Need</b>		
5 year need from teenage children		3
Households on sites with temporary planning permission		0
In-migration		0
New household formation		9
<i>(Household base 25 and formation rate 1.90%)</i>		
<b>Total Future Needs</b>		<b>12</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>		<b>7</b>

Figure 11 - Additional need for Gypsy and Traveller households in Harlow that do not meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	3	3	1	<b>7</b>



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



MALDON DISTRICT COUNCIL

**Maldon District Council  
Gypsy, Traveller and Travelling  
Showpeople Accommodation Assessment**

Need Summary Report

December 2016

*Please note that minor typographical amendments have been made to Figure 1,*



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · info@ors.org.uk · www.ors.org.uk

© Copyright December 2016

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS data © Crown Copyright (2016)

*Please note that this is a revised version of the Need Summary Report that was produced in December 2016. Following the completion of the Essex, Southend-on Sea and Thurrock GTAA the report has been reformatted. This has not changed any of the need figures for Maldon.*



# Contents

<b>1. Introduction .....</b>	<b>4</b>
The Planning Definition in PPTS (2015).....	5
Definition of Travelling.....	5
<b>2. Methodology.....</b>	<b>8</b>
<b>3. Planning Definition .....</b>	<b>10</b>
Applying the Planning Definition .....	10
Unknown Households .....	11
Households that do not meet the Planning Definition .....	12
<b>4. Survey of Travellers .....</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople .....	13
Efforts to contact bricks and mortar households .....	14
<b>5. Current and Future Pitch Provision.....</b>	<b>15</b>
New Household Formation Rates .....	15
Breakdown by 5 Year Bands .....	17
Planning Status of Households .....	17
Bricks and Mortar Interviews.....	18
Pitch Needs – Gypsies and Travellers that meet the Planning Definition .....	18
Waiting Lists.....	20
Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition.....	20
Travelling Showpeople Needs.....	21
Transit Recommendations .....	21
<b>6. Conclusions .....</b>	<b>23</b>
Gypsies and Travellers .....	23
Travelling Showpeople.....	23
Transit Provision .....	23
Summary of Need to be Addressed .....	24
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition .....</b>	<b>25</b>

# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Maldon District for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Para 1.8 for the full definition).
- 1.3 The study will provide an evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.
- 1.4 The Maldon GTAA is part of a wider study that covers the whole of Essex, together with Southend-on-Sea and Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of accommodation need for Gypsies, Travellers and Travelling Showpeople in Maldon District for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS (2015)

- 1.8 For the purposes of the planning system, the definition was changed in the revised PPTS. The new definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- 1.9 The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- 1.10 One of the most important questions that GTAA’s will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.
- 1.11 **R v South Hams District Council (1994)** – defined Gypsies as “*persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)*” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.
- 1.12 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the

New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.

- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled in the past for work purposes. In addition households will also have to demonstrate that they plan to travel again in the future for work purposes.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire that was published in December 2016 (Appeal Ref: APP/J1915/W/16/3145267). A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work'*

*also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose. In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- <sup>2.1</sup> As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAAs for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- <sup>2.2</sup> The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- <sup>2.3</sup> PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- <sup>2.4</sup> In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes

<sup>2.5</sup> The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

## 3. Planning Definition

<sup>3.1</sup> The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS has collected information necessary to assess each household against the planning definition. Since PPTS (2015) was issued only a small number of relevant planning appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

<sup>3.2</sup> The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:

- » Whether any household members have travelled in the past 12 months.
- » Whether household members have ever travelled.
- » The main reasons for travelling.
- » Where household members travelled to.
- » The times of the year that household members travelled.
- » Where household members stay when they are away travelling.
- » When household members stopped travelling.
- » The reasons why household members stopped travelling.
- » Whether household members intend to travel again in the future.
- » When and the reasons why household members plan to travel again in the future.

<sup>3.3</sup> When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that **household members travel for work purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future.** The same definition applies to Travelling Showpeople as to Gypsies and Travellers.

<sup>3.4</sup> Households that need to be considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:



- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

<sup>3.5</sup> Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

### Unknown Households

<sup>3.6</sup> As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be a maximum additional need figure over and above the need identified for households that do meet the planning definition.

<sup>3.7</sup> The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

<sup>3.8</sup> ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.

<sup>3.9</sup> However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

<sup>3.10</sup> The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan

---

<sup>2</sup> See Paragraph 5.8.

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.

policies the Council could consider the use of a criteria-based policy (as suggested in PPTS (2015) Paragraph 11) for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

### Households that do not meet the Planning Definition

- <sup>3.11</sup> Households who do not travel or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Maldon District.
- 4.2 Through the desk-based research ORS identified 2 public sites (26 pitches), 14 private sites (33 pitches), and 1 unauthorised site (2 pitches). There is also 1 Travelling Showpeople yard with planning permission for 5 plots – this is still under construction and is unoccupied. There are no transit sites.
- 4.3 Interviews were completed between January and September 2016. Up to 3 attempts were made to interview each household where they were not present when interviewers visited.
- 4.4 The table below sets out the number of pitches, the number of interviews that were completed, and the reasons why interviews were not completed.

**Figure 1 – Gypsy, Traveller and Travelling Showpeople Sites and Yards Visited in Maldon District**

Site/Yard Status	Pitches/Plots	Interviews	Reasons for not completing interviews
<b>Public Sites</b>			
Brickhouse Road, Tolleshunt Major	6	4	1 x refusal, 1 x no contact
Wood Corner, Woodham Walter	20	8	2 x refusals, 10 x no contact
<b>Private Sites</b>			
Eaglefield, Little Totham	1	0	1 x non-Travellers
Homelea, Two Elms and The Loft, Tolleshunt Major	4	1	1 x vacant, 2 x no contact
Junction of Captains Wood Road and Maypole Road	1	0	1 x no contact
Land at Broomfields Farm, Great Braxted	1	0	1 x no contact
Land opposite Heath Farm, Tolleshunt D'Arcy	1	0	1 x no contact
New Redgates, Purleigh	1	1	-
Office Lane, Little Totham	4	2	2 x no contact
Tarry Wood, Little Totham	1	0	1 x no contact
The Birches, Cold Norton	3	1	2 x no contact
The Oaks, Great Braxted	3	0	3 x no contact
The Orchards, Great Braxted	7	1	1 x refusal, 5 x no contact
The Poplars, Cold Norton	4	1	3 x no contact
The Stables, Great Totham	1	0	1 x non-Travellers
Two Acres, Tolleshunt Major	1	1	-

<b>Unauthorised Sites</b>			
Rose Stables, Great Totham <sup>5</sup>	2	0	2 x no contact
<b>Travelling Showpeople</b>			
Restawyle, Tolleshunt Knights	5	0	5 x unimplemented plots
<b>TOTAL</b>	<b>66</b>	<b>20</b>	

### Efforts to contact bricks and mortar households

- <sup>4.5</sup> ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.
- <sup>4.6</sup> At the time of concluding this report no contacts had been identified to interview (although a number of letters were sent by Registered Providers inviting known Gypsy and Traveller to contact ORS if they had any current or future accommodation needs).

---

<sup>5</sup> Since the completion of the GTAA this site has been granted planning permission.

## 5. Current and Future Pitch Provision

- <sup>5.1</sup> This section focuses on the additional pitch provision which is needed in Maldon District currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- <sup>5.2</sup> We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- <sup>5.3</sup> This section includes an assessment of the total additional provision which is required in the area and the need for any transit sites and/or emergency stopping place provision.

### New Household Formation Rates

- <sup>5.4</sup> Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (August 2015)*. The main conclusions are set out below and the full document can be found in the Joint Methodology.
- <sup>5.5</sup> Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only robust way to project future population and household growth is through demographic analysis.
- <sup>5.6</sup> The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- <sup>5.7</sup> The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The

most recent was in relation to an appeal in Doncaster that was issued in November 2016 (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.8 In addition, the Technical Note has been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.9 ORS assessments take full account of the net local household growth rate per annum for each local authority, calculated on the basis of demographic evidence from the site surveys. The 'baseline' includes all current authorised households, all households identified as in current need (excluding older teenage children whose needs are assessed separately), as well as households living on tolerated unauthorised pitches or plots who are not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates, and in-/out-migration.
- 5.10 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 in each local authority (by travelling status).
- 5.11 In certain circumstances where the numbers of households and children are low it may not be appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children.
- 5.12 In Maldon District for Gypsies and Travellers who meet the planning definition formation is based on the demographics of the households; for unknown Travellers the national rate of 1.50% has been used; and for those who do not meet the planning definition formation is based on the demographics of the households.

## Breakdown by 5 Year Bands

- 5.13 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the overall need has also been broken down by 5 year bands as required by PPTS. The way that this is calculated is by including all current need (from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, and net movement from bricks and mortar) in the first 5 years. In addition the total net new household formation is split across the 5 year bands based on the rate of growth that was applied – as opposed to being spread evenly.

## Planning Status of Households

- 5.14 Information that was sought from households where an interview was completed allowed each household to be assessed against the planning definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future. In addition information from a recent (yet to be determined) planning appeal was used to confirm the travelling status of residents living on one of the sites where interviews were not able to be completed.
- 5.15 Figure 2 shows that for Gypsies and Travellers 3 households meet the planning definition of a Traveller in that it was able to be determined that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 19 Gypsy and Traveller households did not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons, to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.
- 5.16 The Travelling Showpeople yard was still under construction and was unoccupied and the planning status of the future occupiers could not be determined from either the planning application or planning appeal documentation. However the planning application does state that all of the households require land to store their equipment and this would suggest that they may all meet the planning definition.
- 5.17 The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

Figure 2 – Planning Status of Households in Maldon District

Site/Yard Status	Meet Planning Definition <sup>6</sup>	Unknown <sup>7</sup>	Do Not Meet Planning Definition <sup>2</sup>	TOTAL
Public Sites	1	14	11	<b>26</b>
Private Sites	1	23	7	<b>31</b>
Unauthorised Sites	1	0	1	<b>2</b>
Travelling Showpeople <sup>8</sup>	0	0	0	<b>0</b>
<b>TOTAL</b>	<b>3</b>	<b>37</b>	<b>19</b>	<b>59</b>

## Bricks and Mortar Interviews

5.18 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Maldon District as none were identified through the fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

## Pitch Needs – Gypsies and Travellers that meet the Planning Definition

5.19 The 3 households who meet the planning definition of Travelling were found on 1 public site, 1 private site and 1 unauthorised site. Analysis of the household interviews shows that the household living on the public site are seeking to move to bricks and mortar accommodation. As such their accommodation needs have not been considered in the GTAA and they have not been included in the base for new household formation to inform the need for additional pitches.

5.20 Analysis of the household information for the remaining 2 households that meet the planning definition show that 1 pitch is unauthorised and that there is no other current or future need arising from residents on either site. The unauthorised pitch is currently awaiting the outcome of a recent planning appeal. If the appeal is allowed this component of need will be met.

5.21 Therefore the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **1 additional pitch** over the GTAA period to 2033.

<sup>6</sup> The travelling status of one household was determined from planning appeal documentation.

<sup>7</sup> Excludes 2 pitches found to be occupied by non-ethnic Gypsies or Travellers

<sup>8</sup> The yard is under construction and unoccupied. The future residents are believed to be living elsewhere in Essex and will be included in the GTAA for the local authority they are currently living in.



Figure 3 – Additional need for households in Maldon District that meet the Planning Definition (2016-33)

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	1
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>1</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	0
<i>(No new household formation)</i>	
<b>Total Future Needs</b>	<b>0</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>1</b>

Figure 4 – Additional need for households in Maldon District that meet the Planning Definition by 5 Year Periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	1	0	0	0	1

### Pitch Needs – Unknown Gypsies and Travellers

- 5.22 Whilst it was not possible to determine the travelling status of a total of 37 households as they either refused to be interviewed, or were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be ethnic Gypsies and Travellers and **may** meet the planning definition.
- 5.23 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.24 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.

- 5.25 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means.
- 5.26 Should further information be made available to the Council that will allow for the planning definition to be applied to the 'unknown' households, the overall level of need could rise by up to 13 pitches from new household formation (this uses a base of the 37 households and a net growth rate of 1.50%<sup>9</sup>). There are also a total of 3 pitches that will become vacant on one of the public sites (2 through households seeking to move to bricks and mortar and 1 household seeking to move to another site). Therefore additional need *could* increase by up to a further 10 pitches, plus any concealed adult households or 5 year need arising from older teenagers living in these households (if all 37 unknown pitches are deemed to meet the planning definition). However, as an illustration, if the ORS national average of 10% were to be applied this could be as few as 1 additional pitch.
- 5.27 Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Waiting Lists

- 5.28 There are 2 public sites in Maldon District. At the time of reporting information was still being processed by Essex County Council regarding the households on the waiting lists for these sites. This will help to identify how many households are currently living on one of the sites; how many are living in bricks and mortar in Maldon District; how many are living on other sites in Maldon District; how many are living on sites outside of Maldon District; and how many are living in bricks and mortar outside of Maldon District.
- 5.29 Should these households wish to be considered for a tenancy on one of the public sites they may have to provide information on their travelling patterns during the site allocation process as and when a pitch becomes available.

### Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.30 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies.
- 5.31 On this basis, it is evident that whilst the needs of the 19 households who do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as many identified as Romany Gypsies or Irish Travellers and may claim that the Council should meet their housing needs through culturally appropriate housing.
- 5.32 Total need for 8 additional pitches has been identified from households that do not meet the planning definition. This is made up of 1 household on an unauthorised pitch, 5 concealed/doubled-

---

<sup>9</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

up households or single adults, and 2 from new household formation based on the demographics of those who were interviewed.

- 5.33 A summary of this need for households that do not meet the planning definition can also be found in **Appendix A**.

### Travelling Showpeople Needs

- 5.34 There was 1 Travelling Showpeople yard identified in Maldon District that is currently under construction and unoccupied. The future residents are understood to be living on a number of yards elsewhere in Essex and Bedford so their current needs will be included in the GTAA for the area where they are currently residing. As far as future need is concerned it has been presumed that in making an application for a new yard, it has been planned to meet the all accommodation requirements of the future occupiers.

### Transit Recommendations

- 5.35 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.
- 5.36 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.37 Discussions held with Officers from ECTU have confirmed that analysis of 'Direction to Leave Notices' may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.
- 5.38 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.
- 5.39 In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.

<sup>5.40</sup> Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides a robust evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.

### Gypsies and Travellers

- 6.2 In summary there is a need for **1 additional pitch** in Maldon District over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition<sup>10</sup>; a need for up to 10 additional pitches for Gypsy and Traveller households that may meet the planning definition; and a need for 8 additional pitches for Gypsy and Traveller households who do not meet the planning definition.

### Travelling Showpeople

- 6.3 There was 1 Travelling Showpeople yard identified in Maldon District that is currently under construction and unoccupied. The future residents are understood to be living on a number of yards elsewhere in Essex so their current needs will be included in the GTAA for the area where they are currently residing. As far as future need is concerned it has been presumed that in making an application for a new yard, it has been planned to meet the all accommodation requirements of the future tenants.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Maldon District Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

---

<sup>10</sup> This is an unauthorised pitch that is awaiting the outcome of a recent planning appeal.

## Summary of Need to be Addressed

- 6.5 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches and plots that will need to be addressed either as a result of the GTAA, or through the SHMA or HEDNA and through separate Local Plan policies.
- 6.6 Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 19 additional pitches. The table below breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition.

**Figure 5 – Breakdown of need to be addressed for Gypsies and Travellers in Maldon (2016-2033)**

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 10% of unknowns)	2 (1+1)	0	2
Not meeting Planning Definition (incl. 90% of unknowns)	0	17 (8+9)	17
<b>TOTAL</b>	<b>2</b>	<b>17</b>	<b>19</b>

## Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 6 - Additional need for unknown Gypsy and Traveller households in Maldon District (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	2
Pitches vacated by households moving away from the study area	1
<b>Total Supply</b>	<b>3</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	13
<i>(Household base 37 and formation rate of 1.50%)</i>	
<b>Total Future Needs</b>	<b>13</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>10</b>

Figure 7 - Additional need for unknown Gypsy and Traveller households in Maldon District by 5 Year Periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	2	3	4	1	<b>10</b>

Figure 8 - Additional need for Gypsy and Traveller households in Maldon District that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting Planning Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	1
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	5
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>6</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation (years 6-20)	2
<i>(Formation from household demographics)</i>	
<b>Total Future Needs</b>	<b>8</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>8</b>

Figure 9 - Additional need for Gypsy and Traveller households in Maldon District that do not meet the Planning Definition by 5 Year Periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	6	2	0	0	<b>8</b>





Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



**Southend-on-Sea Borough Council  
Gypsy, Traveller and Travelling  
Showpeople  
Accommodation Assessment**

Need Summary Report

October 2017



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright October 2017

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2017)

# Contents

<b>1. Introduction .....</b>	<b>4</b>
The Planning Definition in PPTS (2015) .....	5
Definition of Travelling .....	5
<b>2. Methodology.....</b>	<b>8</b>
<b>3. Planning Definition .....</b>	<b>10</b>
Applying the Planning Definition.....	10
Unknown Households.....	11
Households that do not meet the Planning Definition .....	12
<b>4. Survey of Travellers .....</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople .....	13
Efforts to contact bricks and mortar .....	13
<b>5. Current and Future Pitch Provision.....</b>	<b>14</b>
New Household Formation Rates.....	14
Breakdown by 5 Year Bands .....	15
Planning Status of Households .....	16
Bricks and Mortar Interviews .....	16
Pitch Needs – Gypsies and Travellers.....	16
Plot Needs – Travelling Showpeople .....	16
Transit Recommendations.....	16
<b>6. Conclusions .....</b>	<b>18</b>
Gypsies and Travellers.....	18
Travelling Showpeople .....	18
Transit Provision .....	18

# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) Need Summary is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Southend-on-Sea Borough for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Paragraph 1.8 for the full definition).
- 1.3 The study will provide an evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, PPTS (2015), and the Housing and Planning Act 2016. It also provides an evidence base which can be used to support Local Plan policies.
- 1.4 The Southend-on-Sea Borough GTAA is part of a wider study that covers the whole of Essex, together with the unitary authority of Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of accommodation need for Gypsies, Travellers and Travelling Showpeople in Southend-on-Sea Borough for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS (2015)

- <sup>1.8</sup> For the purposes of the planning system the definition of a Gypsy, Traveller and Travelling Showperson was changed in PPTS (2015). The planning definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- <sup>1.9</sup> The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- <sup>1.10</sup> One of the most important questions that GTAA’s will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.
- <sup>1.11</sup> **R v South Hams District Council (1994)** – defined Gypsies as “*persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)*” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.
- <sup>1.12</sup> In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two

months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.

- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. that the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition households will also have to demonstrate that they plan to travel again for work in the future.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267) that was published in December 2016. A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work' also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose.*

*In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- 2.1 As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAAs for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- 2.2 The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- 2.3 PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- 2.4 In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes



- 2.5 The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

## 3. Planning Definition

- 3.1 The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS collected information necessary to assess each household against the planning definition. As PPTS (2015) has only recently been issued only a small number of relevant appeal decisions have been issued by the Planning Inspectorate on how the new planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

- 3.2 The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:
- » Whether any household members have travelled in the past 12 months.
  - » Whether household members have ever travelled.
  - » The main reasons for travelling.
  - » Where household members travelled to.
  - » The times of the year that household members travelled.
  - » Where household members stay when they are away travelling.
  - » When household members stopped travelling.
  - » The reasons why household members stopped travelling.
  - » Whether household members intend to travel again in the future.
  - » When and the reasons why household members plan to travel again in the future.
- 3.3 When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that household members **travel for works purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future.** The same definition applies to Travelling Showpeople as to Gypsies and Travellers.
- 3.4 Households that need to be formally considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

3.5 Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

### Unknown Households

3.6 As well as calculating need for households that meet the planning definition, the needs of any households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be an additional need figure over and above the need identified for households that do meet the planning definition.

3.7 The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

3.8 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.

3.9 However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

3.10 The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan policies the Council could consider the use of a criteria-based policy as suggested in PPTS (2015)

---

<sup>2</sup> See Paragraph 5.8

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.

Paragraph 11, for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

- <sup>3.11</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, Essex. In his Report that was published on 29th June 2017 he concluded:

150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, **MM242h** is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.

### Households that do not meet the Planning Definition

- <sup>3.12</sup> Households who do not travel for work or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Southend-on-Sea.
- 4.2 Through the desk-based research ORS identified no public sites; no private sites; no temporary sites; no tolerated sites; no unauthorised sites; no transit sites; and no Travelling Showpeople yards.
- 4.3 As such it was not possible to complete any interviews with Gypsies, Travellers or Travelling Showpeople living on sites or yards in Southend-on-Sea.

**Figure 1 – Gypsy, Traveller and Travelling Showpeople sites and yards visited in Southend-on-Sea**

Site/Yard Status	Pitches/Plots	Interviews	Reasons for not completing interviews
<b>Public Sites</b>			
None	-	-	-
<b>Private Sites</b>			
None	-	-	-
<b>Temporary Sites</b>			
None	-	-	-
<b>Tolerated Sites</b>			
None	-	-	-
<b>Unauthorised Sites</b>			
None	-	-	-
<b>Travelling Showpeople</b>			
None	-	-	-
<b>TOTAL</b>	<b>0</b>	<b>0</b>	

### Efforts to contact bricks and mortar

- 4.4 ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.
- 4.5 At the time of concluding this report no contacts had been identified to interview (although a number of letters were sent by Registered Providers inviting known Gypsy and Traveller to contact ORS if they had any current or future accommodation needs).

## 5. Current and Future Pitch Provision

- 5.1 This section focuses on the additional pitch provision that is needed in Southend-on-Sea Borough currently and to 2033. This includes both any current unmet need and any need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- 5.2 We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council.

### New Household Formation Rates

- 5.3 Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (August 2015)*. The main conclusions are set out below and the full document can be found in the Joint Methodology Report.
- 5.4 Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only robust way to project future population and household growth is through demographic analysis.
- 5.5 The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- 5.6 The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The most recent was in relation to an appeal in Doncaster that was issued in November 2016 (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.7 In addition, the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.8 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys. The 'baseline' includes all current authorised households, all households identified as in current need, as well as households living on tolerated unauthorised pitches or plots who are not included as components of current need. The assessments of future need also takes account of modelling projections based on birth and death rates, fertility rates, household dissolution, and in-/out-migration.
- 5.9 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence from the household interviews has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 by planning status. This often leads to different formation rates being applied to households that do and do not meet the planning definition – for example many households that do not meet the planning definition are retired and do not have children and the result of this is to reduce the rate of new household formation.
- 5.10 In certain circumstances where the numbers of households and children are low it may not be appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children.

## Breakdown by 5 Year Bands

- 5.11 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the overall need, if identified, is broken down by 5 year bands as required by PPTS (2015). The way that this is calculated is by including all current need (for example from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, teenage children in need of a pitch of their own in the next 5 years, and net movement from bricks and mortar) in the first 5 years. In

addition, where identified, the total net new household formation is split across the 5 year bands based on the rate of growth that was applied – as opposed to being spread evenly.

### Planning Status of Households

- 5.12 Given that no Gypsies, Travellers or Travelling Showpeople were identified in Southend-on-Sea it was not necessary to determine the status of any households against the planning definition in PPTS (2015).

### Bricks and Mortar Interviews

- 5.13 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Southend-on-Sea as none were identified through the adverts that were placed, or discussions with Council Officers. In addition no households in bricks and mortar are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

### Pitch Needs – Gypsies and Travellers

- 5.14 There were no Gypsies or Travellers identified living in Southend-on-Sea so there is no current or future need for additional pitches.

### Plot Needs – Travelling Showpeople

- 5.15 There were no Travelling Showpeople identified in Southend-on-Sea so there are no current or future need for additional plots.

### Transit Recommendations

- 5.16 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.
- 5.17 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.18 Discussions held with Officers from ECTU have confirmed that analysis of 'Direction to Leave Notices' may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.



- 5.19 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.
- 5.20 In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- 5.21 Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides an robust evidence base to enable the Council to assess the housing needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.

### Gypsies and Travellers

- 6.2 In summary there is a need for **no additional pitches** in Southend-on-Sea as no Gypsy or Traveller sites or households to interview in bricks and mortar were identified.

### Travelling Showpeople

- 6.3 In summary there is a need for **no additional plots** in Southend-on-Sea as no Travelling Showpeople yards or households to interview in bricks and mortar were identified.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Southend-on-Sea Borough Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities and Thurrock in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*

**Tendring**  
District Council



**Tendring District Council  
Gypsy, Traveller and Travelling  
Showpeople  
Accommodation Assessment**

Need Summary Report

May 2017



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright May 2017

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2017)

# Contents

<b>1. Introduction .....</b>	<b>4</b>
The Planning Definition in PPTS .....	5
Definition of Travelling.....	5
<b>2. Methodology.....</b>	<b>8</b>
Background .....	8
<b>3. Planning Definition .....</b>	<b>10</b>
Applying the Planning Definition .....	10
Unknown Households.....	11
Households that do not meet the Planning Definition.....	12
<b>4. Survey of Travellers .....</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople .....	13
Efforts to contact bricks and mortar households .....	14
<b>5. Current and Future Pitch Provision.....</b>	<b>15</b>
New Household Formation Rates .....	15
Breakdown by 5 Year Bands .....	17
Planning Status of Households .....	17
Bricks and Mortar Interviews.....	18
Pitch Needs – Gypsies and Travellers that meet the Planning Definition .....	18
Pitch Needs – Unknown Gypsies and Travellers.....	19
Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition.....	20
Waiting Lists.....	20
Options for Meeting Assessed Need in Tendring .....	20
Plot Needs – Travelling Showpeople .....	20
Transit Recommendations .....	20
<b>6. Conclusions .....</b>	<b>22</b>
Gypsies and Travellers .....	22
Travelling Showpeople.....	22
Transit Provision .....	22
Summary of Need to be Addressed .....	22
Options for Meeting Assessed Need in Tendring .....	23
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition .....</b>	<b>24</b>

# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) Need Summary is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Tendring District for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Para 1.8 for the full definition).
- 1.3 The study provides a robust evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act (2016). It also provides the evidence base which can be used to support Local Plan policies and development management.
- 1.4 The Tendring GTAA is part of a wider study that covers the whole of Essex, together with Southend-on-Sea and Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of accommodation need for Gypsies, Travellers and Travelling Showpeople in Tendring District for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS

- 1.8 For the purposes of the planning system the definition of a Gypsy, Traveller and Travelling Showperson was changed in PPTS (2015). The planning definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- 1.9 The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- 1.10 One of the most important questions that GTAAs will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.
- 1.11 **R v South Hams District Council (1994)** – defined Gypsies as “persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.

- 1.12 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.
- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. that the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition households will also have to demonstrate that they plan to travel again for work in the future.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire that was published in December 2016 (Appeal Ref: APP/J1915/W/16/3145267). A summary can be seen below.



*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work' also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose. In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

### Background

- <sup>2.1</sup> As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAAs for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- <sup>2.2</sup> The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- <sup>2.3</sup> PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- <sup>2.4</sup> In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes

<sup>2.5</sup> The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

## 3. Planning Definition

<sup>3.1</sup> The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS has collected information necessary to assess each household against the planning definition. Since PPTS (2015) was issued only a small number of relevant planning appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

<sup>3.2</sup> The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:

- » Whether any household members have travelled in the past 12 months.
- » Whether household members have ever travelled.
- » The main reasons for travelling.
- » Where household members travelled to.
- » The times of the year that household members travelled.
- » Where household members stay when they are away travelling.
- » When household members stopped travelling.
- » The reasons why household members stopped travelling.
- » Whether household members intend to travel again in the future.
- » When and the reasons why household members plan to travel again in the future.

<sup>3.3</sup> When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that **household members travel for work purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future.** The same definition applies to Travelling Showpeople as to Gypsies and Travellers.

<sup>3.4</sup> Households that need to be considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

<sup>3.5</sup> Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

### Unknown Households

<sup>3.6</sup> As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be a maximum additional need figure over and above the need identified for households that do meet the planning definition.

<sup>3.7</sup> The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

<sup>3.8</sup> ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.

<sup>3.9</sup> However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

<sup>3.10</sup> The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan

---

<sup>2</sup> See Paragraph 5.8.

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.

policies the Council could consider the use of a criteria-based policy (as suggested in PPTS (2015) Paragraph 11) for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

### Households that do not meet the Planning Definition

- <sup>3.11</sup> Households who do not travel or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Tendring.
- 4.2 Through the desk-based research ORS identified no public sites; 6 private sites (17 pitches); no temporary sites; and no unauthorised sites. There are also no Travelling Showpeople yards and 2 unoccupied sites awaiting the determination of planning consent (6 pitches).
- 4.3 Interviews were completed between January and September 2016, with some follow-up interviews also completed in May 2017. Up to 3 attempts were made to interview each household where they were not present when interviewers visited.
- 4.4 The table below sets out the sites that were identified and visited, the number of pitches, the number of interviews that were completed, and the reasons why interviews were not completed.

**Figure 1 – Gypsy and Traveller sites visited in Tendring**

Status	Pitches	Interviews	Reasons for not completing interviews
<b>Private Sites</b>			
Carringtons Road, Great Bromley	1	0	1 x no contact possible
Esther Lee Stables, Ardleigh	1	0	1 x no contact possible
Land adjacent to Pump Station, Elmstead Market	1	1	-
Land behind Woodfield Bungalow, Great Bentley	5	3	2 x no contact possible
Spring Stables, Gutteridge Hall Lane	8	0	3 x no contact possible, 5 x unimplemented pitches
Woodside, Great Bromley	1	0	1 x no contact possible
<b>Undetermined Sites</b>			
Land south of Woodfield Bungalow, Great Bentley	5	0	5 x unimplemented pitches
Land south of Gutteridge Hall Lane	1	0	1 x vacant pitch
<b>TOTAL</b>	<b>23</b>	<b>4</b>	

## Efforts to contact bricks and mortar households

- <sup>4.5</sup> ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.
- <sup>4.6</sup> At the time of concluding this report no contacts had been identified to interview (although a number of letters were sent by Registered Providers inviting known Gypsy and Traveller to contact ORS if they had any current or future accommodation needs).



## 5. Current and Future Pitch Provision

- <sup>5.1</sup> This section focuses on the additional pitch provision which is needed in Tendring currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- <sup>5.2</sup> We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.

### New Household Formation Rates

- <sup>5.3</sup> Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (2015)*. The main conclusions are set out here and the full paper is in the Joint Methodology Report.
- <sup>5.4</sup> Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in the Traveller Caravan Count. However this data is very unreliable and erratic – so the only proper way to project future population and household growth is through demographic analysis.
- <sup>5.5</sup> The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- <sup>5.6</sup> The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The most recent was in relation to an appeal in Doncaster (Ref: APP/F4410/W/15/3133490) where the

agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.7 In addition the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.8 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys, and the baseline includes all current authorised households, all households identified as in current need (including concealed households, movement from bricks and mortar and those on waiting lists not currently living on a pitch or plot), as well as households living on tolerated unauthorised pitches or plots who are not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates.
- 5.9 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence from the household interviews has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 in each local authority (by planning status).
- 5.10 In certain circumstances where the numbers of households and children are low it is not appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children. This will be based on the assumption that 50% of likely households to form will stay in the area. This is based on evidence from other GTAAs that ORS have completed across England and Wales.
- 5.11 Research by ORS has also identified a national growth rate of 1.00% for Travelling Showpeople and this has also been adjusted locally based on site demographics.

5.12 The outcomes in Tendring are that new household formation for Gypsies and Travellers who meet the planning definition has used the site demographics as there were only 2 children identified; site demographics have also been used for Gypsy and Traveller households that do not meet the planning definition as there were only 5 children identified; and the national rate of 1.50% has been used for unknown households.

### Breakdown by 5 Year Bands

5.13 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the need has also been broken down by 5 year bands as required by PPTS (2015). The way that this is calculated is by including all current need (from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, 5 year need from teenage children, and net movement from bricks and mortar) in the first 5 years. Total net new household formation is split across the 5 year bands based on the compound rate of growth that was applied – as opposed to being spread evenly.

### Planning Status of Households

5.14 Information that was sought from households where an interview was completed allowed each household to be assessed against the planning definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future.

5.15 Figure 2 shows that for Gypsies and Travellers 1 household meet the planning definition in that it was able to be determined that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 3 Gypsy and Traveller households did not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons, to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.

5.16 The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

**Figure 2 – Planning status of households in Tendring**

Site Status	Meet Planning Definition	Unknown	Do Not Meet Planning Definition	TOTAL
Private Sites	1	8	3	<b>11</b>
Unauthorised Sites	0	0	0	<b>1</b>
<b>TOTAL</b>	<b>1</b>	<b>8</b>	<b>3</b>	<b>12</b>

## Bricks and Mortar Interviews

- 5.17 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Braintree as none were identified through the fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

## Pitch Needs – Gypsies and Travellers that meet the Planning Definition

- 5.18 The assessment identified 1 pitch occupied by a household that meets the planning definition. There is no current need identified from this pitch. The demographics of the children living on the site suggest that 1 additional household will form in years 11-15 of the assessment period. Therefore the **total additional need is for 1 pitch** over the GTAA period to 2033. There is no supply from vacant pitches, and there is no other current or future need arising from this household.

**Figure 3 – Additional need for Gypsy and Traveller households in Tendring that meet the Planning Definition (2016-2033)**

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	1
<i>(Formation from household demographics)</i>	
<b>Total Future Needs</b>	<b>1</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>1</b>

**Figure 4 – Additional need for Gypsy and Traveller households in Tendring that meet the Planning Definition by 5 year periods**

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	0	1	0	1

### Pitch Needs – Unknown Gypsies and Travellers

- 5.19 Whilst there were a total of 18 pitches with planning permission where an interview was not able to be completed, only 8 of these were occupied. There were 5 pitches that have not been implemented at Spring Stables and 5 pitches that have not been implemented at Woodfield Bungalow. Therefore there were a total of 8 occupied pitches where an interview was not completed. All of these have full planning permission.
- 5.20 Whilst it was not possible to determine the planning status of a total of 8 households as they were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be Gypsies and Travellers and **may** meet the planning definition.
- 5.21 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.22 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.
- 5.23 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means.
- 5.24 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 2 pitches from new household formation (this uses a base of the 8 households and a net growth rate of 1.50%<sup>5</sup>). This suggests that 1 new household will form in years 6-10 and that 1 new household will form in years 11-15 of the assessment period. Therefore additional need *could* increase by up to a further 2 pitches, plus any concealed adult households or 5 year need arising from older teenagers living in these households (if all 8 unknown pitches are deemed to meet the planning definition).
- 5.25 However, as an illustration, if the ORS national average of 10% were to be applied this could be as few as none ( $10\% \text{ of } 2 = 0.2$ ) of these pitches are likely to be for households that meet the planning definition and the 2 pitches will be added to need from households that do not meet the definition.
- 5.26 Tables setting out the components of need for unknown households can be found in **Appendix A**.

<sup>5</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

- 5.27 Whilst it was not possible to formally interview households living at the Spring Stables site it was noted that there was a degree of over-crowding on one of the pitches. However the site has recently been granted planning permission for 5 additional pitches and these will address any current over-crowding.

### Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.28 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies. On this basis, it is evident that whilst the needs of the 3 households who do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as some identified as Romany Gypsies. The 3 households all live on pitches that have full planning permission. The demographics of the children suggest that 1 new household will form in years 11-15 and 2 new households will form in years 16-17 of the assessment period. Therefore the total additional need is for 3 pitches.
- 5.29 A summary of this need can be found in **Appendix A**.

### Waiting Lists

- 5.30 There are no public sites in Tendring so there is no waiting list.

### Options for Meeting Assessed Need in Tendring

- 5.31 It is understood that that one of the undetermined sites that is seeking planning permission for 5 additional pitches to the south of Woodfield Bungalow is owned by the family of the households that do not meet the planning definition. If planning permission is granted these pitches may be used to meet need for 3 additional pitches arising from households living on existing pitches adjacent to Woodfield Bungalow.
- 5.32 It is likely that any need arising from unknown households - all of which could come from small family sites - could be met through intensification of the existing sites.

### Plot Needs – Travelling Showpeople

- 5.33 There were no Travelling Showpeople identified in Tendring so there are no current or future accommodation needs.

### Transit Recommendations

- 5.34 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.

- 5.35 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.36 Discussions held with Officers from ECTU have confirmed that analysis of ‘Direction to Leave Notices’ may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.
- 5.37 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.
- 5.38 In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- 5.39 Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides an robust evidence base to enable the Council to assess the housing needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.

### Gypsies and Travellers

- 6.2 In summary there is a need for **1 additional pitch** in Tendring over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for up to 2 additional pitches for Gypsy and Traveller households that may meet the planning definition; and a need for 3 additional pitches for Gypsy and Traveller households who do not meet the planning definition.

### Travelling Showpeople

- 6.3 There were no Travelling Showpeople identified in Tendring so there is no current or future need for additional plots.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Tendring District Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

### Summary of Need to be Addressed

- 6.5 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches and plots that will need to be addressed either as a result of the GTAA, or through the SHMA or HEDNA and through separate Local Plan policies.



6.6 Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 6 additional pitches. The table below breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition.

**Figure 5 – Breakdown of need to be addressed for Gypsies and Travellers in Tendring (2016-2033)**

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 10% of unknowns)	1 (1+0)	0	1
Not meeting Planning Definition (incl. 90% of unknowns)	0	5 (2+3)	5
<b>TOTAL</b>	<b>1</b>	<b>5</b>	<b>6</b>

### Options for Meeting Assessed Need in Tendring

6.7 It is understood that that one of the undetermined sites that is seeking planning permission for 5 additional pitches to the south of Woodfield Bungalow is owned by the family of the households that do not meet the planning definition. If planning permission is granted these pitches may be used to meet need for 3 additional pitches arising from households living on existing pitches adjacent to Woodfield Bungalow.

6.8 It is likely that any need arising from unknown households - all of which could come from small family sites - could be met through intensification of the existing sites.

## Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 6 - Additional need for unknown Gypsy and Traveller households in Tendring (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	2
<i>(Household base 8 and formation rate of 1.50%)</i>	
<b>Total Future Needs</b>	<b>2</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>2</b>

Figure 7 - Additional need for unknown Gypsy and Traveller households in Tendring by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	1	1	0	2

Figure 8 - Additional need Gypsy and Traveller households in Tendring that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting New Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	3
<i>(Formation from household demographics)</i>	
<b>Total Future Needs</b>	<b>3</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>3</b>

Figure 9 - Additional need for Gypsy and Traveller households in Tendring that do not meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	0	1	2	<b>3</b>



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



**Thurrock Council**  
**Gypsy, Traveller and Travelling**  
**Showpeople**  
**Accommodation Assessment**

Need Summary Report

January 2018



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright January 2018

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2018)

# Contents

<b>1. Introduction .....</b>	<b>4</b>
The Planning Definition in PPTS (2015) .....	5
Definition of Travelling .....	5
<b>2. Methodology .....</b>	<b>8</b>
<b>3. Planning Definition .....</b>	<b>10</b>
Applying the Planning Definition .....	10
Unknown Households.....	11
Households that do not meet the Planning Definition .....	12
<b>4. Survey of Travellers .....</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople .....	13
Efforts to contact bricks and mortar households.....	14
<b>5. Current and Future Pitch Provision .....</b>	<b>15</b>
New Household Formation Rates.....	15
Breakdown by 5 Year Bands .....	17
Planning Status of Households .....	17
Bricks and Mortar Interviews .....	18
Pitch Needs – Gypsies and Travellers that meet the Planning Definition.....	18
Pitch Needs – Unknown Gypsies and Travellers .....	19
Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition .....	20
Waiting Lists .....	20
Gammonfield Public Site .....	21
Plot Needs – Travelling Showpeople that meet the Planning Definition .....	22
Plot Needs – Unknown Travelling Showpeople.....	23
Plot Needs –Travelling Showpeople who do not meet the Planning Definition .....	23
Transit Recommendations.....	23
<b>6. Conclusions .....</b>	<b>25</b>
Gypsies and Travellers.....	25
Travelling Showpeople .....	25
Transit Provision .....	25
Summary of Need to be Addressed.....	25
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition .....</b>	<b>27</b>

# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) Need Summary is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Thurrock for the period 2016-2033. Note that the Travelling Showpeople yards located at Buckles Lane will be the subject of a separate assessment of need given the scale and complexity of development at this location.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Paragraph 1.8 for the full definition).
- 1.3 The study will provide an evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, PPTS (2015), and the Housing and Planning Act 2016. It also provides an evidence base which can be used to support Local Plan policies.
- 1.4 The Thurrock GTAA is part of a wider study that covers the whole of Essex, together with the unitary authority of Southend-on-Sea (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of accommodation need for Gypsies, Travellers and Travelling Showpeople in Thurrock for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS (2015)

- <sup>1.8</sup> For the purposes of the planning system the definition of a Gypsy, Traveller and Travelling Showperson was changed in PPTS (2015). The planning definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- <sup>1.9</sup> The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- <sup>1.10</sup> One of the most important questions that GTAA’s will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.

- <sup>1.11</sup> **R v South Hams District Council (1994)** – defined Gypsies as “*persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)*” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.

- <sup>1.12</sup> In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two



months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.

- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence.** It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. that the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition households will also have to demonstrate that they plan to travel again for work in the future.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267) that was published in December 2016. A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work' also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose.*

*In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- 2.1 As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAAs for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- 2.2 The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- 2.3 PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- 2.4 In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes

- 2.5 The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

## 3. Planning Definition

- 3.1 The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS collected information necessary to assess each household against the planning definition. As PPTS (2015) has only recently been issued only a small number of relevant appeal decisions have been issued by the Planning Inspectorate on how the new planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

- 3.2 The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:
- » Whether any household members have travelled in the past 12 months.
  - » Whether household members have ever travelled.
  - » The main reasons for travelling.
  - » Where household members travelled to.
  - » The times of the year that household members travelled.
  - » Where household members stay when they are away travelling.
  - » When household members stopped travelling.
  - » The reasons why household members stopped travelling.
  - » Whether household members intend to travel again in the future.
  - » When and the reasons why household members plan to travel again in the future.
- 3.3 When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that household members **travel for work purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future.** The same definition applies to Travelling Showpeople as to Gypsies and Travellers.
- 3.4 Households that need to be formally considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

3.5 Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

## Unknown Households

3.6 As well as calculating need for households that meet the planning definition, the needs of any households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be an additional need figure over and above the need identified for households that do meet the planning definition.

3.7 The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

3.8 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed. However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

3.9 The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan policies the Council could consider the use of a criteria-based policy as suggested in PPTS (2015)

---

<sup>2</sup> See Paragraph 5.8

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.

Paragraph 11, for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

<sup>3.10</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, Essex. In his Report that was published on 29th June 2017 he concluded:

150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, **MM242h** is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.

## Households that do not meet the Planning Definition

<sup>3.11</sup> Households who do not travel for work or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Thurrock.
- 4.2 Through the desk-based research ORS identified 3 public sites (64 pitches); 4 private sites (25 pitches); 2 temporary sites (9 pitches); 5 tolerated sites (19 pitches); 4 unauthorised sites (14 pitches); no transit sites; and 2 Travelling Showpeople yards (8 plots)<sup>5</sup>.
- 4.3 Interviews were completed between January and September 2016, with some follow-up interviews also completed in July and October 2017. Up to 3 attempts were made to interview each household where they were not present when interviewers visited.
- 4.4 The table below sets out the sites/yards that were identified and visited, the number of pitches/plots, the number of interviews that were completed, and the reasons why interviews were not completed.

**Figure 1 – Gypsy, Traveller and Travelling Showpeople sites and yards visited in Thurrock**

Site/Yard Status	Pitches/Plots	Interviews	Reasons for not completing interviews
<b>Public Sites</b>			
Gammonfield	21	13	8 x no contact possible
Pilgrims Lane	22	18	1 x refusal, 3 x no contact possible
Ship Lane	21	8	1 x refusal, 12 x no contact possible
<b>Private Sites</b>			
Biggin Lane	10	0	2 x refusals, 1 x non-Travellers, 4 x unimplemented pitches, 3 x no contact possible
Herd Lane	10	1	3 x refusals, 4 x non-Travellers, 2 x unimplemented pitches
The Paddock	1	0	1 x no contact possible
The Willow	4	0	4 x proxy interviews <sup>6</sup>
<b>Temporary Sites</b>			
Malvern Road	5	1	4 x proxy interviews
Southend Road (Manor View)	4	2	2 x proxy interviews
<b>Tolerated Sites</b>			
Echo Farm	6	4	2 x vacant pitches
Love Lane	1	1	-

<sup>5</sup> Excluding yards and plots at Buckles Lane which will be the subject of a separate assessment of need.

<sup>6</sup> Demographic details of other site residents obtained during the interviews that were completed but insufficient information to assess households against the Planning Definition.



Lower Crescent	7	2	5 x no contact possible
Ship Lane (off Love Lane)	4	0	4 x no contact possible
Sleepy Hollow	1	0	1 x no contact possible
<b>Unauthorised Sites</b>			
Holy Lands	3	0	3 x refusals
St Chads North	5	1	4 x proxy interviews
St Chads South	5	0	5 x no contact possible
Willows	1	0	1 x no contact possible
<b>TSP Yards</b>			
Chadfields	5	3	1 x refusal, 1 x non-Travellers
Fairacres	3	1	2 x non-Travellers
<b>TOTAL</b>	<b>139</b>	<b>55</b>	

### Efforts to contact bricks and mortar households

- 4.5 ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.
- 4.6 At the time of concluding this report no contacts had been identified to interview (although a number of letters were sent by Registered Providers inviting known Gypsy and Traveller to contact ORS if they had any current or future accommodation needs).

## 5. Current and Future Pitch Provision

- 5.1 This section focuses on the additional pitch provision that is needed in Thurrock currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- 5.2 We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- 5.3 This section includes an assessment of the total additional provision which is required in the area and the need for any transit sites and/or emergency stopping place provision.

### New Household Formation Rates

- 5.4 Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (August 2015)*. The main conclusions are set out below and the full document can be found in the Joint Methodology Report.
- 5.5 Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only robust way to project future population and household growth is through demographic analysis.
- 5.6 The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- 5.7 The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The most recent was in

relation to an appeal in Doncaster that was issued in November 2016 (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.8 In addition, the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.9 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys. The 'baseline' includes all current authorised households, all households identified as in current need, as well as households living on tolerated unauthorised pitches or plots who are not included as components of current need. The assessments of future need also takes account of modelling projections based on birth and death rates, fertility rates, household dissolution, and in-/out-migration.
- 5.10 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence from the household interviews has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 by planning status. This often leads to different formation rates being applied to households that do and do not meet the planning definition – for example many households that do not meet the planning definition are retired and do not have children and the result of this is to reduce the rate of new household formation.
- 5.11 In certain circumstances where the numbers of households and children are low it may not be appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children.
- 5.12 In Thurrock for Gypsies and Travellers who meet the planning definition formation a rate of 2.00% has been used based on the demographics of the households (49% aged under 18); for unknown Travellers

the ORS national rate of 1.50% has been used; and for those who do not meet the planning definition a rate of 2.15% has been used based on the demographics of the households (52% aged under 18).

- 5.13 For Travelling Showpeople who meet the planning definition a rate of 2.15% has been used based on the demographics of the households (51% aged under 18); for unknown Travelling Showpeople the ORS national rate of 1.00% has been used; and for Travelling Showpeople who do not meet the planning definition there is no new household formation as there are no children or younger adults.

### Breakdown by 5 Year Bands

- 5.14 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the overall need has also been broken down by 5 year bands as required by PPTS (2015). The way that this is calculated is by including all current need (for example from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, teenage children in need of a pitch of their own in the next 5 years, and net movement from bricks and mortar) in the first 5 years. In addition the total net new household formation is split across the 5 year bands based on the rate of growth that was applied – as opposed to being spread evenly.

### Planning Status of Households

- 5.15 The outcomes from the questions in the household survey on travelling were used to determine the status of each household against the planning definition in PPTS (2015). This included information on whether household members have ever travelled; why they have stopped travelling; the reasons that they travel; and whether and for what reason they plan to travel again in the future.
- 5.16 Figure 2 shows that for Gypsies and Travellers 8 households and for Travelling Showpeople 3 households meet the planning definition of a Traveller in that it was able to be determined that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 43 Gypsy and Traveller households and 1 Travelling Showpeople household did not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons, or to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.
- 5.17 The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

Figure 2 – Planning status of households in Thurrock

Site Status	Meet Planning Definition	Unknown	Do Not Meet Planning Definition	TOTAL
Public Sites	2	25	37	<b>64</b>
Private Sites	0	13	1	<b>14</b>
Temporary Sites	1	6	2	<b>9</b>
Tolerated Sites	4	10	3	<b>17</b>
Unauthorised Sites	1	13	0	<b>14</b>
TSP Yards	3	1	1	<b>5</b>
<b>TOTAL</b>	<b>11</b>	<b>68</b>	<b>44</b>	<b>123</b>

### Bricks and Mortar Interviews

- 5.18 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Thurrock as none were identified through the fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households in bricks and mortar are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

### Pitch Needs – Gypsies and Travellers that meet the Planning Definition

- 5.19 The households who meet the planning definition were found on 1 public site, 1 temporary site, 2 tolerated sites and 1 unauthorised site. Analysis of the household interviews identify that there is need for 1 additional pitch that is currently unauthorised, 4 additional pitches for teenage children in need of a pitch of their own in the next 5 years, 1 pitch that has temporary planning permission and 4 additional pitches through new household formation using a rate of 2.00% based on the demographics of those who were interviewed.
- 5.20 Therefore the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **10 additional pitches** over the GTAA period to 2033.
- 5.21 The site interviews also identified potential supply in the first 5 years of the GTAA period from 2 vacant pitches, 2 households on public sites seeking to move to bricks and mortar and from 5 households on public sites seeking to move to sites away from the Thurrock or to private sites in Thurrock. However discussions with the Council’s Gypsy Liaison Officer confirmed that the 3 public sites are predominantly occupied by 3 extended family groups and any vacant pitches would be allocated to meet any immediate need arising from the sites and cannot be considered as available for general occupation. The Council should continue to monitor how pitch turnover can address any need arising from concealed or doubled-up households or single adults, or from teenage children in need of a pitch of their own in the next 5 years who are currently residing on public sites.

Figure 3 – Additional need for Gypsy and Traveller households in Thurrock that meet the Planning Definition (2017-2033)

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	1
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>1</b>
<b>Future Need</b>	
5 year need from teenage children	4
Households on sites with temporary planning permission	1
In-migration	0
New household formation	4
<i>(Household base 11 and formation rate 2.00%)</i>	
<b>Total Future Needs</b>	<b>9</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>10</b>

Figure 4 – Additional need for Gypsy and Traveller households in Thurrock that meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	7	1	2	0	<b>10</b>

### Pitch Needs – Unknown Gypsies and Travellers

- 5.22 Whilst it was not possible to determine the planning status of a total of 67 households as they were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be Gypsies and Travellers and *may* meet the planning definition.
- 5.23 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.24 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.

- 5.25 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means such as the SHMA or HEDNA and through separate Local Plan policies.
- 5.26 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 13 pitches that are unauthorised, by up to 6 pitches that have temporary planning permission, and by up to 19 pitches from new household formation (this uses a base of the 67 households and a net growth rate of 1.50%<sup>7</sup>). Therefore additional need *could* increase by up to a further 38 pitches, plus any concealed adult households or 5 year need arising from teenagers living in these households (if all 67 unknown pitches are deemed to meet the planning definition). However, as an illustration, if the ORS national average of 10% were to be applied this could be as few as 4 additional pitches.
- 5.27 Tables setting out the components of need for unknown households can be found in **Appendix A**.

### Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.28 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies.
- 5.29 On this basis, it is evident that whilst the needs of the 43 households who do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as some identified as Romany Gypsies or Irish Travellers.
- 5.30 The 32 households live on 3 public sites, 1 private site, 1 temporary site and 3 tolerated sites. Analysis of the site interviews has identified a need from 2 concealed or doubled-up households or single adults, 9 teenage children in need of a pitch of their own in the next 5 years, 2 pitches with temporary planning permission, and 24 from new household formation using a rate of 2.15% based on the demographics from the households that were interviewed. Therefore the total additional need is for 37 pitches over the GTAA period to 2033.
- 5.31 A summary of this need can be found in **Appendix A**.

### Waiting Lists

- 5.32 There are 3 public sites in Thurrock. The waiting list for these sites is managed by the Council's Gypsy Liaison Officer. He confirmed that there are very low numbers of households on the waiting list and that the majority were currently living on the sites and would take the next pitch that became available. As such there is no additional need arising from the waiting list as the majority of need has already been included from concealed or doubled-up households or single adults.

---

<sup>7</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

- 5.33 Should any households wish to be considered for a tenancy on one of the public sites they may have to provide information on their travelling patterns during the site allocation process.

### Gammonfield Public Site

- 5.34 Concerns were raised by many of the residents living on the public site at Gammonfield that it is on the preferred route for the new Lower Thames Crossing and may need to be relocated. Following the Statutory Consultation that is being undertaken on the preferred route during 2018 the Council may need to revisit any need arising from the site if it needs to be relocated.



## Plot Needs – Travelling Showpeople that meet the Planning Definition

- 5.35 There were 2 small Travelling Showpeople yards identified in Thurrock<sup>8</sup>. The 3 households who meet the planning definition of Travelling were all found on 1 of the yards. Analysis of the household information for the households that meet the planning definition indicates that there is a current need for 4 additional plots for teenage children in need of plots of their own in the next 5 years, 1 additional plot from in-migration for family members currently forced to live outside of Thurrock due to over-crowding on 1 of the plots, and 7 additional plots from new household formation using a rate of 2.15% derived from the household demographics..
- 5.36 Therefore the overall level of additional need for those households who meet the planning definition of a Travelling Showperson is for **12 additional plots** over the GTAA period to 2033.

Figure 5 – Additional need for Travelling Showpeople households in Thurrock that meet the Planning Definition (2016-33)

Travelling Showpeople - Meeting Planning Definition	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private plots	0
Additional supply from plots on new yards	0
Plots to be vacated by households moving to bricks and mortar	0
Plots to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	4
Households on plots with temporary planning permission	0
In-migration	1
New household formation	7
<i>(Household base 17 and formation rate 2.15%)</i>	
<b>Total Future Needs</b>	<b>12</b>
<b>Net Plot Total = (Current and Future Need – Total Supply)</b>	<b>12</b>

Figure 6 – Additional need for Travelling Showpeople households in Chelmsford City Council that meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	
	2016-21	2021-26	2026-31	2031-33	Total
	7	2	2	1	<b>12</b>

<sup>8</sup> Excluding plots on yards at Buckles Lane which will be the subject of a separate assessment of need.

## Plot Needs – Unknown Travelling Showpeople

- 5.37 Whilst it was not possible to determine the planning status of a total of 1 household as they either refused to be interviewed, or were not at home at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be Travelling Showpeople and **may** meet the planning definition.
- 5.38 Based on a visual assessment of the plot ORS are confident that it is occupied by Travelling Showpeople. However this assessment was not able to determine the precise number of households living on the plot or whether they all meet the planning definition. For the purposes of the GTAA an estimate of 12 household units has been used for the calculation of new household formation based on analysis of recent aerial photos. Using the ORS national rate of 1% this gives new household growth of 2 additional plots over the GTAA period.

## Plot Needs – Travelling Showpeople who do not meet the Planning Definition

- 5.39 Just 1 Travelling Showperson household did not meet the planning definition. They are retired and stated that the yard where they rent a plot is being sold and that they are seeking to move to bricks and mortar. As such there is no current or future accommodation need.

## Transit Recommendations

- 5.40 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.
- 5.41 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.
- 5.42 Discussions held with Officers from ECTU have confirmed that analysis of 'Direction to Leave Notices' may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.
- 5.43 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.

- 5.44 In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- 5.45 Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides an robust evidence base to enable the Council to assess the housing needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.

### Gypsies and Travellers

- 6.2 In summary there is a need for **10 additional pitches** in Thurrock over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for up to 38 additional pitches for Gypsy and Traveller households that may meet the planning definition; and a need for 37 additional pitches for Gypsy and Traveller households who do not meet the planning definition.

### Travelling Showpeople

- 6.3 In summary there is a need for **12 additional plots** in Thurrock over the GTAA period to 2033 for Travelling Showpeople households that meet the planning definition; a need for up to 2 additional plots for Travelling Showpeople households that may meet the planning definition; and a need for no additional plots for Travelling Showpeople households who do not meet the planning definition.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Thurrock Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

### Summary of Need to be Addressed

- 6.5 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches that will need to be addressed either as a result of the GTAA, or through the SHMA or HEDNA and through separate Local Plan policies.

- 6.6 Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 85 additional pitches. For Travelling Showpeople total need is for 14 additional plots. The tables below break need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition. For Travelling Showpeople the ORS national average of 70% has been used for unknown households that meet the Planning Definition.

**Figure 5 – Additional need for Gypsy and Traveller households broken down by potential delivery method**

Site Status	GTAA	SHMA/HEDNA	TOTAL
Meet Planning Definition (+ 10% Unknown)	14 (10+4)	0	<b>14</b>
Not meeting Planning Definition (+ 90% Unknown)	0	71 (37+34)	<b>71</b>
<b>TOTAL</b>	<b>14</b>	<b>71</b>	<b>85</b>

**Figure 6 – Additional need for Travelling Showpeople households broken down by potential delivery method**

Site Status	GTAA	SHMA/HEDNA	TOTAL
Meet Planning Definition (+ 70% Unknown)	13 (12+1)	0	<b>13</b>
Not meeting Planning Definition (+ 90% Unknown)	0	1 (0+1)	<b>1</b>
<b>TOTAL</b>	<b>13</b>	<b>1</b>	<b>14</b>

# Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 7 - Additional need for unknown Gypsy and Traveller households in Thurrock (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	13
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>13</b>
<b>Future Need</b>	
5 year need from older teenage children	0
Households on sites with temporary planning permission	6
In-migration	0
New household formation	19
<i>(Household base 67 and formation rate of 1.50%)</i>	
<b>Total Future Needs</b>	<b>25</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>38</b>

Figure 8 - Additional need for unknown Gypsy and Traveller households in Thurrock by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	24	5	6	3	<b>38</b>

Figure 9 - Additional need Gypsy and Traveller households in Thurrock that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting New Definition</b>		<b>Pitches</b>
<b>Supply of Pitches</b>		
Additional supply from vacant public and private pitches		0
Additional supply from pitches on new sites		0
Pitches vacated by households moving to bricks and mortar		0
Pitches vacated by households moving away from the study area		0
<b>Total Supply</b>		<b>0</b>
<b>Current Need</b>		
Households on unauthorised developments		0
Households on unauthorised encampments		0
Concealed households/Doubling-up/Over-crowding		2
Movement from bricks and mortar		0
Households on waiting lists for public sites		0
<b>Total Current Need</b>		<b>2</b>
<b>Future Need</b>		
5 year need from older teenage children		9
Households on sites with temporary planning permission		2
In-migration		0
New household formation		24
<i>(Household base 54 and formation rate 2.15%)</i>		
<b>Total Future Needs</b>		<b>35</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>		<b>37</b>

Figure 10 - Additional need for Gypsy and Traveller households in Thurrock that do not meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	19	7	7	4	<b>37</b>



Opinion Research Services

*Excellent research for the public, voluntary and private sectors*



**Uttlesford  
District Council**

**Uttlesford District Council  
Gypsy, Traveller and Travelling  
Showpeople Accommodation Assessment**

**Need Summary Report**

**June 2017**





Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

© Copyright June 2017

Contains public sector information licensed under the Open Government Licence v3.0

Contains OS Data © Crown Copyright (2017)

# Contents

<b>1. Introduction .....</b>	<b>4</b>
The Planning Definition in PPTS (2015) .....	5
Definition of Travelling .....	5
<b>2. Methodology.....</b>	<b>8</b>
<b>3. Planning Definition .....</b>	<b>10</b>
Applying the Planning Definition.....	10
Unknown Households.....	11
Households that do not meet the Planning Definition .....	12
<b>4. Survey of Travellers .....</b>	<b>13</b>
Interviews with Gypsies, Travellers and Travelling Showpeople .....	13
Efforts to contact bricks and mortar households.....	14
<b>5. Current and Future Pitch Provision.....</b>	<b>15</b>
New Household Formation Rates.....	15
Breakdown by 5 Year Bands .....	17
Planning Status of Households .....	17
Bricks and Mortar Interviews .....	17
Pitch Needs – Gypsies and Travellers that meet the Planning Definition.....	18
Pitch Needs – Unknown Gypsies and Travellers .....	19
Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition .....	19
Waiting List.....	20
Plot Needs – Travelling Showpeople .....	20
Transit Recommendations.....	20
<b>6. Conclusions .....</b>	<b>22</b>
Gypsies and Travellers.....	22
Travelling Showpeople .....	22
Transit Provision .....	22
Summary of Need to be Addressed.....	22
<b>Appendix A – Need from unknown and households that do not meet the Planning Definition.....</b>	<b>24</b>

# 1. Introduction

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) Need Summary is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Uttlesford District for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Para 1.8 for the full definition).
- 1.3 The study provides a robust evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act (2016). It also provides the evidence base which can be used to support Local Plan policies and development management.
- 1.4 The Uttlesford GTAA is part of a wider study that covers the whole of Essex, together with Southend-on-Sea and Thurrock (Greater Essex). The study across all 14 local authorities has been completed following a Joint Methodology which can be found as a separate report<sup>1</sup>.
- 1.5 The reporting framework for the wider Essex GTAA comprises the Essex GTAA Joint Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that brings together the final outcomes from each local authority and provides figures for Essex as a whole, figures for the wider study area, as well as providing strategic recommendations on transit provision.
- 1.6 The purpose of this GTAA Need Summary Report is to provide the Council with a summary of the levels of accommodation need for Gypsies, Travellers and Travelling Showpeople in Uttlesford District for the period 2016-2033.
- 1.7 The baseline date for the study is **September 2016**.

---

<sup>1</sup> Essex, Southend-on-Sea & Thurrock Gypsy and Traveller Accommodation Assessment Joint Methodology (January 2018)

## The Planning Definition in PPTS (2015)

- <sup>1.8</sup> For the purposes of the planning system the definition of a Gypsy, Traveller and Travelling Showperson was changed in PPTS (2015). The planning definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “gypsies and travellers” means:*

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

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

*For the purposes of this planning policy, “travelling showpeople” means:*

*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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- <sup>1.9</sup> The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- <sup>1.10</sup> One of the most important questions that GTAA’s need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’ as well as other travelling characteristics.

- <sup>1.11</sup> **R v South Hams District Council (1994)** – defined Gypsies as “*persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)*” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.

- <sup>1.12</sup> In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two

months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.

- 1.13 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 1.14 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family's recently approved Gypsy site sought judicial review of the local authority's decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 1.15 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.
- 1.16 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 1.17 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.18 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. that the household unit would be defined as travelling under the planning definition.
- 1.19 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition households will also have to demonstrate that they plan to travel again for work in the future.
- 1.20 This approach was endorsed by a Planning Inspector in a Decision Notice for an appeal in East Hertfordshire that was published in December 2016 (Appeal Ref: APP/J1915/W/16/3145267). A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work' also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose.*

*In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

## 2. Methodology

- 2.1 As part of the overall commission a Joint Methodology has been prepared that has been used to complete GTAAs for local authorities in Essex, Southend-on-Sea and Thurrock. Although it was a separate commission the Joint Methodology has also been used to complete the GTAA for Basildon. The Joint Methodology sets out the overall approach that has been followed to complete the assessment of need and is a separate document to this report.
- 2.2 The Joint Methodology is based on the approach that ORS have been continually refining over the past 10 years for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in 2015 and the Housing and Planning Act (2016), as well as responding to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- 2.3 PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- 2.4 In summary this included the following key stages:
- » Desk-Based Review
  - » Stakeholder Engagement
  - » Working Collaboratively with Neighbouring Planning Authorities
  - » Survey of Travelling Communities
  - » Engagement with Bricks and Mortar Households
  - » Applying the PPTS Planning Definition
  - » Calculating Current and Future Need
  - » Transit Provision
  - » Final Outcomes

- 2.5 The approach is the same as that considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*



## 3. Planning Definition

- 3.1 The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS has collected information necessary to assess each household against the planning definition. Since PPTS (2015) was issued only a small number of relevant planning appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.20 for a recent example.

### Applying the Planning Definition

- 3.2 The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:
- » Whether any household members have travelled in the past 12 months.
  - » Whether household members have ever travelled.
  - » The main reasons for travelling.
  - » Where household members travelled to.
  - » The times of the year that household members travelled.
  - » Where household members stay when they are away travelling.
  - » When household members stopped travelling.
  - » The reasons why household members stopped travelling.
  - » Whether household members intend to travel again in the future.
  - » When and the reasons why household members plan to travel again in the future.
- 3.3 When the household survey was completed the outcomes from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses households need to provide sufficient information to demonstrate that **household members travel for work purposes and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future.** The same definition applies to Travelling Showpeople as to Gypsies and Travellers.
- 3.4 Households that need to be considered in the GTAA fall under one of 3 classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

3.5 Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a Strategic Housing Market Assessment (SHMA) or a Housing and Economic Development Needs Assessment (HEDNA) for example, and through separate Local Plan policies.

## Unknown Households

3.6 As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed, an approach has been taken that applies an estimate of potential need from these households. This will be a maximum additional need figure over and above the need identified for households that do meet the planning definition.

3.7 The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>2</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

3.8 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.

3.9 However, data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>3</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through separate Local Plan policies.

3.10 The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan policies the Council could consider the use of a criteria-based policy (as suggested in PPTS (2015)

---

<sup>2</sup> See Paragraph 5.8.

<sup>3</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.

Paragraph 11) for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

- <sup>3.11</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, Essex. In his Report that was published on 29th June 2017 he concluded:

150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, **MM242h** is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.

## Households that do not meet the Planning Definition

- <sup>3.12</sup> Households who do not travel or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). In addition provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>4</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

---

<sup>4</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

- 4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Uttlesford District.
- 4.2 Through the desk-based research ORS identified 1 public site (17 pitches); 16 private sites (42 pitches); 1 tolerated site (1 pitch); 1 unauthorised site (1 pitch); 1 Travelling Showpeople yard (1 plot); and no transit provision.
- 4.3 Interviews were completed between January and September 2016. Up to 3 attempts were made to interview each household where they were not present when interviewers visited.
- 4.4 The table below sets out the sites/yards that were identified and visited, the number of pitches/plots, the number of interviews that were completed, and the reasons why interviews were not completed.

**Figure 1 – Gypsy, Traveller and Travelling Showpeople sites and yards visited in Uttlesford District**

Site/Yard Status	Pitches/Plots	Interviews	Reasons for not completing interviews
<b>Public Sites</b>			
Felsted Travellers Site	17	8	1 x refusal, 8 x no contact possible
<b>Private Sites</b>			
Adj. Elmswood, Broxted	1	0	1 x no contact possible
Clovelly, Broxted	1	0	1 x refusal
Elmswood, Broxted	1	0	1 x no contact possible
Honey Orchard, High Easter	1	1	
Middleside, Stansted	10	0	10 x no contact possible
Oak Tree Close, Little Hallingbury	5	1	4 x no contact possible
Star Green, Radwinter End	1	0	1 x non-Travellers
Tall Trees, Stansted	10	1	1 x vacant, 6 x no contact possible, 2 x non-Travellers
Tandans, Great Canfield	3	0	1 x refusal, 2 x unimplemented pitches
The Caravan, Barnston	1	0	1 x no contact possible
The Caravan, Stebbing	1	0	1 x no contact possible
The Ford, Great Dunmow	1	0	1 x no contact possible
The Patch, Clavering	1	1	
The Pickle, High Roding	1	0	1 x refusal
The Two Willows, High Easter	3	1	2 x no contact possible
Willow Farm, Great Dunmow	1	0	1 x vacant
<b>Tolerated Sites</b>			
Pennington Lane, Stansted	1	1	-

<b>Unauthorised Sites</b>			
Parsonage Lane, Barnston	1	1	-
<b>Travelling Showpeople Yards</b>			
Oak View, Stanstead	1	1	-
<b>TOTAL</b>	<b>62</b>	<b>16</b>	

### Efforts to contact bricks and mortar households

- 4.5 ORS applied a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan examinations and planning appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the Council and local housing providers, and adverts on social media (including the Friends Families and Travellers Facebook group), as well as writing to households on waiting lists for public sites.
- 4.6 At the time of concluding this report no contacts had been identified to interview (although a number of letters were sent by Registered Providers inviting known Gypsy and Traveller to contact ORS if they had any current or future accommodation needs).

## 5. Current and Future Pitch Provision

- 5.1 This section focuses on the additional pitch provision which is needed in Uttlesford District currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- 5.2 We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.

### New Household Formation Rates

- 5.3 Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (2015)*. The main conclusions are set out here and the full paper is in the Joint Methodology Report.
- 5.4 Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in the Traveller Caravan Count. However this data is very unreliable and erratic – so the only proper way to project future population and household growth is through demographic analysis.
- 5.5 The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- 5.6 The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The most recent was in relation to an appeal in Doncaster (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.5% but that a 2.5% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.5% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.5% figure is justified in the case of Doncaster.*

- 5.7 In addition the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit. It aims to encourage methodological development by giving practitioners the space and the incentive to share their knowledge – see link below.

<http://the-sra.org.uk/journal-social-research-practice/>

- 5.8 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys, and the baseline includes all current authorised households, all households identified as in current need (including concealed households, movement from bricks and mortar and those on waiting lists not currently living on a pitch or plot), as well as households living on tolerated unauthorised pitches or plots who are not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates.
- 5.9 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence from the household interviews has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 in each local authority (by planning status).
- 5.10 In certain circumstances where the numbers of households and children are low it is not appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children. This will be based on the assumption that 50% of likely households to form will stay in the area. This is based on evidence from other GTAAs that ORS have completed across England and Wales.
- 5.11 Research by ORS has also identified a national growth rate of 1.00% for Travelling Showpeople and this has also been adjusted locally based on site demographics.
- 5.12 The outcomes in Uttlesford District are that new household formation for Gypsies and Travellers who do not meet the planning definition has used a rate of 0.80% (only 20% of residents were aged under 18), and the national rate of 1.50% has been used for unknown households. No households that were interviewed met the planning definition. In addition the demographics of residents have been used to identify growth for the Travelling Showpeople household that do not meet the planning definition.

## Breakdown by 5 Year Bands

5.13 In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, the need has also been broken down by 5 year bands as required by PPTS (2015). The way that this is calculated is by including all current need (from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, 5 year need from teenage children, and net movement from bricks and mortar) in the first 5 years. Total net new household formation is split across the 5 year bands based on the compound rate of growth that was applied – as opposed to being spread evenly.

## Planning Status of Households

5.14 Information that was sought from households where an interview was completed allowed each household to be assessed against the planning definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future.

5.15 Figure 2 shows that for Gypsies and Travellers and Travelling Showpeople no household meet the planning definition in that none were able to be determined that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 15 Gypsy and Traveller households and 1 Travelling Showpeople household do not meet the planning definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons, to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.

5.16 The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households that were not present during the fieldwork period – despite up to 3 visits.

**Figure 2 – Planning status of households in Uttlesford District**

Site Status	Meet Planning Definition	Unknown	Do Not Meet Planning Definition	TOTAL <sup>5</sup>
Public Sites	0	9	8	<b>17</b>
Private Sites	0	30	5	<b>35</b>
Tolerated Sites	0	0	1	<b>1</b>
Unauthorised Sites	0	0	1	<b>1</b>
Travelling Showpeople	0	0	1	<b>1</b>
<b>TOTAL</b>	<b>0</b>	<b>39</b>	<b>16</b>	<b>55</b>

## Bricks and Mortar Interviews

5.17 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Uttlesford as none were identified through the

<sup>5</sup> There were 3 pitches not occupied by Travellers, 2 vacant pitches and 2 unimplemented pitches.



fieldwork, adverts that were placed, or discussions with Council Officers. In addition no households are known to have approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need.

### Pitch Needs – Gypsies and Travellers that meet the Planning Definition

5.18 There were no Gypsy and Traveller households that met the planning definition so there is no current or future need for additional pitches over the GTAA period to 2033.

**Figure 3 – Additional need for Gypsy and Traveller households in Uttlesford District that meet the Planning Definition (2016-2033)**

Gypsies and Travellers - Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	0
<i>(No households meet the planning definition)</i>	
<b>Total Future Needs</b>	<b>0</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>0</b>

**Figure 4 – Additional need for Gypsy and Traveller households in Uttlesford District that meet the Planning Definition by 5 year periods**

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	0	0	0	<b>0</b>

## Pitch Needs – Unknown Gypsies and Travellers

- 5.19 Whilst it was not possible to determine the planning status of a total of 39 households as they were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be Gypsies and Travellers and **may** meet the planning definition.
- 5.20 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.21 However data that has been collected from over 2,500 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.
- 5.22 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means.
- 5.23 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 11 pitches from new household formation (this uses a base of the 39 households and a net growth rate of 1.50%<sup>6</sup>). There is also supply of 3 pitches on the public site through households seeking to move to bricks and mortar or away from the study area. Therefore additional need *could* increase by up to a further 8 pitches, plus any concealed adult households or 5 year need arising from older teenagers living in these households (if all 39 unknown pitches are deemed to meet the planning definition). However, as an illustration, if the ORS national average of 10% were to be applied this could be as few as 1 additional pitch.
- 5.24 Tables setting out the components of need for unknown households can be found in **Appendix A**.

## Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

- 5.25 It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through the SHMA or HEDNA and through separate Local Plan policies.
- 5.26 On this basis, it is evident that whilst the needs of the 15 households who do not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as some identified as Romany Gypsies.
- 5.27 The 15 households live on the public site, 5 private sites, 1 tolerated site, and 1 unauthorised site. Analysis of the site interviews has identified a need of 1 from an unauthorised pitch, 3 from concealed or doubled-up households or single adults, 3 from older teenage children in need of a pitch of their own

---

<sup>6</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

in the next 5 years and 3 from new household formation using a rate of 0.80% based on the demographics from the households that were interviewed. Therefore the total additional need is for 10 pitches over the GTAA period to 2033.

5.28 A summary of this need can be found in **Appendix A**.

## Waiting List

5.29 There is 1 public site in Uttlesford. At the time of reporting information was still being processed by Essex County Council regarding the households on the waiting lists for these sites. This will help to identify how many households are currently living on one of the sites; how many are living in bricks and mortar in Uttlesford; how many are living on other sites in Uttlesford; how many are living on sites outside of Uttlesford; and how many are living in bricks and mortar outside of Uttlesford.

5.30 Should these households wish to be considered for a tenancy on one of the public sites they may have to provide information on their travelling patterns during the site allocation process.

## Plot Needs – Travelling Showpeople

5.31 There was only 1 Travelling Showpeople plot identified and interviewed in Uttlesford District. The household does not meet the planning definition and has no current or future accommodation needs.

## Transit Recommendations

5.32 Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by the Essex County Traveller Unit (ECTU) shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. However, the analysis does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as small numbers of households accounting for multiple records of encampments.

5.33 As such it is recommended that further work is undertaken to complete more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.

5.34 Discussions held with Officers from ECTU have confirmed that analysis of 'Direction to Leave Notices' may provide a more robust spatial appraisal of current and future transit needs. They have advised that each of these notices contains information such as the number of caravans and vehicle registration details. From this information ORS believe that they would be able to establish with a higher degree of certainty, the number of transit sites or stopping places required throughout Essex, Southend-on-Sea and Thurrock.

5.35 This additional analysis will include work on identifying the number of households accounting for multiple records of encampments; analysis of the average number of caravans per encampment and the average length of stay; and identification of the most common locations for encampments. It is hoped that the outcomes of this work will be to identify a figure for the average number of transit caravan spaces that are needed at any given point in time; whether this can be addressed through permanent

transit sites, emergency stopping places and negotiated stopping arrangements; and where the geographic need is for new transit provision.

- 5.36 In the meantime it is recommended that the situation relating to levels of unauthorised encampments throughout the area should continue to be monitored by ECTU and individual local authorities whilst any potential changes associated with PPTS (2015) develop.
- 5.37 Finally work to address unauthorised encampments is a complex issue and it is recommended, through the duty to cooperate, that individual local authorities work closely with Essex County Council and ECTU both to identify the need for future transit provision and how to deal with unauthorised encampments when they occur.

## 6. Conclusions

- 6.1 This study provides an robust evidence base to enable the Council to assess the housing needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.

### Gypsies and Travellers

- 6.2 In summary there is a need for **no additional pitches** in Uttlesford District over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for up to 8 additional pitches for Gypsy and Traveller households that may meet the planning definition; and a need for 10 additional pitches for Gypsy and Traveller households who do not meet the planning definition.

### Travelling Showpeople

- 6.3 There was no current or future need identified from the 1 Travelling Showpeople household that did not meet the planning definition.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest that there may be a need for some form of transit provision in Greater Essex, it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop. It is also recommended that further work is completed to identify the need for transit provision on an Essex-wide basis. Uttlesford District Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

### Summary of Need to be Addressed

- 6.5 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning definition, the table below sets out the likely number of pitches and plots that will need to be addressed either as a result of the GTAA, or through the SHMA or HEDNA.
- 6.6 Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 18 additional pitches.

The table below breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average for Gypsies and Travellers) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition.

**Figure 5 – Additional need for Gypsy and Traveller households broken down by potential delivery method**

Site Status	Gypsy and Traveller Local Plan Policy	SHMA Housing Policy	TOTAL
Meet Planning Definition (+ 10% Unknown)	1 (0+1)	0	<b>1</b>
Not meeting Planning Definition (+ 90% Unknown)	0	17 (10+7)	<b>17</b>
<b>TOTAL</b>	<b>1</b>	<b>17</b>	<b>18</b>

## Appendix A – Need from unknown and households that do not meet the Planning Definition

Figure 6 - Additional need for unknown Gypsy and Traveller households in Uttlesford District (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	2
Pitches vacated by households moving away from the study area	1
<b>Total Supply</b>	<b>3</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	11
<i>(Household base 39 and formation rate of 1.50%)</i>	
<b>Total Future Needs</b>	<b>11</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>8</b>

Figure 7 - Additional need for unknown Gypsy and Traveller households in Uttlesford District by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	0	3	4	1	8

Figure 8 - Additional need Gypsy and Traveller households in Uttlesford District that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting New Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	1
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	3
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>4</b>
<b>Future Need</b>	
5 year need from older teenage children	3
Households on sites with temporary planning permission	0
In-migration	0
New household formation	3
<i>(Household base 21 and formation rate 0.80%)</i>	
<b>Total Future Needs</b>	<b>6</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>10</b>

Figure 9 - Additional need for Gypsy and Traveller households in Uttlesford District that do not meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	8	1	1	0	<b>10</b>