

Sunderland

Gypsy and Traveller and Travelling Showperson

Accommodation Assessment 2017

Sunderland City Council

Final report

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Table of Contents

Executive Summary.....	5
Introduction	5
Current provision and activity	5
Gypsy and Traveller pitch requirements	5
Travelling Showpeople plot requirements	6
1. Introduction	7
Study components	8
Report structure.....	8
2. Legislative and Policy Context	10
Legislative background	10
Policy background	10
Planning policy	11
Strategic policy.....	20
3. Methodology.....	21
Phase 1: Literature/desktop review, project working group discussions and stakeholder survey.....	21
Phase 2: Fieldwork and interviews with Gypsies, Travellers and Travelling Showpeople	22
Phase 3: Production of the report	25
Pitches/plots and households.....	25
4. The current picture: Gypsy and Traveller and Travelling Showpeople population and pitch/plot provision	28
2011 Census population estimates.....	28
Caravan Count information	29
Local information	31
5. Household survey findings.....	34
6. Stakeholder consultation	35
General Support for Gypsies and Travellers	35
Provision of Accommodation.....	35
Planning Policy	38
Cross-Boundary Issues	39
7. Travelling Showperson plot and Gypsy and Traveller transit requirements.....	40
Introduction	40
Travelling Showperson plot requirements	40
Overall Plan Period plot need	43
Gypsy and Traveller transit or stop-over site requirements	43
8. Conclusion and strategic response	45

Meeting permanent Gypsy and Traveller pitch requirements	45
Meeting transit Gypsy and Traveller pitch requirements	45
Meeting permanent Travelling Showperson requirements	45
Meeting transit site/stop over requirements	45
Good practice in planning for Gypsy and Traveller provision	46
Concluding comments	46
Appendix A: Legislative background	47
Overall approach.....	47
Appendix B: Literature review	50
Introduction	50
Appendix C: Fieldwork questionnaire.....	63
City of Sunderland Gypsy, Traveller and Travelling Showpeople Survey	64
Sunderland City Council Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2017.....	84
Appendix D: Glossary of terms	90

List of Tables

Table 3.1	Summary of plots on yards, number of households, interviews achieved and population estimates	24
Table 4.1a	Households identifying as Gypsy Traveller by accommodation type.....	28
Table 4.1b	People from households identifying as WGoIT by accommodation type	28
Table 4.1c	People per Household, Calculation by Accommodation Type	29
Table 4.2	Bi-annual Traveller caravan count figures Jan 2015 to Jan 2017	30
Table 4.3	Annual Travelling Showpeople caravan count figures January 2014 to January 2017	30
Table 4.4	List of Travelling Showperson yards and summary of plots (as at May 2017)	32
Table 7.2	Future plot requirements based on the assumption that 50% of children form households on reaching 18.....	42
Table 7.3	Overall plan period Travelling Showperson plot need	43
Table 8.1	Summary of Travelling Showperson plot need over the Plan Period.....	46

List of Maps

Map 4.1	Location of yards in the City of Sunderland.....	33
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Executive Summary

Introduction

The Sunderland Gypsy and Traveller Accommodation Assessment (GTAA) analyses the latest available evidence to identify the housing needs of Gypsies, Travellers and Travelling Showpeople from across the City.

The Sunderland GTAA (2017) has comprised the following evidence sources:

- A review of existing (secondary) data;
- An online survey of 11 key stakeholders;
- Interviews (6) and postal survey responses (9 which represented 16 households¹) with Travelling Showpeople households living on yards in the City.; and
- Informal discussions with Travelling Showpeople who currently reside on yards within the City.

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

Current provision and activity

The 2011 Census identifies a total of 37 households in Sunderland with a ‘White: Gypsy or Irish Traveller’ ethnicity. Of these, 4 households lived in a caravan or other mobile or temporary structure and 33 households lived in bricks and mortar (house, bungalow, flat, maisonette or apartment).

The bi-annual Traveller caravan count indicates no recorded caravans over the last five counts. The annual Travelling Showperson caravan count (undertaken each January) indicates the presence of 98 Travelling Showperson caravans in 2004 and in 2015, but no caravans of this nature were recorded in 2016 or 2017.

There are no Gypsy and Traveller sites in Sunderland. However, there are five authorised permanent Travelling Showpersons’ yards, accommodating a total of 100 plots (including subdivisions) across the City (May 2017). Of these, 95 are occupied and 5 are vacant.

A total of 15 household responses which represented 22 households were returned from the household survey. This equates to a response rate of 23.2% of occupied plots.

Gypsy and Traveller pitch requirements

The calculation of pitch/plot requirements in the GTAA is based on DCLG modelling as advocated in *Gypsy and Traveller Accommodation Assessment Guidance* (DCLG, 2007). The

¹ Some responses related to multiple plots on yards

DCLG Guidance requires an assessment of the current needs of Gypsies and Travellers and Travelling Showpeople and a projection of future needs. The Guidance advocates the use of a fieldwork survey to supplement secondary source information and derive key supply and demand information.

There are currently no Gypsy and Traveller pitches in Sunderland City, and the GTAA 2017 found no evidence of need over the next five years (2016/17 to 2020/21) or the remainder of the Plan Period to 2032/33.

Unauthorised encampment activity is a good indicator of transit need. Taking into account unauthorised encampment activity and the demand for some form of stop-over provision within the City, the GTAA 2017 recommends that a stop-over site of 5 pitches is developed.

Travelling Showpeople plot requirements

There are currently 95 occupied Travelling Showperson plots (or subdivisions) across Sunderland City and 5 vacant plots. The 2017 GTAA has evidenced a need for 131 plots over the Plan Period to 2032/33.

Backdated to the beginning of the Plan Period (2015/16) the analysis indicates a total need of 33 plots. However, this excludes any allowance for household dissolution.

The Council should continue to engage with the Showman's Guild of Great Britain and consider any future need should it arise.

1. Introduction

1.1 In April 2017, arc⁴ was commissioned by Sunderland City Council to undertake a Gypsy and Traveller Accommodation Assessment (GTAA) to identify the housing needs of Gypsies and Travellers and Travelling Showpeople across Sunderland. The overall objective of the Gypsy and Traveller Accommodation Assessment is to form a clear evidence base to inform the development of planning policies relating to Gypsy, Travellers and Travelling Showpeople.

1.2 The research provides information about the current and future accommodation needs and demands of Gypsies and Travellers and Travelling Showpeople. From the outset it should be noted that the main focus of the study is to assess the plot needs of Travelling Showpeople. There are currently no Gypsy and Traveller authorised pitches and limited evidence of the need for permanent pitches, although the need for stop-over provision is considered.

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

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

1.4 In addition, updated PPTS (August 2015) adds the following ‘clarification’ for determining whether someone is a Gypsy or Traveller:

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

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

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

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

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

³ DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 2

⁴ DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 3

1.6 In addition:

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

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

1.1 The overall purpose of a Gypsy and Traveller Accommodation Assessment (GTAA) is to support the development of clear and realistic planning policies relating to Gypsies, Travellers and Travelling Showpeople. The study provides an evidence base to assist the Council in determining an appropriate level of pitch provision to be sought through the lifetime of the Local Plan and to identify the accommodation needs of Gypsies and Travellers to meet the Council’s obligations under section 8 of the Housing Act 1985 (as added by section 124 of the Housing and Planning Act 2016).

Study components

1.8 The study comprised five stages, which are set out below:

- **Stage 1:** Development of methodology. Collation and review of existing information and literature;
- **Stage 2:** Stakeholder consultation;
- **Stage 3:** Survey of Gypsies and Travellers across the study area;
- **Stage 4:** Data analysis, calculation of needs and report production; and
- **Stage 5:** Dissemination.

Report structure

1.9 The report structure is as follows:

- **Chapter 1 Introduction:** provides an overview of the study;
- **Chapter 2 Legislative and policy context:** presents a review of the legislative and policy context;
- **Chapter 3 Methodology:** provides details of the study’s research methodology;
- **Chapter 4 Review of current Gypsy and Traveller population and provision of pitches/plots:** reviews estimates of the Gypsy and Traveller population across Sunderland City and the scale of existing site/yard provision;

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

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

1.10 The report is supplemented by the following appendices:

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

2. Legislative and Policy Context

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

Legislative background

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

Policy background

- 2.8 A considerable range of policy and guidance documents have been prepared by Central Government to assist local authorities in discharging their strategic housing and planning functions and numerous research and guidance documents have been published by other agencies. This review examines influential policy, guidance and

research which relates specifically to Gypsies and Travellers and Travelling Showpeople or makes reference to them; more information is provided within Appendix B.

2.9 Some of the key themes to emerge from the review of relevant literature include:

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

Planning policy

2.10 In March 2012 the Government published both the National Planning Policy Framework (NPPF)⁶ and its accompanying National Planning Practice Guidance (NPPG) covering a range of topics, along with *Planning policy for traveller sites*⁷ (PPTS 2012). These documents replaced all previous national planning policy in respect of Gypsies and Travellers and Travelling Showpeople.

2.11 Previously, local planning authorities had been required to set aside enough land for Gypsy and Traveller sites, with targets set in regional plans. The Coalition Government abolished regional planning under the provisions of the Localism Act 2011 and local authorities no longer have targets set out in regional plans.

2.12 PPTS 2012 instead encouraged local planning authorities to form their own evidence base for needs in their area and use this to set their own pitch and plot targets for their Local Plan.

2.13 In a written statement to Parliament on 17th January 2014 the Coalition Government stated:

‘Ministers are considering the case for further improvements to both planning policy and practice guidance to strengthen Green Belt protection in this regard. We also want to consider the case for changes to the planning definition of ‘travellers’ to reflect whether it should only refer to those who actually travel and have a mobile or transitory lifestyle. We are open to representations on these matters and will be launching a consultation in due course.’⁸

⁶ DCLG National Planning Policy Framework March 2012

⁷ DCLG *Planning policy for traveller sites* March 2012 (now superseded)

⁸ House of Commons 17 January 2014, c35WS

- 2.14 Between September and November 2014 the Government consulted on proposed changes to PPTS. An updated NPPG document, *Planning policy for traveller sites* (PPTS 2015) was subsequently published in August 2015⁹. Alongside the publication on 31st August 2015, a letter to Chief Planning Officers in England was issued by the DCLG Chief Planner (Steve Quartermain)¹⁰. The letter and accompanying planning policy statement dealt specifically with the issue of Green Belt protection and intentional unauthorised development. On 17th December 2015, the Minister of State for Housing and Planning (Brandon Lewis) made a Written Statement confirming the changes to national policy set out in the letter and statement, that intentional unauthorised development is a material consideration in the determination of planning applications and appeals¹¹.
- 2.15 PPTS 2015 sets out that *'the Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community'*¹²
- 2.16 The policy sets out the Government's aims in respect of traveller sites, namely:
- 'a. that local planning authorities should make their own assessment of need for the purposes of planning*
 - b. to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites*
 - c. to encourage local planning authorities to plan for sites over a reasonable timescale*
 - d. that plan-making and decision-taking should protect Green Belt from inappropriate development*
 - e. to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites*
 - f. that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective*
 - g. for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies*
 - h. to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply*
 - i. to reduce tensions between settled and traveller communities in plan-making and planning decisions*
 - j. to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure*
 - k. for local planning authorities to have due regard to the protection of local amenity and local environment'*¹³

⁹ DCLG *Planning policy for traveller sites* August 2015

¹⁰ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457632/Final_Chief_Planning_Officer_letter_and_written_statement.pdf

¹¹ <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-12-17/HCWS423/>

¹² DCLG *Planning policy for traveller sites* August 2015, paragraph 3

¹³ DCLG *Planning policy for traveller sites* August 2015, paragraph 4

2.17 It is within this policy context that local planning authorities will have to plan future provision for Gypsies and Travellers and Travelling Showpeople across their respective areas. 'Policy A' requires Councils to use evidence to plan positively and manage development. Paragraph 7 of PPTS 2015 states that:

'In assembling the evidence base necessary to support their planning approach, local planning authorities should:

- a) pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves, their representative bodies and local support groups)*
- b) cooperate with travellers, their representative bodies and local support groups; other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their development plan, working collaboratively with neighbouring local planning authorities*
- c) use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions.'*

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

- a) 'identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets*
- b) identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15*
- c) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)*
- d) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density*
- e) protect local amenity and environment.'*

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

- available now,
- offer a suitable location for development,
- be achievable with a realistic prospect that development will be delivered on the site within five years.
- Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within

five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

- 2.20 In order to be considered ‘developable’, sites should be:
- in a suitable location for traveller site development and
 - there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

Changes to planning policy

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

Change of the definition of ‘traveller’

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

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

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.’¹⁴*

- 2.23 This means that for planning-related purposes the definition of Gypsy and Traveller has been changed so that it excludes those who have permanently ceased from travelling.
- 2.24 The Government has also indicated that it will seek to amend primary legislation to clarify the duties of local authorities to plan for the housing needs of their residents.

Protecting the Green Belt

- 2.25 Updated PPTS (2015) changes the weight that can be given to any absence of a five-year supply of permanent sites when deciding planning applications for temporary sites in land designated as Green Belt, sites protected under the Birds and Habitats Directives, sites designated as Sites of Special Scientific Interest, Local Green Space, Areas of Outstanding Natural Beauty or within a National Park or the Broads.
- 2.26 The Government has also changed planning policy so that unmet need and personal circumstances (subject to the best interests of the child) are unlikely to clearly outweigh harm to the Green Belt. This change applies to both the settled and Traveller communities.

¹⁴ DCLG *Planning policy for traveller sites* August 2015 Annex 1, para 2

Unauthorised occupation

- 2.27 The planning policy statement issued with PPTS 2015¹⁵ (and confirmed by Ministerial Statement¹⁶) makes clear that if a site is intentionally occupied without planning permission this would be a material consideration in any retrospective planning application for that site. Whilst this does not mean that retrospective applications will be automatically refused, it does mean that failure to seek permission in advance of occupation will count against the application.
- 2.28 In addition, PPTS makes clear that in exceptional cases where a local authority is burdened by a large-scale unauthorised site that has significantly increased need and their area is subject to strict planning constraints then there is no assumption that the local authority will be required to meet their Gypsy and Traveller site needs in full. This is intended to deter large sites such as Dale Farm, a large unauthorised site in Essex, from being set up.

Gypsy and Traveller Accommodation Needs Assessments Guidance

- 2.29 In October 2007, the DCLG published Gypsy and Traveller Accommodation Needs Assessments Guidance.
- 2.30 This Guidance sets out a detailed framework for designing, planning and carrying out Gypsy and Traveller accommodation needs assessments (GTAAAs), including the needs of Showpeople as well as Gypsies and Travellers. It acknowledges that the housing needs of Gypsies and Travellers are likely to differ from those of the settled community, and that they have hitherto been excluded from accommodation needs assessments.
- 2.31 The 2007 Guidance stresses the importance of understanding accommodation needs of the whole Gypsy and Traveller population and emphasises the importance of obtaining robust data. It recognises the difficulty of surveying this population and recommends the use of:
- Qualitative methods such as focus groups and group interviews;
 - Specialist surveys of those living on authorised sites that are willing to respond; and
 - Existing information, including local authority site records and the twice yearly caravan counts.
- 2.32 The Guidance recognises that there are challenges in carrying out these assessments, and accepts that while the approach should be as robust as possible it is very difficult to exactly quantify unmet need.
- 2.33 The 2007 Guidance was formally withdrawn in December 2016. However, in the absence of any replacement guidance, the methodology set out in this GTAA draws on

¹⁵https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457632/Final_Chief_Planning_Officer_letter_and_written_statement.pdf

¹⁶<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-12-17/HCW5423/>

elements of the 2007 Guidance, as also tested and ratified by Inspectors at public inquiries.

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

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

Enforcement powers

- 2.39 In March 2015, the Government published *Dealing with illegal and unauthorised encampments: a summary of available powers*, which sets out ‘the robust powers councils, the police and landowners now have to clamp down quickly on illegal and unauthorised encampments’.¹⁷ The powers are reiterated as part of the Government’s commitment to protecting the Green Belt. The summary advises authorities that they ‘should not gold-plate human rights and equalities legislation’ and that they have in fact strong powers available to them to deal with unauthorised encampments. When dealing with encampments authorities are advised to consider the following:

- *‘The harm that such developments can cause to local amenities and the local environment;*
- *The potential interference with the peaceful enjoyment of neighbouring property;*
- *The need to maintain public order and safety and protect health;*
- *Any harm to good community relations; and*
- *That the State may enforce laws to control the use of an individual’s property where that is in accordance with the general public interest.’*¹⁸

¹⁷ CLG Home Office and Ministry of Justice *Dealing with illegal and unauthorised encampments a summary of available powers* March 2015 introduction

¹⁸ CLG Home Office and Ministry of Justice *Dealing with illegal and unauthorised encampments a summary of available powers* March 2015 introduction

- 2.40 Despite having a clear leadership role, the summary urges local authorities to work collaboratively with other agencies, such as the Police and/or the Highways Agency to utilise these enforcement powers.
- 2.41 On 31st August 2015, alongside the publication of updated PPTS the DCLG wrote to all local authority Chief Planning Officers in England attaching a planning policy statement on *Green Belt protection and intentional unauthorised development*¹⁹ with immediate effect. The statement, which was confirmed as national planning policy in a Ministerial Statement on 17th December 2015²⁰, sets out changes to make intentional unauthorised development a material consideration in the determination of planning applications, and also to provide stronger protection for the Green Belt. The statement explains that the Planning Inspectorate will monitor all appeal decisions involving unauthorised development in the Green Belt, and additionally the DCLG will consider the recovery of a proportion of relevant appeals for the Secretary of State's decision 'to enable him to illustrate how he would like his policy to apply in practice', under the criteria set out in 2008.
- 2.42 In addition, the planning policy statement of 31st August 2015 announced that the Government has cancelled the documents *Guide to the effective use of enforcement powers, Part 1* (2006) and *Part 2* (2007).

Caravan Counts

- 2.43 Snapshot counts of the number of Gypsy and Traveller caravans were requested by the Government in 1979, and have since been undertaken bi-annually by local authorities on a voluntary basis every January and July²¹. Their accuracy varies between local authorities and according to how information is included in the process. A major criticism is the non-involvement of Gypsies and Travellers themselves in the counts. However, the counts, conducted on a single day twice a year, are the only systematic source of information on the numbers and distribution of Gypsy and Traveller trailers. The counts include caravans (or trailers) on and off authorised sites (i.e. those with planning permission) but do not relate necessarily to the actual number of pitches (i.e. capacity) on sites.
- 2.44 In addition, there is an annual snapshot count of the number of Travelling Showpeople caravans, which is undertaken alongside the January count of Gypsy and Traveller caravans (as above).
- 2.45 A major review²² of the counting system was undertaken in 2003 by the then Office of the Deputy Prime Minister (ODPM), which made a number of recommendations and improvements to the process.

¹⁹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457632/Final_Chief_Planning_Officer_letter_and_written_statement.pdf

²⁰<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-12-17/HCWS423/>

²¹ Historically caravan counts have not included Travelling Showpeople. Since 2010 the Government has requested that January counts include Travelling Showpeople, however, the figures relating to Travelling Showpeople are reported separately and not included in the overall count figures.

²² Counting Gypsies and Travellers: A Review of the Caravan Count System, Pat Niner Feb 2004, ODPM

Progress on tackling inequalities

- 2.46 In April 2012 the Coalition Government published a Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers²³, which summarised progress in terms of meeting ‘Government commitments to tackle inequalities and promote fairness for Gypsy and Traveller communities’²⁴. The report covers 28 measures from across Government aimed at tackling inequalities, these cover:
- Improving education outcomes;
 - Improving health outcomes;
 - Providing appropriate accommodation;
 - Tackling hate crime;
 - Improving interaction with the National Offender Management Service;
 - Improving access to employment and financial services; and
 - Improving engagement with service providers.
- 2.47 In respect of provision of appropriate accommodation, the report advises that financial incentives and other support measures have been put in place to help councils and elected members make the case for development of Traveller sites within their areas. Changing perceptions of sites is also identified as a priority, and to this end the Government made the following commitments:
- *‘The Department for Communities and Local Government will help Gypsy and Traveller representative groups showcase small private sites that are well presented and maintained...’*
 - *‘Subject to site owners agreeing to have their homes included we will help produce a case study document which local authorities and councillors, potential site residents and the general public could use. It could also be adapted and used in connection with planning applications.’²⁵*
- 2.48 Also aimed at improving provision of accommodation for Gypsies and Travellers, the Government committed to:
- The provision of support, training and advice for elected member services up to 2015; and
 - The promotion of improved health outcomes for Travellers through the planning system; the report states that *‘one of the Government’s aims in respect of traveller sites is to enable provision of suitable accommodation, which supports healthy*

²³ The study only includes reference to Gypsies and Travellers and not Travelling Showpeople

²⁴ www.communities.gov.uk/news/corporate/2124322

²⁵ CLG Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers April 2012 commitment 12 page 18

*lifestyles, and from which travellers can access education, health, welfare and employment infrastructure.*²⁶

Previous Design Guidance

- 2.49 PPTS 2015 provides no guidance on design for Gypsy and Traveller sites, concentrating instead on the mechanics of the planning process, from using evidence to plan making and decision taking.
- 2.50 Previous design guidance²⁷ was set out in *Designing Gypsy and Traveller Sites – Good Practice Guide* (2008) which suggests that, among other things, there must be an amenity building on each site and that this must include, as a minimum:
- Hot and cold water supply;
 - Electricity supply;
 - A separate toilet;
 - A bath/shower room; and
 - A kitchen and dining area.
- 2.51 A Homes and Communities Agency (HCA) review (January 2012) of Non-Mainstream Housing Design Guidance found that the DCLG Design Guide *‘succinctly outlines the physical requirements for site provision for travellers’*. It also identified a number of ‘pointers’ for future guidance, and these are worth mentioning here:
- The family unit should be considered to be larger and more flexible than that of the settled community due to a communal approach to care for the elderly and for children;
 - A distinct permanent building is required on site to incorporate washing and cooking facilities, and provide a base for visiting health and education workers; and
 - Clearer diagrams setting out the parameters for design are called for, both in terms of the scale of the dwelling and the site. Incorporating requirements for maintenance, grazing, spacing, size provision, communal spaces, etc. *‘would ensure that a set of best practice principles can be established.’*²⁸
- 2.52 The HCA Review suggested the following design considerations:
- Travelling Showpeople should be considered in the development of provision for temporary/transit sites;
 - Vehicular access is a requirement and not an option;
 - Open space is essential for maintenance of vehicles and grazing of animals;
 - Open play space for children needs to be provided;

²⁶ CLG Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers April 2012 para 4.13 page 19

²⁷ This guidance does not apply to the provision of new yards for Travelling Showpeople. Further information about good practice in the provision of yards can be obtained from the Showmen’s Guild of Great Britain.

²⁸ Non-Mainstream Housing Design Guidance Literature Review, HCA January 2012 page 63

- A warden’s office is required for permanent sites;
 - Communal rooms for use of private health/education consultations are required; and
 - An ideal ratio of facilities provision (stand pipes, parking area, recreation space) to the number of pitches.
- 2.53 On 31st August 2015, the DCLG letter to Chief Planning Officers (setting out the planning policy statement on *Green Belt protection and intentional unauthorised development*) set out that the Government thereby cancelled the document *Designing Gypsy and Traveller Sites – Good Practice Guide* (2008).

Strategic policy

- 2.54 Despite the revocation of regional spatial strategies, the need for strategic planning remains, especially to ensure coherent planning beyond local authority boundaries. To this end the Localism Act 2011 and the National Planning Policy Framework (NPPF) set out that public bodies have a duty to cooperate on planning issues that cross administrative boundaries (NPPF, paragraph 178).
- 2.55 National planning practice guidance (NPPG) includes a guidance document specific to the *Duty to cooperate* (March 2014). This states that duty to cooperate is not a duty to agree, but local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination (paragraph 1). In addition, it states that the duty to cooperate seeks to ensure that local planning authorities lead strategic planning effectively through their Local Plans, addressing social, environmental and economic issues that can only be addressed effectively by working with other local planning authorities beyond their own administrative boundaries (paragraph 8).
- 2.56 PPTS 2015 sets out that the preparation of Local Plans and setting of pitch and plot targets should be undertaken by local planning authorities working collaboratively with neighbouring planning authorities (paragraphs 8 and 9). It reiterates that local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries (paragraph 10).

3. Methodology

- 3.1 In order to deliver the requirements of Government guidance²⁹ the methodology for this study has comprised:
- Desktop analysis of existing documents, including data on pitches/sites, plots/yards and unauthorised encampments;
 - A review of existing provision of sites;
 - Interviews with Travelling Showpeople (there are no Gypsy and Traveller sites in Sunderland);
 - Demographic analysis using electoral register and education statistics.
- 3.2 The information gathering has been carried out in three phases, as outlined below:
- Phase 1: Literature/desktop review, project working group discussions and stakeholder survey;
 - Phase 2: Site/yard survey (including census) and interviews with Travelling Showpeople across the City; and
 - Phase 3: Production of report.

Phase 1: Literature/desktop review, project working group discussions and stakeholder survey

- 3.3 This phase comprised a review of available literature, including legislative background and best practice information; and analysis of available secondary data relating to Gypsies and Travellers.
- 3.4 Relevant regional, sub-regional and local information has been collected, collated and reviewed, including information on:
- The national policy and legislative context;
 - Current policies towards Gypsies and travellers and Travelling Showpeople in the City (drawn from Local Authority policy documents, planning documents, housing strategies and homelessness strategies); and
 - Analysis of existing data sources available from stakeholders³⁰.
- 3.5 This information has helped to shape the development of this report, and in particular the review of the legislative and policy context set out in Chapter 2.

²⁹ CLG Gypsy and Traveller Accommodation Needs Assessments Guidance October 2007
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7838/accommneedsassessments.pdf

³⁰ This includes CLG caravan count data and information on unauthorised encampment data provided by the Council (see chapter 6 for more information on this data)

- 3.6 The project working group was fully consulted regarding the most appropriate methodology for undertaking the assessment work, including site fieldwork, and provided stakeholder contact information for undertaking the stakeholder survey.
- 3.7 The survey of stakeholders was conducted by means of an online questionnaire. Contact information for key stakeholders was provided by the project working group. Stakeholders were contacted and asked to participate in the online questionnaire, answering whichever questions they felt were relevant to their knowledge and experience. The questionnaire was made available for three weeks and reminder emails were sent out to encourage as many responses as possible.
- 3.8 A total of 11 responses to the stakeholder survey were obtained and these have been analysed quantitatively and qualitatively, as appropriate to the relevant data. The findings of the survey are set out in Chapter 6 of this report.

Phase 2: Fieldwork and interviews with Gypsies, Travellers and Travelling Showpeople

- 3.9 The primary fieldwork for this study comprised a household survey with the Traveller community across the City. The overarching aim of the fieldwork process was to maximise the number of responses secured from Gypsies, Travellers and Travelling Showperson households living within the City.
- 3.10 The questionnaire (Appendix C) was designed by arc⁴ in consultation with the project working group and builds upon our standard questionnaire.
- 3.11 Initially, the household survey was undertaken through personal interviews. During the personal interview phase, it was recommended by community representatives that a postal survey may be more appropriate as only a small number (6) interviews were successful. The Council therefore contacted around 100 households using Council Tax records for households on the known yards at Sunnyside/Graswell, Houghton-le-Spring and Pearsons Industrial Estate, Hetton-le-Hole. A total of 9 postal responses were returned, but some of these related to more than one yard and overall responses related to 16 plots on yards.
- 3.12 Personal interviews (6) were carried out by arc⁴ and the postal survey (9 responses covering 16 plots) was administered by the Council, as recommended by the community.
- 3.13 Detailed fieldwork observations were also carried out by arc⁴ and Council officers as part of the fieldwork process.
- 3.14 In addition to personal interviews and postal questionnaires with Travelling Showpeople on the known yards within the City, household survey responses were also sought from Gypsies and Travellers living on an unauthorised encampment which took place during the fieldwork period, but interviews were not achieved. There are no permanent Gypsy and Traveller sites within Sunderland.
- 3.15 The cultural needs of Gypsies and Travellers and Travelling Showpeople differ from those of the rest of the population and consideration of culturally specific requirements such as the need for additional permanent caravan sites and/or transit sites and/or stopping places (or improvements to existing sites) are key to this study. The research

- has therefore explicitly sought information from Gypsies and Travellers and Travelling Showpeople from across the City living in different types of accommodation.
- 3.16 Interviews and postal surveying took place between April and May 2017. For Gypsies and Travellers, there are no pitches across the City. For Travelling Showpeople, there are a total of 100 identifiable plots (including subdivisions of plots) according to Council Tax records and community knowledge. It is estimated from fieldwork and discussions with local residents that there are 95 occupied plots and 5 vacant plots.
- 3.17 Results to the household survey were disappointing, with responses representing 22 plots, which equates to a response rate of 23.2% of occupied plots. This was despite visits to yards, engagement with key members of the community and options provided for face to face, telephone and postal surveying. However, some community members did suggest that the response from the community would be low (although reasons were not specified) and this was borne out in the final response rate.
- 3.18 As a key driver of future pitch and plot requirements is the underlying demography of existing households, further evidence was gathered on children living on existing yards in Sunderland through the Travellers Education service, coupled with an analysis of electoral register data to establish the number of adults living on yards. Combining these sources with survey responses (which broadly corresponded), the total population of Travelling Showpeople is at least 157 (comprising at least 129 adults and at least 28 children).
- 3.19 The 2011 Census estimates there are 37 Gypsies and Traveller households, of whom 33 live in bricks and mortar accommodation. There are currently no permanent Gypsy and Traveller sites in Sunderland and the Council are not aware of any need arising from amongst the Gypsy and Traveller community for pitches.

Table 3.1 Summary of plots on yards, number of households, interviews achieved and population estimates

Yard	Plot numbers			Number of households		Number of Residents		
	Total plots (including subdivisions)	Not occupied	Occupied plots (including subdivisions)	Total households	Interviews achieved*	Adults	Children	Total
TSP1 Pearsons Industrial Estate, Hetton-le-Hole, DH5 0SA	50	0	50	50	13	69	20	89
TSP2 - Stephenson's Industrial Estate, Washington, NE37 3HN	2	0	2	2	1	4	0	4
TSP3 – Sunnyside / Graswell, Houghton-le-Spring, DH4 5JA	45	5	40	40	7	52	8	60
TSP4 - Philadelphia Lane, Herrington Burn, DH4 4LE	2	0	2	2	0	3	0	3
TSP5 - Lowry Road, Seaburn, SR6 8AA	1	0	1	1	1	1	0	1
Total	100	5	95	95	22	129	28	157

Sources: 2017 Household Surveys, December 2016 Electoral Register, 2017 Travellers Education data

*A total of 14 individual questionnaires were returned but two were combined responses from households living on two yards on Pearsons Industrial Estate – therefore a total of 22 households were represented in the survey responses

Phase 3: Production of the report

- 3.20 In conjunction with face-to-face interviews and postal questionnaires with Travelling Showpeople, a range of complementary research methods have been used to verify the research findings. These are brought together during the research process and inform the outputs of the work and include:
- Desktop analysis of existing documents and data;
 - Preparing a database of authorised yards;
 - Review of information from the electoral register; and
 - Conducting a stakeholder survey of professionals who have direct contact with local Gypsy and Traveller and Travelling Showperson communities across the City of Sunderland.
- 3.21 Good practice guidance and evidence from other studies emphasises that building trust with Gypsies, Travellers and Travelling Showpeople is a prerequisite of meaningful research. In this case it has been achieved by engaging with members of the community directly, and working with officers who have already established good relationships with local Travelling Showpeople and are aware of the presence of Gypsies and Travellers.
- 3.22 We have also used the following sources of information:
- The DCLG caravan counts (up to January 2017); and
 - Local Authority information on existing site/yard provision and unauthorised developments/encampments.
- 3.23 The assessment of Gypsy and Traveller pitch and Travelling Showperson plot requirements has been calculated by utilising information on current supply of pitches/plots, the results from the household survey and analysis of demographic data. A detailed explanation of the analysis of plot requirements is contained in Chapter 7 but briefly comprises analysis of the following elements:
- Current plot provision and occupancy levels;
 - Households planning to move in the next five years;
 - Emerging households in the next five years; to give total demand for plots; and
 - A consideration of longer-term demography and in particular the number of children who are likely to form households over the plan period.
- 3.24 The approach used then reconciles the demand and supply data to identify overall plot requirements.

Pitches/plots and households

- 3.25 One of the key challenges faced when assessing Gypsy and Traveller pitch/Travelling Showperson plot requirements is the actual nature of pitches and how this relates to the number of households they can support.
- 3.26 PPTS (August 2015) refers to the need for Local Planning Authorities to *'identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth*

of sites against their locally set targets’ and ‘relate the number of pitches/plots to the circumstances of the specific size and location of the site and the surrounding population’s size and density’ (PPTS 2015, paragraph 10).

- 3.27 Planning decision notices usually refer the number of pitches on a site or the specifics of what can be on a pitch e.g. statics, tourers; or specific individuals and/or households.
- 3.28 As part of the GTAA, it is essential that the characteristics of sites, the number of pitches and how many households these can support is carefully considered. There are a range of issues which need to be considered when reviewing site and pitch characteristics and their potential implications for future pitch and site requirements which are summarised below.

Site/yard and pitch/plot size

- 3.29 There are no definitive parameters for site/yard or pitch/plot sizes. Previous Design Guidance (DCLG, 2008) states in paragraph 4.4 that *‘Gypsy and Traveller sites are designed to provide land per household which is suitable for a mobile home, touring caravan and a utility building, together with space for parking. Sites of various sizes, layouts and pitch numbers operate successfully today and work best when they take into account the size of the site and the needs and demographics of the families resident on them’.*
- 3.30 Paragraph 4.47 states that *‘to ensure fire safety it is essential that every trailer, caravan or park home must be not less than 6 metres from any other trailer, caravan or park home that is occupied separately’.*
- 3.31 Paragraph 7.12 states that *‘as a general guide, it is possible to specify that an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan (or two trailers, drying space for clothes, a lockable shed (for bicycles, wheelchair storage etc.), parking space for two vehicles and a small garden area’.*
- 3.32 Paragraph 4.13 states that *‘smaller pitches must be able to accommodate at least an amenity building, a large trailer, drying space for clothes and parking for at least one vehicle’.*

Occupancy

- 3.33 A pitch/plot may accommodate more than one family unit, for instance it could include a family, older children who have formed their own household and other family members. This could lead to potential overcrowding and this is considered as part of the GTAA household survey.
- 3.34 Private sites/yards may restrict occupancy to close family/friends. This limits opportunity for others to move onto the site but this restrictive occupancy may provide for emerging needs
- 3.35 Quality, size of pitch/plot and proximity of caravans on pitches/plots vary dramatically.

Response

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

4. The current picture: Gypsy and Traveller and Travelling Showpeople population and pitch/plot provision

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

2011 Census population estimates

4.2 Whilst it is recognised that some families may not identify themselves as Gypsies or Travellers in research, the 2011 Census³¹ identifies a total of 37 households in the City of Sunderland as having a ‘White: Gypsy or Irish Traveller’ (WGoIT) ethnicity (Table 4.1a). Of these, almost nine-tenths (89.1%)(33 households) lived in bricks and mortar accommodation (house or bungalow, or flat, maisonette or apartment) and 10.8% (4 households) lived in a caravan or other mobile or temporary structure.

Total: Accommodation type	House or bungalow	A flat, maisonette or apartment	A caravan or other mobile or temporary structure
37	21	12	4

Source: 2011 Census

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

Total: Accommodation type	House or bungalow	A flat, maisonette or apartment	A caravan or other mobile or temporary structure
69	47	14	8

Source: 2011 Census

³¹ Tables 5.1a to 5.1e are taken from the Census 2011. Special tables were commissioned by ONS to cover the ethnicity and several data sets were produced and made available on the ONS website on the 21st January 2014. See Tables CT0127 and CT0128. Main article: <http://www.ons.gov.uk/ons/rel/census/2011-census-analysis/what-does-the-2011-census-tell-us-about-the-characteristics-of-gypsy-or-irish-travellers-in-england-and-wales-/index.html>

- 4.4 Table 4.1c provides an analysis of people and households and shows that the average household size is 1.86 for Gypsies and Travellers in the City of Sunderland. This compares with an average household size of 2.3 (down from 2.4 in 2001) for the UK as a whole and looking at all households. There is some variation in the average Gypsy and Traveller household size between accommodation types, however, with an average of 2.3 persons per household in houses/bungalows compared with 2.0 persons per household in caravans/mobiles and 1.17 persons per household in flats/maisonettes/apartments.

Total: Accommodation type	House or bungalow	A flat, maisonette or apartment	A caravan or other mobile or temporary structure
1.86	2.23	1.17	2.0

Source: 2011 Census

Caravan Count information

- 4.5 The DCLG coordinate the statistical count of caravans within each local authority area within England. The 'Traveller caravan count' takes place every January and July (bi-annual). Prior to July 2013, this count was called the 'Gypsy and Traveller caravan count', but it was renamed to bring its title in line with the terminology used in planning policies, and to be consistent with the fact that its scope is wider than caravans lived in by ethnic Gypsies and Travellers and also includes non-traditional Travellers³².
- 4.6 The latest figures available are from the January 2017 Count of Traveller Caravans (England)³³, which nationally found that:
- The total number of traveller caravans in England in January 2017 was 22,004. This is 698 more than the 21,306 reported in January 2016.
 - 6,807 caravans were on authorised socially rented sites. This is a decrease of 239 since the January 2016 count of 7,046.
 - The number of caravans on authorised privately funded sites was 12,276. This was 822 more than the 11,454 recorded in January 2016.
 - The number of caravans on unauthorised encampments on land owned by travellers was 2,141. This is 11 above the January 2016 figure of 2,130.
 - The number of caravans on unauthorised encampments on land not owned by travellers was 780. This was 104 caravans more than the January 2016 count of 676.
 - Overall, the January 2017 count indicated that 87 per cent of traveller caravans in England were on authorised land and that 13 per cent were on unauthorised land. This is the same as the previous year.

³² <https://www.gov.uk/government/collections/traveller-caravan-count>

³³ DCLG Count of Traveller Caravans January 2017 England, Housing Statistical Release 25 May 2017

- 4.7 The figures for the last five Traveller caravan counts for Sunderland are set out in Table 4.2. This shows that no caravans have been recorded on sites in the City during the five-count period.

The City of Sunderland Count (Jan/Jul)	Authorised sites with planning permission		Unauthorised sites without planning permission	Total
	Social Rented	Total Private	Total Unauthorised	
Jan 2015	0	0	0	0
Jul 2015	0	0	0	0
Jan 2016	0	0	0	0
Jul 2016	0	0	0	0
Jan 2017	0	0	0	0
Five-Count Average	0	0	0	0
Five-Count % Average	0%	0%	0%	0%

Source: DCLG Traveller Caravan Count, Live Table 1 (January 2017)

- 4.8 Alongside the Traveller caravan counts, there is an annual 'Travelling Showpeople caravan count' which is undertaken every January, annually. The most recent available data is therefore January 2017. Table 4.3 sets out the data from the last four Travelling Showpeople caravan counts, 2014-2017. This shows that 98 Travelling Showperson caravans were recorded in both 2014 and 2015, all on private sites/yards. However, no Travelling Showperson caravans were recorded in 2016 or 2017. No Travelling Showperson caravans have been recorded on unauthorised sites during the four-count period.

The City of Sunderland Count (Jan)	Authorised sites with planning permission		Unauthorised pitches without planning permission	Total
	Social Rented	Total Private	Total Unauthorised	
2014	0	98	0	98
2015	0	98	0	98
2016	0	0	0	0
2017	0	0	0	0
Four-Count Average	0	49	0	49
Four-Count % Average	0%	100%	0%	100%

Source: DCLG Travelling Showpeople Caravan Count, Live Table 3 (January 2017)

- 4.9 The DCLG Caravan Count data also records Traveller and Travelling Showpeople caravan sites provided by local authorities and private registered providers in England³⁴. The most up-to-date data from January 2017 identifies no local authority-owned sites in the City of Sunderland.

Local information

- 4.10 Data on the provision of sites considers both authorised and unauthorised sites and yards across the City of Sunderland.
- 4.11 Broadly speaking, authorised sites/yards are those with planning permission and can be on either public or privately-owned land. Unauthorised sites are made up of either longer term³⁵ unauthorised encampments³⁶, that have been in existence for some considerable time and so can be considered to be indicative of a permanent need for accommodation (in some instances local authorities class these as tolerated sites and do not take enforcement action to remove them); and unauthorised developments, where Travellers are residing upon land that they own and that does not have planning permission (see Appendix E for more detailed definitions).
- 4.12 There are no Gypsy and Traveller sites located within the City of Sunderland. Table 4.4 sets out information relating to the five Travelling Showperson yards located within the City of Sunderland, and the locations of these yards are shown on Map 4.1.

³⁴ DCLG Count of Traveller Caravans January 2017 England, Housing Statistical Release 25 May 2017, Live Table 2

³⁵ Approximately three months or longer

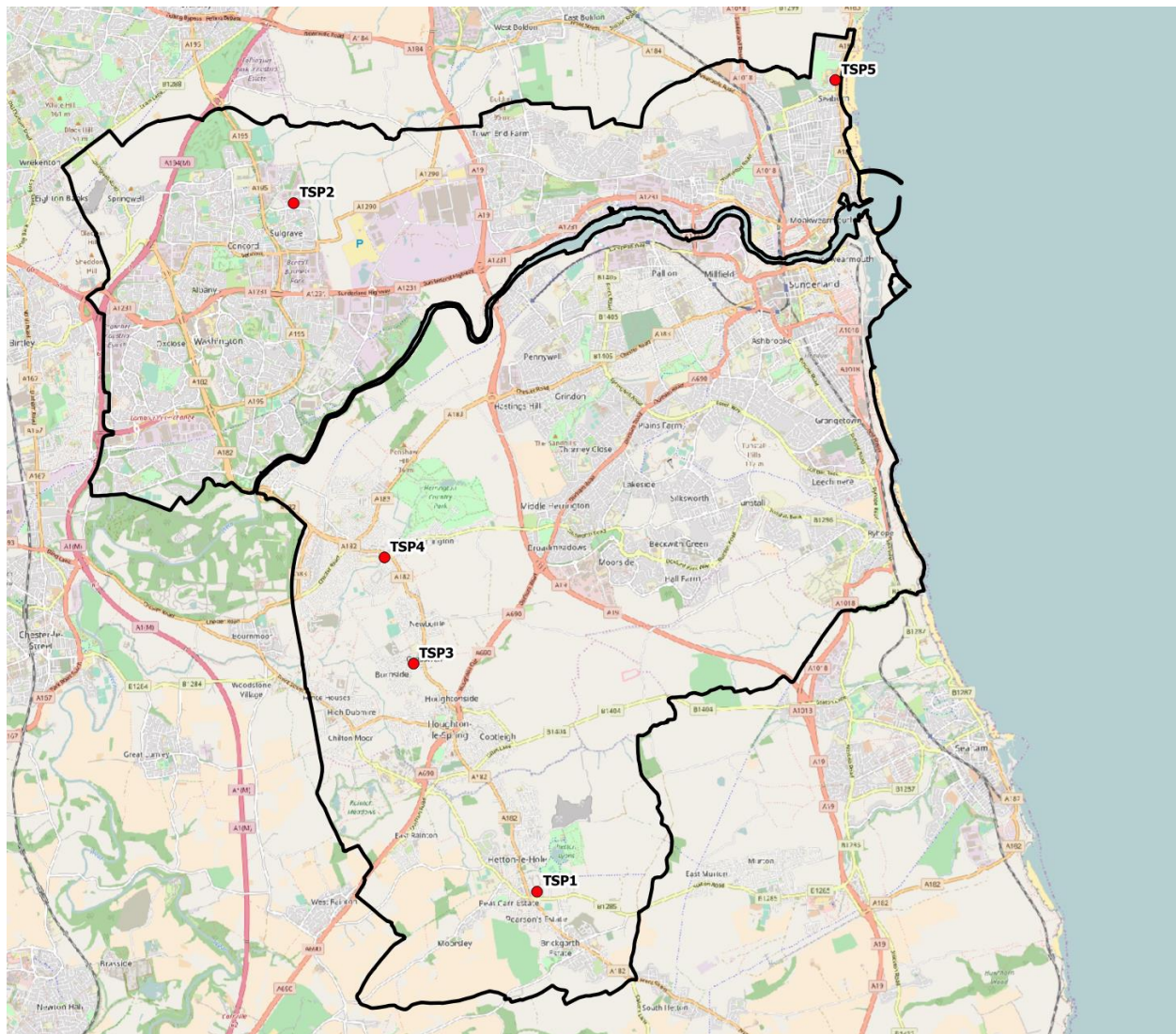
³⁶ Please note that unauthorised encampments also encompass short-term illegal encampments, which are more indicative of transit need, see para 7.10 for more information on these encampments.

Table 4.4 List of Travelling Showperson yards and summary of plots (as at May 2017)

Yard Code	Yard Name	Address	Type of yard	Ownership	Total plots (including subdivisions)	Plots not occupied	Occupied plots (including subdivisions)
TSP1	Pearsons	Pearsons Industrial Estate, Colliery Lane, Hetton-le-Hole, DH5 0SA	Authorised	Private	50	0	50
TSP2	Stephensons	Stephensons Industrial Estate, Washington, NE37 3HN	Authorised	Private	2	0	2
TSP3	Sunniside	Sunniside/Graswell, Houghton-le-Spring, DH4 5JA	Authorised	Private	45	5	40
TSP4	Herrington Burn	Philadelphia Lane, Herrington Burn, DH4 4LE	Authorised	Private	2	0	2
TSP5	Seaburn	Lowry Road, Seaburn, SR6 8AA	Authorised	Private	1	0	1
Total Travelling Showperson Plots					100	5	95

Sources: 2017 Household Surveys, December 2016 Electoral Register, 2017 Travellers Education data

Map 4.1 Location of yards in the City of Sunderland



5. Household survey findings

- 5.1 This chapter presents the findings of the Gypsy and Traveller and Travelling Showperson household survey, which was carried out to provide primary data to inform this GTAA. The survey aimed to reach as many Gypsy, Traveller and Travelling Showpeople households living within the City as possible. It was conducted using the questionnaires set out in Appendix C, administered through both face-to-face interviews and postal surveys.
- 5.2 The methodology is set out in Chapter 3. Despite awareness raising, and yard visits to publicise the survey, response rates were disappointingly low.
- 5.3 There were a total of 15 responses to the household survey which represented 22 households.
- 5.4 Given the limited responses received, it would not be appropriate to provide a detailed analysis of the survey information as this has the potential to identify individual responses. Broad summaries of household survey data which maintain respondent confidentiality are now presented.
- 5.5 Key findings include:
- A range of household types were stated, including singles (3), couples with children (3), older couples (6) and 'other' (1);
 - Most respondents lived in a static/mobile home/chalet (10) and 4 lived in a trailer/wagon;
 - The majority (10) had 2 bedspaces their home, 2 had one bedspace and 2 respondents had 3 or more bedspaces;
 - 3 respondents stated that their home was overcrowded and 11 said that it was not overcrowded;
 - 4 respondents stated that their plot was overcrowded and 9 stated it was not;
 - Most (8) stored equipment on their plot and 3 stored it elsewhere on the yard; 3 stated they had no equipment to store;
 - Regarding space for storing equipment, 6 felt there was enough space and 4 felt there was not enough space. Two required further storage on their current yard and one respondent commented that they needed a bigger yard to store their equipment;
 - When asked if there was a need for additional yards in Sunderland, 5 respondents said yes and 7 said no. Of those stating there was a need for additional yards, locations suggested included Seaburn, Sunderland (generally) and Houghton/Hetton. One respondent was keen to develop a 15-acre yard within the general Sunderland area. All respondents to this question stated that the yard should be owned privately;
 - 10 respondents do not intend on moving in the next 5 years; 3 do intend to move to another yard if available within Sunderland.

6. Stakeholder consultation

- 6.1 Stakeholder consultation for the GTAA was undertaken in partnership with the City of Sunderland Council. A list of key stakeholders operating in and around the Sunderland area were contacted. Stakeholders were invited to participate in an online survey aimed at identifying a range of information, including establishing the key perceived issues facing the Gypsy and Traveller and Travelling Showpeople communities within the area and ways in which these need to be addressed.
- 6.2 A total of 11 responses were obtained (some only partial) from representatives from Sunderland City Council and neighbouring local authorities, including Northumberland and Durham County Councils, along with a police force representative. Respondents were asked to answer questions that they felt were relevant to their knowledge and experience. This is a qualitative summary of the views expressed by the stakeholders responding to the online surveys.

General Support for Gypsies and Travellers

- 6.3 Views of respondents were mixed as to whether there was sufficient understanding and monitoring of the education, employment, health, accommodation and support needs of Gypsies, Travellers and Travelling Showpeople within the study area. Some respondents felt that there is adequate understanding, whilst others felt that there was not. Some from other areas were not sure about the situation in Sunderland. The transient nature of some Gypsies and Travellers and the negative coverage by media were mentioned as factors making it difficult to monitor the specific needs of households and groups. Resource limitations and the current economic climate were also noted as reasons why councils are restricted in how much they can do.
- 6.4 Several respondents felt that there could be greater awareness of the cultural, support and accommodation needs of Gypsies, Travellers and Travelling Showpeople in the study area. Officer and councillor training to raise awareness were suggested, as was an educational campaign at neighbourhood level to address concerns and misconceptions.
- 6.5 A number of respondents said that their organisation had undertaken action to raise awareness of the cultural, support and accommodation requirements of Gypsies, Travellers and Travelling Showpeople. These actions included employing a Traveller Education Liaison Officer; training staff and partner organisations; and talking to councillors to help them understand the issues involved.
- 6.6 Officers at Sunderland City Council reported that the Council is currently updating their Unauthorised Encampment Policy.

Provision of Accommodation

- 6.7 Stakeholders were asked to respond to a series of questions relating to the need for new pitch/plot provision (both permanent and transit), existing pitch/plot provision, households living in bricks and mortar accommodation and unauthorised encampment activity. Their responses are summarised below.

Need for new permanent provision

- 6.8 Asked if there is sufficient provision of permanent pitches/plots in Sunderland City, respondents expressed a range of views. Some were uncertain, others said yes and some said no. One respondent noted that there are no Gypsy and Traveller sites in the City. Another stated that there is a need for more Travelling Showpeople sites/yards and a stopover site for Travellers.
- 6.9 Several respondents stated that new provision should ideally be sited in consultation with Travelling Showpeople themselves. Good transport links, access to amenities and services and privacy (not being overlooked) were mentioned as important factors in choosing site locations. The need for support to prevent some of the environmental issues associated with some illegal sites (littering, fly tipping and waste) was also highlighted. It was noted that the major line of movement of Gypsies, Travellers and Travelling Showpeople within the region throughout the year is north-south roughly along the coast, so Sunderland would be considered strategically important as a coastal authority.
- 6.10 The following barriers to the provision of new permanent sites (or yards) were identified by respondents:
- The perceptions and resistance of local people, including NIMBYism and neighbourhood opposition;
 - A lack of understanding and empathy;
 - Cost and funding;
 - Identifying appropriate sites, including a consideration for neighbouring uses and land ownership;
 - Political resistance; and
 - The planning process can be a barrier to the provision of sites, including Green Belt.

Transit

- 6.11 When asked about the potential need for transit site provision within Sunderland City Council's area, the majority of respondents were either not sure or said that transit sites were not needed. A 'stop over' site was mentioned by two respondents; one said that this would be sufficient to accommodate the type of encampments generally experienced in the area; another reported that Durham County Council has used a 'stop over' site approach to enable transit across their area.
- 6.12 A lack of suitable transit sites was highlighted by one stakeholder as a 'region-wide issue'. They mentioned that the north-south movement of Travellers stretches across the year, with additional movements in the summer and the particular east-west movement to and from Appleby Horse Fair.
- 6.13 Barriers to the provision of new transit pitches were felt to be like those associated with providing permanent pitches. The following specific barriers were identified by respondents:

- local objections,
 - land,
 - costs, and
 - need.
- 6.14 One respondent suggested that informal ‘pop-up’ temporary transit sites could be a less controversial way of dealing with some of the barriers to the provision of a transit site.

Existing sites/yards

- 6.15 In terms of existing provision within Sunderland City, some respondents were clearly aware of there being Travelling Showpeople yards within the study area. One stakeholder said that they understand that the Showmans’ sites (yards) are good, although they have not visited any of the yards in person. Other than that, there was very limited knowledge and awareness of the standard of facilities on the existing yards in the study area.
- 6.16 In terms of how yards are managed, one respondent stated that the existing yards seem to be well managed by the Showmen themselves and the Council. There was no information from other stakeholders.
- 6.17 In terms of tensions between either Travellers themselves, or between Travellers and the settled community, there was limited feedback from stakeholders. Issues between different sub-groups within the Traveller community were acknowledged by one respondent. Another stakeholder observed that tensions always arise when there are unauthorised encampments in the study area; however, they were unsure of the existence of tensions between Travelling Showpeople and the settled community.

Bricks and mortar

- 6.18 Stakeholders were asked if they know of any Gypsies, Travellers and Travelling Showpeople living in bricks and mortar accommodation within Sunderland City. Most respondents were not aware of any, or had insufficient knowledge of the local area to comment. However, one respondent living on the Hetton site confirmed knowledge of members of the Travelling community living in bricks and mortar. Another stakeholder had a more general awareness through past assessments and the 2011 Census statistics.
- 6.19 None of the stakeholders were aware of a need for additional pitches/plots to accommodate the requirements of Gypsies, Travellers and Travelling Showpeople currently living in settled accommodation. One person observed that older members of the community often prefer to live in bricks and mortar.
- 6.20 Asked whether there is sufficient support available to Gypsies, Travellers and Travelling Showpeople living in settled accommodation to help them manage their housing effectively, none of the respondents were aware of specific provision. One commented that they would be provided with the same support as the general population.
- 6.21 None of the stakeholders felt able to comment on whether Gypsies, Travellers and Travelling Showpeople feel safe in bricks and mortar accommodation.

Unauthorised encampments

- 6.22 In terms of unauthorised encampments, several stakeholders were aware of these taking place in both Sunderland and surrounding authority areas. With respect to Sunderland, one respondent said there were ‘small numbers’ of unauthorised encampments and another said that they were aware of two taking place in one particular ward. In terms of neighbouring areas, Durham County Council recorded 138 unauthorised encampments within its administrative area in 2015/16. North Tyneside reported low numbers of encampments within their administrative area, ranging from just two in 2011/12 to seven in 2013/14.
- 6.23 There were a range of views expressed in relation to whether unauthorised encampments are problematic to the organisations represented by the stakeholders responding to the survey. One respondent commented that unauthorised encampments are generally located within commercial areas or locations that do not generate notable impacts for other residents and businesses; in addition, encampments rarely remain for more than a few weeks. Another respondent reported that using the acceptance policy and managing the site reduces many of the usual issues associated with unauthorised encampment, making them less problematic. However, it was noted that the general public and Councillors typically consider unauthorised encampments to be problematic. Several of the stakeholders identified problems relating to unauthorised encampment, including:
- They require intensive management, taking up significant staff resource;
 - The Travellers have a lack of regard for the local area, including making a mess; and
 - Clearing up is required once they have moved on.
- 6.24 In terms of local perceptions, several respondents commented that unauthorised encampments create a negative impression on the settled local community. It was observed that people often have a perception of increased crime rates, rubbish, fly tipping and mess left behind.

Planning Policy

- 6.25 The stakeholders taking part in the survey were asked whether there are areas within planning policy that they consider have restricted the provision of new sites/yards for Gypsies, Travellers and Travelling Showpeople. Most respondents were unsure or made no comment. One respondent from a neighbouring authority commented that there have not been any applications submitted in their area that would ‘test’ the impact of the policy upon provision. Another respondent identified Green Belt policy as a potential restriction on provision, although this was a general comment and not in relation to provision within Sunderland City.
- 6.26 In terms of doing more through planning policy and site allocation in the Local Plan to identify and bring forward sites/yards, two respondents referred to the use of criteria-based policies which they considered were a good approach. Another stakeholder suggested that it would be better to be more aware of the issues in-between studies, rather than just doing a survey every few years.

- 6.27 There was a range of views expressed regarding the impact of the updating of the *Planning Policy for Traveller Sites* (PPTS) document. One respondent felt that it will not make too much difference as councils were already aware of the need to avoid Green Belt and designated areas, while another expressed the view that the policy appears to place further restrictions on Traveller sites than previous guidance. Two stakeholders commented on the change in the definition of Traveller, both acknowledging that it can be interpreted and applied in different ways. One expressed the view that the new guidance is 'vague', providing no practical advice on how it should be implemented by local planning authorities in the assessment process.

Cross-Boundary Issues

- 6.28 In respect of movements from neighbouring areas into or out of Sunderland City, few stakeholders had an awareness of this issue. One stakeholder identified that there is a general movement north to south throughout the year, with an east to west movement during the summer months.
- 6.29 Asked if they were aware of sites or locations close to the boundary of Sunderland City where difficulties have arisen, there was also limited feedback from stakeholders. One respondent mentioned that Washington used to be a popular area, as it has easy access to both Newcastle and Gateshead.
- 6.30 In terms of cross-boundary issues to be considered as part of the GTAA study, one respondent reported on movements between Sunderland City and County Durham. This has included permanent migration onto pitches in County Durham in recent years, along with regular travel across County Durham by Traveller households.
- 6.31 Stakeholders identified the following key outcomes that they felt should come from the GTAA study:
- To meet the requirements of legislation and guidance;
 - To understand the needs of this group, including a robust assessment of pitch/plot needs;
 - To ensure the adequate provision of sites/yards; and
 - To provide for cross-boundary issues and co-operation as per the Duty to Cooperate.

Neighbouring authorities

- 6.32 Four respondents agreed that the stakeholder questionnaire contributes to the Council's requirement on the Duty to Cooperate with neighbouring authorities.

7. Travelling Showperson plot and Gypsy and Traveller transit requirements

Introduction

- 7.1 This section reviews the overall plot requirements for Travelling Showpeople across the City of Sunderland. It takes into account current supply and need, as well as future need, based on modelling of data, as advocated by the DCLG. This chapter also presents planning policy recommendations. This section also considers the transit/stop over requirements of Gypsies and Travellers.
- 7.2 The calculation of plot requirements is based on DCLG modelling as advocated in Gypsy and Traveller Accommodation Assessment Guidance (DCLG, 2007). The DCLG Guidance requires an assessment of the current needs of Gypsies and Travellers and Travelling Showpeople and a projection of future needs. The Guidance advocates the use of a survey to supplement secondary source information and derive key supply and demand information.
- 7.3 The GTAA has modelled current and future demand and current and future supply. The following analysis focuses on Travelling Showpeople as there are no Gypsy and Traveller sites in Sunderland.

Travelling Showperson plot requirements

- 7.4 Table 7.1 provides a summary of the plot need calculation over the period 2016/17 to 2032/33. Each component in the model is now discussed to ensure that the process is transparent and any assumptions clearly stated.

Need

- 7.5 **Current households living on plots (1a)**
These figures are derived from local authority data, site observation, household survey information and a review of electoral register and education data.
- 7.6 **Weighting factor (2)**
Where necessary, household survey responses have been weighted by a factor of 4.318 to take account of non-response. This is based on the total number of households divided by the household responses achieved ($95/22=4.318$)
- 7.7 **Existing households planning to move in the next five years (3)**
This was derived from information from the household survey for respondents currently on authorised plots. Overall, 13 households (weighted) intend to move in the next five years. Note that this is included as part of the need element of the calculation.
- 7.8 **Emerging households over next 5 years (2016/17 to 2020/21) (4a-c)**

A total of 9 (weighted) emerging households were identified based on household survey information and corroborated with electoral register and education data.

NEED			Sunderland
1	Total households living on plots	1a. On Private yard - Authorised	95
		1b. TOTAL (1a)	95
2		Weighting	4.318
3	Existing households planning to move in next 5 years	Currently on yards	
		3a. To another plot/same yard	0
		3b. To another yard in local authority area	13
		3c. From yard to Bricks and Mortar	0
		3d. To a yard/B&M outside study area	0
		3e. TOTAL Net impact (3a+3b-3c-3d)	13
4	Emerging households (5 years)	4a. Currently on yard and planning to live on current yard	0
		4b. Currently on yard and planning to live on another yard in LA	9
		4c. Currently on yard and planning to live on yard outside the study area	0
	Emerging households over longer term (2021/22 to 2033)	4d. Longer term need and assuming household lives on yard in Sunderland	14
		4e. TOTAL (4a+4b-4c+4d)	23
5	Total Need	1b+3e+4e	131
SUPPLY			
6	Current supply of authorised plots	6a. Current occupied authorised plots	95
		6b. Vacant plots	5
		6c. TOTAL Supply (6a+6b)	100
RECONCILING NEED AND SUPPLY			
7	Total need for plots	From 5: 2016/17 to 2032/33	131
8	Total supply of authorised plots	From 6c: Total Supply	100
AUTHORISED PLOT SHORTFALL 2016/17 TO 2032/33			31

7.9 Emerging households over next 5 years (2021/22 to 2032/33) (4d)

Longer-term plot need modelling has been carried out using known household structure information from the household survey of households living on plots. On the basis of the age of children in households, it is possible to determine the extent of 'likely emergence', which assumes that a child is likely to form a new household at the age of 18.

The year when a child reaches 18 has been calculated and it is possible to assess how many newly forming households may emerge over the period 2021/22-2032/33, with the assumption that they remain in the City of Sunderland and that 50% of children will form households when they reach 18.

Using data from the household survey and education data, a total of 28 children were identified who will reach the age of 18 over the period 2021/22 to 2032/33 (Table 7.2). Analysis would suggest a total requirement for 14 additional plots over the period 2021/22-2032/33.

Table 7.2 Future plot requirements based on the assumption that 50% of children form households on reaching 18

Time period	No. children	Expected household formation
2021/22 – 2022/23	2	1
2023/24 – 2027/28	11	5.5
2028/29 – 2032/33	15	7.5
Total (2021/22 to 2032/33)	28	14

7.10 Total need for plots (5)

This indicates a total need for 131 plots over the period 2016/17 to 2032/33.

Supply

7.11 Current supply of plots (6a)

This is a summary of the total number of occupied authorised plots and shows a total supply of 95 plots.

7.12 Current supply of vacant plots (6b)

There are a small number of vacant plots on the Sunnyside yard which was identified through site observation and discussion with occupants. There are an estimated 5 vacant plots currently on the yard.

7.13 Total supply of plots (6c)

The total supply of plots is 100 (95 occupied plus 5 vacant).

Reconciling supply and demand

7.14 There is a total need over the period 2016/17 to 2032/33 for 31 plots. However, this excludes any allowance for household dissolution over the Plan Period. This figure also does not take into account anecdotal evidence that some households have moved into bricks and mortar housing due to a lack of appropriate plot provision over the last Plan Period.

- 7.15 Site observation and discussions with residents would suggest a small number of vacant plots (5) on Sunnyside yard but none on the yards at Pearson’s Industrial Estate. The analysis assumes that these plots are available for occupancy.
- 7.16 Additionally, there may be particular pressures being experienced on some smaller yards and occupants may require alternative yard provision due to their yards being too small for residential needs and the storage of equipment. This was also highlighted in discussions on Sunnyside Yard, where a key issue for families with children was the size of the plots and not having enough space.

Overall Plan Period plot need

- 7.17 The base date for the study is 2016/17 and therefore the remainder of the Plan Period is 17 years, resulting in an annualised plot need of 1.82. This can be reasonably applied over the whole of the Plan Period 2015-2033 as set out in Table 7.3.

	Total Need
Plot shortfall Year 1 to 3 (2015/16 to 2017/18)	6
Plot shortfall Years 4 to 8 (2018/19 to 2022/23)	9
Plot shortfall Years 9 to 18 (2023/24 to 2032/33)	18
TOTAL NET SHORTFALL to 2033 (Plan Period)	33

- 7.18 It is recommended that the Local Plan recognises a need for up to 33 additional Travelling Showperson plots over the Plan Period. The Council should continue to engage with Showpeople and consider future applications to meet the needs of families who may emerge over the Plan Period. Particular attention should be paid to how vacant plots on existing sites are used as these may provide plots to offset this need. There is also an issue of an ageing population on yards and the impact this may have on plot availability over the timescale of the local plan.
- 7.19 It should also be noted that community representatives suggested that there was no need for additional plots at the current time, which would support the idea that better use can be made of existing yards to accommodate the needs identified.

Gypsy and Traveller transit or stop-over site requirements

- 7.20 Regarding stop-over provision, data available on unauthorised encampments would suggest a need. Unauthorised encampment data collected by the Council reports a broadly consistent level of activity:
- 14 encampments in 2013;
 - 16 encampments in 2014;
 - 14 encampments in 2015; and

- 17 encampments in 2016.
- 7.21 It is recommended that data relating to the number of caravans on encampments is recorded. A stop-over site of 5 pitches would be sufficient for 10 caravans and, on the basis of other studies, this size of stop-over site should accommodate the vast majority of unauthorised encampment activity.

8. Conclusion and strategic response

- 8.1 This concluding chapter provides a brief summary of key issues emerging from the research; advice on the strategic responses available; and recommendations and next steps.

Meeting permanent Gypsy and Traveller pitch requirements

- 8.2 There are currently no permanent Gypsy and Traveller pitches across Sunderland City Borough. The 2017 GTAA has evidenced no need for pitches within Sunderland City over the Plan Period.

Meeting transit Gypsy and Traveller pitch requirements

- 8.3 There is evidence of sustained levels of unauthorised encampment activity in Sunderland City. It is recommended that a stop-over site of 5 pitches is developed. This would be sufficient for 10 caravans and, on the basis of other studies, this size of stop-over site should accommodate the vast majority of unauthorised encampment activity.

Meeting permanent Travelling Showperson requirements

- 8.4 There are currently 100 Travelling Showperson plots (including subdivisions) on five yards across Sunderland City. Of these, 95 plots are occupied and 5 are vacant.
- 8.5 Needs analysis indicates a total need over the period 2016/17 to 2032/33 for 131 plots, including need arising from emerging households. Taking into account the supply of 100 plots (including vacants), this results in a shortfall of 31 plots over the remainder of the Plan Period. The base date for the study is 2016/17 and as the Plan Period began in 2015/16, consideration needs to be given to plot requirements over this additional year. The annualised need for plots is 1.82 over the remainder of the Plan Period (17 years). Therefore, the annual need during 2015/16 is for 2 plots (rounded).
- 8.6 The study therefore concludes there is a need for 33 plots over the entire Plan Period. However, this excludes any allowance for household dissolution which may result in an increase in pitches becoming available over the Plan Period.

Meeting transit site/stop over requirements

- 8.7 There is evidence of sustained levels of unauthorised encampment activity in Sunderland City. It is recommended that a stop-over site of 5 pitches is developed. This would be sufficient for 10 caravans (two per pitch), and on the basis of other studies, this size of stop-over site should accommodate the vast majority of unauthorised encampment activity.

Good practice in planning for Gypsy and Traveller provision

- 8.8 There are a number of resources available to local planning authorities to assist them in planning for Gypsy and Traveller provision, including resources from the Planning Advisory Service (PAS) and the Royal Town Planning Institute (RTPI), which are presented in Appendix B. In addition, the Local Government Agency and Local Government Association have resources available for local authorities working with Traveller communities to identify sites for new provision, these include dedicated learning aids for elected members³⁷.
- 8.9 Work undertaken by PAS³⁸ identified ways in which the planning process can increase the supply of authorised Gypsy and Traveller pitches. The RTPI has developed a series of Good Practice Notes for local planning authorities. Both are summarised at Appendix B.

Concluding comments

- 8.10 The overarching purpose of this study has been to identify the accommodation requirements of Gypsies and Travellers and Travelling Showpeople across Sunderland City.
- 8.11 For Gypsies and Travellers, the study identifies no need for pitch provision over the Plan Period.
- 8.12 For Travelling Showpeople, it is recommended that the Local Plan recognises a need for up to 33 additional Travelling Showperson plots over the Plan Period. This is summarised in Table 8.1.
- 8.13 Regarding transit provision, it is recommended that a stop-over site of 5 pitches is developed to accommodate up to 10 caravans.
- 8.14 It is recommended that this evidence base is refreshed on a five-yearly basis to ensure that the level of pitch/plot provision remains appropriate for the Gypsy and Traveller and Travelling Showperson population across Sunderland City.

	Total Need
Plot shortfall Year 1 to 3 (2015/16 to 2017/18)	6
Plot shortfall Years 4 to 8 (2018/19 to 2022/23)	9
Plot shortfall Years 9 to 18 (2023/24 to 2032/33)	18
TOTAL NET SHORTFALL to 2033 (Plan Period)	33

³⁷ I&DeA (now Local Government Agency) local leadership academy providing Gypsy and Traveller sites

³⁸ PAS spaces and places for gypsies and travellers how planning can help

Appendix A: Legislative background

Overall approach

- A.1 Between 1960 and 2003, three Acts of Parliament had a major impact upon the lives of Gypsies and Travellers. The main elements of these are summarised below.
- A.2 The **1960 Caravan Sites and Control of Development Act** enabled councils to ban the siting of caravans for human occupation on common land, and led to the closure of many sites.
- A.3 The **Caravan Sites Act 1968 (Part II)** required local authorities '*so far as may be necessary to provide adequate accommodation for Gypsies residing in or resorting to their area*'. It empowered the Secretary of State to make designation orders for areas where he was satisfied that there was adequate accommodation, or on grounds of expediency. Following the recommendations of the Cripps Commission in 1980, provision began to grow rapidly only after the allocation of 100% grants from central government. By 1994 a third of local authorities had achieved designation, which meant that they were not required to make further provision and were given additional powers to act against unauthorised encampments. The repeal of most of the Caravan Sites Act under the Criminal Justice and Public Order Act in 1994 led to a reduction in provision, with some sites being closed over a period in which the Gypsy and Traveller population was increasing.
- A.4 The **1994 Criminal Justice and Public Order Act (CJ&POA)**:
- Repealed most of the 1968 Caravan Sites Act;
 - Abolished all statutory obligation to provide accommodation;
 - Discontinued government grants for sites; and
 - Under Section 61 made it a criminal offence to camp on land without the owner's consent.

Since the CJ&POA the only places where Gypsies and Travellers can legally park their trailers and vehicles are:

- Council Gypsy caravan sites; by 2000 nearly half of Gypsy caravans were accommodated on council sites, despite the fact that new council site provision stopped following the end of the statutory duty;
- Privately owned land with appropriate planning permission; usually owned by Gypsies or Travellers. Such provision now accommodates approximately a third of Gypsy caravans in England; and
- Land with established rights of use, other caravan sites or mobile home parks by agreement or licence, and land required for seasonal farm workers (under site licensing exemptions).

By the late 1990s the impact of the 1994 Act was generating pressure for change on both local and national government. There was a major review of law and policy, which included:

- A Parliamentary Committee report (House of Commons 2004).
- The replacement of Circular 1/94 by Circular 1/2006 (which has since been cancelled and replaced by the *Planning policy for traveller sites* 2012 and updated in 2015).
- Guidance on accommodation assessments (ODPM 2006).
- The Housing Act 2004 which placed a requirement (s.225) on local authorities to assess Gypsy and Traveller accommodation needs.

A.5 **Section 225: Housing Act 2004** imposed duties on local authorities in relation to the accommodation needs of Gypsies and Travellers:

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

A.6 The **Planning and Compulsory Purchase Act 2004** set out to introduce a simpler and more flexible planning system at regional and local levels. It also introduced new provisions which change the duration of planning permissions and consents, and allow local planning authorities to introduce local permitted development rights using 'local development orders'. It made the compulsory purchase regime simpler, fairer and quicker, to support major infrastructure and regeneration initiatives.

The Act introduced major changes to the way in which the planning system operates. Local planning authorities are required to prepare a Local Development Framework; however, the term Local Plan was reintroduced following the National Planning Policy Framework in March 2012.

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

- A.7 **The Localism Act 2011** introduced a number of reforms, including changes to planning enforcement rules, which strengthen the power of local planning authorities to tackle abuses of the planning system. The changes give local planning authorities the ability to take actions against people who deliberately conceal unauthorised development, and tackle abuses of retrospective planning applications. The Act also introduced the Duty to Co-operate (see Section 3) on all local planning authorities planning sustainable development. The Duty requires *‘neighbouring local authorities, or groups of authorities, to work together on planning issues in the interests of all their local residents. ... the Government thinks that local authorities and other public bodies should work together on planning issues in ways that reflect genuine shared interests and opportunities to make common cause. The duty requires local authorities and other public bodies to work together on planning issues.’*³⁹ The provision of Gypsy and Traveller sites falls within the Duty to Co-operate; which aims to ensure that neighbouring authorities work together to address issues such as provision of sites for Gypsies and Travellers in a planned and strategic way.
- A.8 **Statutory Instrument 2013 No 830 Town and Country planning Act, England (Temporary Stop Notice) (England) (Revocation) Regulations 2013** came into force on 4th May 2013. This Instrument revoked the regulations governing Temporary Stop Notices, which were in place to mitigate against the disproportionate impact of Temporary Stop Notices on Gypsies and Travellers in areas where there was a lack of sufficient pitches to meet the needs of the Travelling community.
- A.9 **Section 124: Housing and Planning Act 2016** has two parts:
- 124(1) amends section 8 of the Housing Act 1985, inserting an additional reference to include a duty to consider the needs of people residing in or resorting to local authority Cities with respect to the provision of sites for caravans and moorings for houseboats when undertaking housing needs assessments.
 - 124(2) deletes sections 225 and 226 of the Housing Act 2004 (as set out above).

³⁹ DCLG A plain English guide to the Localism Act Nov 2011

Appendix B: Literature review

Introduction

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

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

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

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

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

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

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

The Guide (now cancelled) was the Government's response to unauthorised encampments which cause local disruption and conflict. Strong powers are available to the police, local authorities and other landowners to deal with unauthorised encampments. It provided detailed step-by-step practical guidance to the use of these powers, and sets out advice on:

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

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

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

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

- developing a realistic but ambitious timetable to identify land for sites, where necessary establishing them, and making sure it is met;
- developing key performance indicators for public sites which set standards for quality and management that are comparable to those for conventional accommodation;
- requiring local authorities to monitor and provide data on planning applications, outcomes and enforcement, and on housing and homelessness by racial group, using two separate categories for Gypsies and Irish Travellers; and
- requiring police forces to collect information on Gypsies and Irish Travellers as two separate ethnic categories.

Strategic recommendations affecting local authorities include:

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

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

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

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

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

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

- **Involve Gypsy and Traveller communities:** this needs to happen at an early stage, innovative methods of consultation need to be adopted due to low levels of literacy and high levels of social exclusion within Gypsy and Traveller communities and members of the Gypsy and Traveller community should be trained as interviewers on Accommodation Assessments (Cambridgeshire, Surrey, Dorset and Leicestershire). Other good practice examples include distribution of material via CD, so that information can be 'listened to' as opposed to read. The development of a dedicated Gypsy and Traveller Strategy is also seen to be good practice, helping agencies develop a co-ordinated approach and so prioritise the issue. The report also recommends the use of existing Gypsy and Traveller resources such as the planning guide published in Traveller's Times, which aims to explain the planning process in an accessible way to members of the Gypsy and Traveller community. As well as consulting early, PAS also flags the need to consult often with communities;
- **Work collaboratively** with neighbouring authorities to address the issues and avoid just 'moving it on' to a neighbouring local authority area. With the new Duty to Co-operate established within the NPPF, working collaboratively with neighbouring local authorities has never been more important. Adopting a collaborative approach recognises that local authorities cannot work in isolation to tackle this issue;
- **Be transparent:** trust is highly valued within Gypsy and Traveller communities, and can take a long time to develop. The planning system needs to be transparent, so that members of the Gypsy and Traveller community can understand the decisions that have been taken and the reasoning behind them. PAS states that *'ideally council work in this area should be led by an officer who is respected both within the Council and also within Gypsy and Traveller communities: trust is vital and can be broken*

easily.⁴⁰ Local planning authorities also need to revisit their approach to development management criteria for applications for Gypsy and Traveller sites ‘to ensure that criteria make it clear what applications are likely to be accepted by the council. Authorities need to ensure that these are reasonable and realistic. Transparent and criteria-based policies help everyone to understand what decisions have been made and why.’⁴¹ Kent and Hertsmere councils are listed as examples of good practice in this regard.

- **Integration:** accommodation needs assessments need to be integrated into the Local Plan evidence base, with site locations and requirements set out within specific Development Plan Documents (DPDs); dedicated Gypsy and Traveller DPDs are advocated as a means of ensuring that the accommodation needs of Gypsies and Travellers are fully considered and addressed within the local planning process; and
- **Educate and work with councillors:** members need to be aware of their responsibilities in terms of equality and diversity and ‘understand that there must be sound planning reasons for rejecting applications for Gypsy and Traveller sites’⁴². It is helpful for members to understand the wider benefits of providing suitable accommodation to meet the requirements of the Gypsy and Traveller community, such as:
 - An increase in site provision;
 - Reduced costs of enforcement; and
 - Greater community engagement and understanding of community need.

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

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

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

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

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

- **Define potentially confusing terminology** used by professionals working in the area;

⁴⁰ PAS Spaces and places for gypsies and travellers how planning can help, page 8

⁴¹ PAS spaces and places for gypsies and travellers how planning can help page 8 & 14

⁴² PAS spaces and places for gypsies and travellers how planning can help page 10

- **Use appropriate methods of consultation:** oral exchanges and face-to-face dealings are essential to effectively engage with Gypsy and Traveller communities, whilst service providers tend to use written exchanges;
- **Consultees and participants need to be involved in the entire plan making process;** this includes in-house participants, external organisations, Gypsy and Traveller communities, and settled communities. The RTPI concludes that:
 - *‘Local authorities should encourage Gypsy and Traveller communities to engage with the planning system at an early stage. However, they may request other agencies that have well-established relationships with members of Gypsy and Traveller communities to undertake this role.’* and
 - *‘In the past, settled communities have often only become aware of the intention to develop Gypsy and Traveller accommodation when the local authority issues a notice or consultation. ... cultivating the support of the settled community for the development of sites should start as soon as possible. ... There is a sound case for front-loading and sharing information with small groups in the [settled] community, rather than trying to manage large public gatherings at the start of the process. Again, it may be beneficial for the local authority to work in partnership with organisations with established links in the community. The settled community is not a homogeneous whole. There will be separate groups with different perceptions and concerns, which the local authority must take account of.’⁴³*
- **Dialogue methods:** the RTPI correctly identify that the experience of many Gypsies and Travellers of liaising with both public sector agencies and the settled community is both frightening and negative. As a result *‘there should be no expectation that Gypsies and Travellers will participate in open meetings. Stakeholders should investigate suitable methods of bringing together individuals from the respective communities in an environment that will facilitate a constructive exchange of information and smooth the process of breaking down animosity and hostility.’⁴⁴* The use of public meetings is discouraged, and the use of organisations with experience of working within both Gypsy and Traveller, and settled communities encouraged – advice and support groups, assisted by the latter, holding regular local meetings can be an effective means of engaging constructively with both communities. Representatives from these groups can also be included on appropriate forums and advisory groups. The location and timing of meetings needs to be carefully considered to maximise participation, with a neutral venue being preferable.
- **The media** has an important role to play in facilitating the delivery of sites locally, with past reporting being extremely damaging. Positive media liaison is important and requires:
 - A single point of contact with the local authority;

⁴³ RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 8

⁴⁴ RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 13

- A liaison officer responsible for compilation and release of briefings, and for building positive relationships with editors, journalists, radio and television presenters;
 - All stakeholders to provide accurate and timely briefings for the liaison officer;
 - Provision of media briefings on future activities;
 - Officers to anticipate when and where the most sensitive and contentious issues will arise and use of a risk assessment to mitigate any negative impact;
 - Use of the media to facilitate engagement with both settled and Gypsy and Traveller communities; and
 - Stakeholders to provide politicians with clear, accurate and comprehensive briefings.
- **On-going communication, participation and consultation** are important. The continued use of the most effective methods of engagement once an initiative is completed ensures the maximum use of resources:
 - *‘The delivery of some services, such as the identification of sites in development plan documents, is the end of one process and the start of another. The various committees and advisory groups established to participate in the process of site identification and the accommodation needs assessment will have considerable background information and expertise embedded in their membership. This will prove useful in the management and monitoring of subsequent work. ... Whilst on-going engagement with all service users is important, it is especially important with regard to Gypsies and Travellers, given their long history of marginalisation.’⁴⁵*

Whilst the RTPI’s Good Practice Note Planning for Gypsies and Travellers predates the NPPF, the principles that it establishes at Part C remain largely relevant in terms of the role of local plan making. The Note advises that whilst the use of the site specific DPDs to identify sites for Gypsy and Traveller accommodation may seem less divisive, subsequent to identification of sufficient sites to meet identified need, local planning authorities should seek to integrate provision for Gypsies and Travellers within their general housing strategies and policies. Early involvement of stakeholders, the community and special interest groups will help achieve a consensus.

However, the RTPI point out that, due to the contentious nature of Gypsy and Traveller provision, the use of a criteria based approach to the selection of development sites is unlikely to be *successful ‘in instances where considerable public opposition to the development might be anticipated.’* The paper concludes that it is not appropriate to rely solely on criteria as an alternative to site allocations where there is an identified need for the development.⁴⁶

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

⁴⁵ RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part A page 18

⁴⁶ RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part C page 11

*'The local authority and Gypsy and Traveller communities are both able to bring forward their suggested sites during this process, and the distribution and location of transit as well as permanent sites can be covered. The practicable options would then go forward for discussion with the local community, interest groups, and other stakeholders before the selection of preferred sites is finalised. The advantages of this approach are its transparency and the certainty it provides both for Gypsies and Travellers and for settled communities.'*⁴⁷

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

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

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

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

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

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

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

The Guidance was revoked in July 2016 and withdrawn in December 2016.

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

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

- Local authorities or Registered Providers looking to develop new sites or refurbish existing sites;

⁴⁷ RTPI Planning for Gypsies and Travellers Good Practice Note 4 Part C page 11

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

B.9 The National Planning Policy Framework, March 2012

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

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

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

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

In April 2012 the Government published a Progress Report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers, which summarised progress in terms of meeting 'Government commitments to tackle inequalities and promote fairness for Gypsy and Traveller communities.'⁴⁸ The report covers 28 measures from across Government aimed at tackling inequalities, these cover:

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

⁴⁸ www.communities.gov.uk/news/corporate/2124322

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

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

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

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

B.14 Ministerial Statement 1st July 2013 by Brandon Lewis⁴⁹ highlighted the issue of inappropriate development in the Green Belt and revised the appeals recovery criteria issued on 30th June 2008 to enable an initial six-month period of scrutiny of Traveller site appeals in the Green Belt. This was so that the Secretary of State could assess the extent to which the national policy, *Planning policy for traveller sites*, was meeting the Government's stated policy intentions. A number of appeals have subsequently been recovered. The Statement also revoked the practice guidance on 'Diversity and equality

⁴⁹ <https://www.gov.uk/government/speeches/planning-and-travellers>

in planning⁵⁰, deeming it to be outdated; the Government does not intend to replace this guidance.

B.15 Dealing with illegal and unauthorised encampments: a summary of available powers 9th August 2013. This guidance (now superseded, March 2015) replaced that published in August 2012, and updated it in respect of changes to Temporary Stop Notices. The Guidance listed powers available to local authorities, including:

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

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

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

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

⁵⁰ ODPM Diversity and Equality in Planning: A good practice guide 2005

- The change in the number of Traveller households that have or are likely to have accommodation needs to be addressed over the Plan period;
 - Broad locations where there is a demand for additional pitches;
 - The level, quality and types of accommodation and facilities needed (e.g. sites and housing);
 - The demographic profile of the Traveller community obtained from working directly with them;
 - Caravan count data at a local level; and
 - Whether there are needs at different times of the year.
- The consultation closed on 23rd November 2014.

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

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

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

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

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

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

To be read alongside the NPPF (March 2012), this national planning policy document replaces the original document of the same name (published in March 2012). *Planning policy for traveller sites* sets out that, “the Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.”⁵¹

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

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

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

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

⁵¹ DCLG *Planning policy for traveller sites*, August 2015, paragraph 3

In addition, the planning policy statement of 31st August 2015 announced that the Government has cancelled the documents *Guide to the effective use of enforcement powers, Part 1* (2006) and *Part 2* (2007) and *Designing Gypsy and Traveller Sites – Good Practice Guide* (2008).

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

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

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

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

Appendix C: Fieldwork questionnaire

City of Sunderland Council Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2017

QUESTIONNAIRE (Travelling Showperson)

[March] 2017

Main Contact: Dr Michael Bullock
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City of Sunderland Gypsy, Traveller and Travelling Showpeople Survey

Introduction

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

We want to find out:

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

Interviewed before?

Have you been interviewed for this survey before?

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

Do you have time to talk with me about these things – it will take about 20 to 30 minutes?

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

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

Interview details

Date and time _____

Location (Yard name and address) _____

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

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

Household Characteristics

Q1 Who lives in your household?

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

[Notes for interview coding:]

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

Q2 How would you best describe your household?

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

Home base

Q3 Is this your main home base?

1	2
Yes	No

[If 'no' go to Q4; if 'yes' go to Q5]

Q4 Where is your other home base?

[State settlement/district]

Current accommodation

Q5 What type of accommodation do you live in?

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

Q6 How many bedspaces are there?

1	2	3	4	5	6	7	8

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

1	2
Yes	No

Q8 Do you think your plot is overcrowded?

1	2
Yes	No

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

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

Q10 Where did you move from?

1	2	3	4
The same Plot	The same Yard	The same district	From outside the district

Q11 Why did you move onto this Plot?

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

Other: _____

Q12 When you moved onto this Plot, was it?

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

Travelling questions

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

1	2
Yes	No

Q14 Have you or anyone in your household travelled within the past 2 to 5 years?

1	2
Yes	No

Q15 Why do you travel?

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

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

1	2
Yes	No

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

1	2
Yes	No

Q18 How many days or weeks do you normally travel each year?

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

Q19 How many days or weeks do you plan to travel in any given year in the future? Possibly delete

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

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

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

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

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

Other: _____

Permanent Yard questions

Q22 Is there a need for new permanent Yard(s) in the City of Sunderland?

1	2
Yes	No

Q23 If yes, where?

_____ 77

Q24 Please state how many plots? _____

Q25 Who should manage permanent yards?

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

Other: _____

The future

Q26 Are you planning to move in the next 5 years?

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

Q27 *Where are you planning to move to?*

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

Q28 *What type of accommodation are you planning to move to?*

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

Q29 *Which of the following would you consider?*

1	2	3	4	5	6	7	8	9
	For Plots				For houses			
Rent a Plot on a private Yard	Own a Plot on a private Yard	Rent a Plot on a Council/ Housing Association Yard	Buy some land and create a new Plot	Rent from the Council	Rent from a Housing Association	Rent privately	Buy a property	Other (please state)

Other: _____

Q30 *If you are considering moving to bricks and mortar accommodation, what are your reasons?*

Q31 *If you are considering moving to bricks and mortar accommodation would you use (or have you used) Council’s Housing Register?*

1	2
Yes	No

Emerging households

Q32 *Are there any people in your household who want to move to their own plot/house in the next 5 years?*

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

If none go to Q37

Q33 *If yes, where would they like to move to?*

	HH1	HH2	HH3	HH4
Plot on current yard	1	1	1	1
Move to another yard (if so, where)	2	2	2	2
Move to bricks and mortar (if so, where)	3	3	3	3

Q34 *If yes, what sort of accommodation would they require?*

	HH1	HH2	HH3	HH4
Trailer/wagon	1	1	1	1
Chalet/mobile home	2	2	2	2
House	3	3	3	3
Bungalow	4	4	4	4
Flat	5	5	5	5
Sheltered/extra care housing	6	6	6	6
No permanent base required	7	7	7	7
Other (please specify)	8	8	8	8

Other: _____

Q35 *If yes, which of the following options would they consider?*

	HH1	HH2	HH3	HH4
Rent Plot from Council	1	1	1	1
Rent Plot from Registered Provider/Housing Association	2	2	2	2
Rent Plot privately	3	3	3	3
Own land where trailer/wagon is normally located	4	4	4	4
To travel/ use multiple/ various Yards	5	5	5	5

Q36 *Do you think they will want to travel for some of the year?*

	HH1	HH2	HH3	HH4
Yes 1	1	1	1	1
No 2	2	2	2	2

Current Yard

Q37 Thinking of where you live, is there potential for further expansion?

1	2
Yes	No

If so, for how many Plots? _____

Q38 Is there potential to sub-divide existing Plots?

1	2
Yes	No

If so, for how many Plots? _____

Q39 How many vacant Plots are there? _____

Q40 How many are available to be occupied by a household? _____

Q41 Do you know of any households etc to be interviewed? This can include people you know who would like to live in Sunderland?**[please include details]**

Q42 *Is there anything else you would like to tell us?*

Q43 What do you think of the Yard you live on?

	1	2	3
	Happy	Okay	Not happy
Yard management			
Size of plot			
Access to yard			
Quality of sheds			
Location			
Cost of electricity			
Cost of gas			
Cost of water			
Cost of rent			

PLOT MAKING SURE THEY ARE REFERENCED CORRECTLY. THE PRINCIPAL HOUSEHOLD SHEET SHOULD HAVE INFORMATION WHICH LINKS TOGETHER ALL QUESTIONNAIRES (eg the yard contained 3 households – the principal household and then a cousin of the respondent and his family and a son of the respondent and his family)]

Sunderland City Council Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2017

If you want help to fill in this form please call 0800 612 9133

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Background data

Plot address	
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	Number
How many static caravans/mobile homes are on your plot?	
How many tourers are on your plot?	
How many bricks and mortar dwellings are on your plot?	
How many amenity blocks/sheds are on your plot?	
How many people are living on your plot?	

Household Characteristics

Q1 How would you describe the household living on this plot? (Please tick one answer)

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

Q2 How many people are there living on your plot in the following age groups?

Age Group	Number
0-12	
13-17	
18-39	
40-64	
65 and over	

Current accommodation

Q3 What type of accommodation do you live in? (Please tick one answer)

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

Other: _____

Q4 How many bedspaces are there? (Please tick one answer)

1	2	3	4	5	6	7	8

Q5 Do you think your home (trailer/B&M) is overcrowded? (Please tick one answer)

1	2
Yes	No

Q6 Do you think your plot is overcrowded? (Please tick one answer)

1	2
Yes	No

Q7 Where do you store your equipment? (Please tick one answer)

1	2	3	4	5
On your plot	Elsewhere on the yard	On another yard	On the roadside	Other (please specify)

Other: _____

Q8 Have you enough storage space for your equipment? (Please tick one answer)

1	2	2b	2c
Yes	No	If no, how much storage space do you need?	If no, where does the storage space need to be

Permanent Yard questions

Q9 *Is there a need for a new permanent Yard(s) in the City of Sunderland? (Please tick one answer)*

1	2
Yes	No

Q10 *If yes, where?*

Q11 *Please state how many plots may be needed?*

Q12 *Who should manage permanent yards? (Please tick one or more)*

1	2	3	4	5
Councils	Registered social landlords/ Housing Associations	Private (private owner)	Private (Showman's Guild)	Other (please specify)

Other: _____

The future

Q13 *Are you planning to move in the next 5 years? (Please tick one answer)*

1	2
No - planning to stay where you are based now [go to Q19]	Yes - planning to move elsewhere

Q14 Where are you planning to move to? (Please tick one answer)

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

Q15 What type of accommodation are you planning to move to? (Please tick one answer)

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

Q16 Which of the following would you consider?

1	2	3	4	5	6	7	8	9
For pitches					For houses			
Rent a plot on a private yard	Own a plot on a private yard	Rent a plot on a Council/Housing Association yard	Buy some land and create a new plot	Rent from the Council	Rent from a Housing Association	Rent privately	Buy a property	Other (please state)

Other: _____

Q17 If you are considering moving to bricks and mortar accommodation, what are your reasons?

Q18 If you are considering moving to bricks and mortar accommodation would you use (or have you used) the Council's Housing Register?

1	2
Yes	No

Emerging households

Q19 Are there any people in your household who want to move to their own caravan/pitch/house in the next 5 years?

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

Q20 If yes, where would they like to move to? (Please tick one answer for each new household)

	New Household 1	New Household 2	New Household 3	New Household 4
Plot on current yard	1	1	1	1
Move to another yard (if so, where)	2	2	2	2
Move to bricks and mortar (if so, where)	3	3	3	3

If yes, what sort of accommodation would they require? (Please tick one answer for each new household)

	New Household 1	New Household 2	New Household 3	New Household 4
Trailer/wagon	1	1	1	1
Chalet/mobile home	2	2	2	2
House	3	3	3	3
Bungalow	4	4	4	4
Flat	5	5	5	5
Sheltered/extra care housing	6	6	6	6
No permanent base required	7	7	7	7
Other (please specify)	8	8	8	8

Other: _____

Q21 If yes, which of the following options would they consider? (Please tick (Please tick one or more answer for each new household)

	New Household 1	New Household 2	New Household 3	New Household 4
Rent plot from Council	1	1	1	1
Rent plot from Registered Provider/ Housing Association	2	2	2	2
Rent plot privately	3	3	3	3
Own land where trailer/wagon is normally located	4	4	4	4
To travel/ use multiple/ various yards	5	5	5	5

Thank you for filling in this form. Please return it in the pre-paid envelope provided

Appendix D: Glossary of terms

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

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

CRE: Commission for Racial Equality.

DCLG: Department for Communities and Local Government; created in May 2006. Responsible for the remit on Gypsies and Travellers, which was previously held by the Office of the Deputy Prime Minister (O.D.P.M.).

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

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

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

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

Plot: see pitch

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

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

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

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

Showpeople: Defined by DCLG *Planning policy for traveller sites* (August 2015) as “Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above”.

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

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

Stop-over site: An authorised area of land with basic facilities which can be accessed by Gypsies/ Travellers on a temporary basis.

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

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

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

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

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

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

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

Yards: Showpeople travel in connection with their work and therefore live, almost universally, in wagons. During the winter months these are parked up in what was traditionally known as

‘winter quarters’. These ‘yards’ are now often occupied all year around by some family members.