

COMMUNITY AND SOCIAL AFFAIRS COMMITTEE

18 MARCH 2015

REPORT OF HEAD OF COMMUNITIES & NEIGHBOURHOODS

GYPSY AND TRAVELLER ACCOMODATION NEEDS

1 PURPOSE OF REPORT

- 1.1 For members to recognise the accommodation needs of gypsies and travellers as set out in the Gypsy and Traveller Accommodation Assessment (2013) and approve the recommendations of the Gypsy and Traveller Task Group as set out below.

2 RECOMMENDATIONS

- 2.1 **Members to note, comment and recognise the accommodation needs as set out in the Gypsy and Traveller Accommodation Assessment (2013).**

- 2.2 **Members to recommend to meet the accommodation needs identified in the Gypsy and Traveller Accommodation Assessment (2013) on an 'need as it arises' basis, specifically to provide (to 2031);**

- **15 additional residential pitches**
- **2 additional transit pitches**
- **No travelling showpeople plots**

- 2.3 **Members to recommend the preference for this provision to be in the form of small family sized residential sites and that the evidence supports the delivery of;**

- **One family sized residential site to the rural east of Melton;**
- **One family sized residential site as part of any major housing growth to Melton; and**
- **Small scale growth of the existing residential site to meet household and population change to 2031.**

- 2.4 **Members to recommend the preference for the two transit pitches required, to be within residential sites to accommodate visitors to those sites rather than the provision of a separate exclusively transit only use site.**

- 2.5 **Member to note that the local plan will be the delivery mechanism for;**

- **Allocating any land that is required for residential sites to meet the identified needs to 2031;**
- **Setting a criteria based policy to assess planning applications for residential and transit sites.**

- 2.6 **Members to recognise the benefits of working within a Multi-Agency Traveller Unit approach.**

3 KEY ISSUES

Background

- 3.1 Local authorities are expected to consider the accommodation needs of Gypsies and Travellers in the same way as the housing needs of the rest of the community.
- 3.2 The Housing Act 2004 introduced an obligation on local housing authorities to assess the accommodation needs of gypsies and travellers in their areas and to develop a strategy to address these needs. A Gypsy and Traveller Accommodation Assessment, or GTAA, assesses the accommodation needs of Gypsies and Travellers including the need to provide sites for gypsies and travellers to reside (residential pitches) or stop over (transit pitches). In line with the good practice guidance they should also assess the need for accommodation for Travelling Showpeople.
- 3.3 We also need to understand the accommodation needs of gypsies and travellers to ensure we fulfil our planning responsibilities; the Local plan is required to set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs in their area, working collaboratively with neighbouring local planning authorities. Specifically they should identify five years' worth of deliverable sites and at minimum broad locations for growth for a further 5-10 years. Criteria based policies are also required to guide land allocations and planning applications.

The Gypsy and Traveller Accommodation Assessment (GTAA) 2006 & 2013

- 3.4 In 2006 an extensive GTAA was undertaken across Leicester, Leicestershire and Rutland. This study involved extensive qualitative survey work with 206 gypsies, travellers and travelling showpeople as well as data analysis to understand gypsies, travellers and travelling showpeople's accommodation needs. The GTAA identified a total need to provide 203 residential pitches and 100 caravan transit spaces for gypsies and traveller and a further 65 plots for travelling showpeople by 2016. This was distributed across the local authorities on a 'need as it arises' basis; only 4% (8) of these residential pitches were required in Melton. This reflects the relatively low numbers of gypsies and travellers who live in Melton; estimates suggest a population of just 11 households, about half of which are thought to live in traditional housing. Appendix A discusses the profile of the gypsy and traveller community in Melton in More detail.
- 3.5 The GTAA (2006) recommended the provision of a network of transit sites across the study area including one in Melton with capacity to accommodate 10 caravans (approximately 5 pitches in size), this was recommended to provide a legal stopping option for groups who were passing through the area, to reduce illegal encampments and make eviction actions easier when groups stopped on unsuitable sites. The GTAA recognised that Travelling Showpeople did not tend to live in Melton and did not recommend providing any sites for this group. However across the study area a total of 65 additional plots were required to 2016.
- 3.6 The 2006 GTAA did not estimate need beyond 2016. A refresh of the GTAA was undertaken in 2012, primarily to assist in the development of local plans. The GTAA refresh did not replicate the original study in terms of its qualitative data, rather it refreshed the findings of the original GTAA to estimate accommodation need to 2031, taking into consideration sites provided since 2006 and predicted future household change and population growth. The GTAA refresh did not include Rutland or Hinckley and Bosworth, who both commissioned separate update projects.

- 3.7 Taking into account supply in Melton since 2006 (one small site with 2 residential and 3 transit pitches) the GTAA refresh found a net need to provide 8 residential and at least a further 2 transit pitches by 2017. Between 2017 and 2031 household change and population growth suggested a need to provide a further 7 residential pitches as shown in the table below. Again these 15 additional pitches equate to just 4% of the net overall need identified to 2031 across the study area. Melton did not have any travelling showpeople need identified in the GTAA in 2006 and the refresh did not identify any travelling showpeople need between to 2031.

Table 1: GTAA (2013) Melton and Study Area Pitch Requirements to 2031

	2012-17	2017-22	2022-27	2027-31	Total
Melton Residential Pitches	8	1	3	3	15
<i>Total Residential Pitches</i>	<i>113</i>	<i>71</i>	<i>86</i>	<i>84</i>	<i>354</i>
Melton Transit Pitches	2	0	0	0	2
<i>Total Transit Pitches</i>					
Melton Travelling Showpeople Plots	0	0	0	0	0
<i>Total Travelling Showpeople Plots</i>	<i>19</i>	<i>15</i>	<i>16</i>	<i>17</i>	<i>67</i>

- 3.8 Table 1 shows that there is an immediate need to provide 9 residential pitches and 2 transit pitches to meet planning requirements for a five year supply of deliverable sites. Local authorities without a five year supply of sites will find it harder to reject speculative planning applications in unsuitable places.
- 3.9 The remaining 6 residential sites need to be provided later in the plan period to 2031, the need for these 6 residential sites comes from household change and population growth, an aging population and falling household sizes, very similar to the demographic changes that are expected to happen to the general population. It would be sensible to plan for long term small scale growth of any residential sites. This may include allocating sites with sufficient space to allow small scale expansions by one or two pitches over the period to 2031. This is likely to reduce potential for overcrowded on sites, reduce unauthorised encampments around the sites (and their impact on the surrounding community) as well as reduce the need to find additional sites later on in the local plan period. For example, a site might be able to accommodate 6 pitches however the family may only develop 3 or 4 pitches initially, developing the rest of the site as needed as children become old enough to form their own households later on in the plan period.
- 3.10 The needs identified in the GTAA are described in more detail in appendix B. The full studies can be view from the following links;
- [GTAA 2006](#)
 - [GTAA Refresh 2013](#) (Appendix C)

Accommodation Options

- 3.11 There are a number of potential options available to meet the need to provide residential and transit pitches, some of these options (which are not mutually exclusive) are summarised below;

Residential Site options

- No provision
- 1 medium-large sized site
- 2-3 small single family sized sites
- Expansion of existing site

Transit Site Provision Options

- No Provision
- A single small transit site
- Include transit pitches within residential sites to accommodate their visitors

- 3.12 There is also a variety of tenure options to consider in the provision of pitches, options are similar to housing tenures, they include private ownership, shared ownership, privately renting a pitch as well as renting a pitch from a local authority or housing association. The GTAA suggested that affordability was an issue for the gypsy and traveller community as much as it is for the settled community, and made a recommendation that 50% of provision across the study area should be affordable provision.

Options for the Provision of Sites

- 3.13 Appendix D sets out the variety of options that were discussed by the Gypsy and Traveller Task Group to meet the needs identified in the GTAA. An option to not provide any sites was rejected by the task group on the grounds that a failure to plan for any sites or pitches;

- would not address the identified need;
- would not meet our duties as a strategic housing authority;
- would not meet our duties as a local planning authority;
- the local plan would be highly likely to fail to pass examination; and
- would not meet our equalities obligations.

- 3.14 The task group recommended to meet the need for 15 residential and 2 transit pitches as set out in the GTAA (2013) and that this need should preferably be accommodated in line with the findings of the GTAA and the pattern of travelling in Melton as follows;

- A small residential site capable of with 4-6 residential pitches as part of housing growth to Melton plus 1-2 transit pitches for visiting family and friends
- A small residential site capable of with 4-6 residential pitches in the rural east of Melton plus 1-2 transit pitches for visiting family and friends
- Small extension to existing residential site to meet any additional needs to 2031.

- 3.15 The task group felt that it was not necessary to provide a dedicated transit site solely for the use of groups that pass through Melton on the grounds that;

- The size of such a site to be viable would exceed our transit pitch requirements as evidenced in the GTAA;

- Costs to provide and manage such a facility are likely to outweigh the benefits of provision. The evidence suggests a pattern of small scale short-term unauthorised encampments in Melton which are normally tolerated by the police and other authorities. The police state in the GTAA that they will continue to tolerate such unauthorised encampments and therefore the anticipated use of police powers to direct groups to use such a dedicated transit site would be small
- There are concerns about transit sites (particularly antisocial behaviour) from the settled community as well as gypsy and traveller communities.
- The priority should be the provision of transit pitches within residential sites to accommodate visiting family and friends, reducing the chance of unauthorised encampments occurring around residential sites which can increase disruption to and tensions with the local community.

Duty to Cooperate

3.16 The Localism Act contains a duty to co-operate and on housing allocations and in some areas a lack of collaboration has held up local plan delivery. Councils need to consider the implications of their duty to co-operate on the delivery of Gypsy and Traveller sites. There is a recommendation in the GTAA for councils to co-operate across borders and look to pool resources and expertise to provide sites that might meet the need of a number of councils.

3.17 The GTAA identified 'need as it arises', officers will need work with other local authorities to discuss the need will be met across the area. Melton has a low allocation of sites on the 'need as it arises' basis. However there are good reasons for this, there are well established travelling patterns across the study area that relate to the major road networks to the West of Leicestershire and Leicester City. The Gypsy and Traveller Task Group recommended that officers ensure we have fulfilled our duty to co-operate by engaging with other local authorities in housing market area, with a view to only to agree to meet need on an 'as it arises' basis.

Multi Traveller Agency Unit (MATU)

3.18 The GTAA highlights the good work that the Multi Traveller Agency Unit (MATU) provides, ensuring an effective and coordinated approach to Gypsies and travellers across Leicestershire, this includes housing/accommodation related support services which help members of the community maintain their tenancies as well as reduce rent arrears and tenancy management for social housing providers. The Gypsy and Traveller Task Group also discussed the role of MATU, noting the benefits this service provides;

- in dealing with unauthorised encampments;
- providing data on accommodation needs;
- coordinating response across area; and
- meeting the accommodation and other support needs of the community.

4.0 POLICY AND CORPORATE IMPLICATIONS

4.1 The provision of gypsy and traveller sites has direct links to priority 9 of the Council's corporate plan; 'Help provide a stock of housing accommodation that meets the needs of the community'.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 The accommodation needs of gypsies and travellers are considered as part of Melton's housing strategy which will be refreshed in 2015-16. The provision of sites to meet identified need will be undertaken as part of the Local Plan process within its existing budget.

6.0 LEGAL IMPLICATIONS/POWERS

- 6.1 The Housing Act 2004 introduced an obligation on local housing authorities to assess the accommodation needs of gypsies and travellers in their areas and to develop a strategy to address these needs. The accommodation needs of gypsies and travellers as well as travelling showpeople will form part of Melton housing strategy which is to be refreshed in 2015/16.
- 6.2 We have a responsibility to assess and plan to meet any identified needs for accommodation for gypsies and travellers as part of the National Planning Policy Framework (and as supplemented by [Planning Policy for Travellers sites](#), 2012).

7.0 COMMUNITY SAFETY

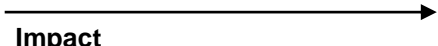
- 7.1 The provision of safe and suitable Gypsy and Traveller Sites will have a positive outcome for the community's safety, ensuring access to basic amenities, improving health outcomes and ensuring that children have safe places to play.

8.0 EQUALITIES

- 8.1 Gypsies and Irish travellers are minority ethnic groups against whom discrimination is unlawful; they are protected under the Race Relations Act 1976 as amended by the Race Relations Act 2000. Local authorities have a duty under the Equality Act to actively seek to eliminate unlawful discrimination, advance equality of opportunity and promote good race relations. A failure to address the accommodation needs of Gypsies, Travellers and Traveling Showpeople in the same way as the rest of the community would have equalities implications.
- 8.2 An Equalities impact assessment has been undertaken to support the recommendations of this report. It did not identify any equality issues.

9.0 RISKS

Probability

Very High A				
High B				
Significant C				
Low D				
Very Low E			2, 3, 4	1
Almost Impossible F				
	IV Negligible	III Marginal	II Critical	I <i>Catastrophic</i>
				

Risk No.	Description
1	Failure to meet identified need leads to Local Plan being rejected at Inspection
2	Failure to meet identified need leads to failure to meet equalities obligations
3	Failure to meet identified need leads to failure to meet strategic housing responsibilities
4	community living on unsuitable sites leading to serious negative (health) outcomes

10.0 CLIMATE CHANGE

10.1 There are no direct links to Climate Change identified within the Report.

11.0 CONSULTATION

11.1 The Gypsy and Traveller Task Group were consulted on the options to meet the needs identified in the GTAA on the 25th February 2015.

11.2 The local community have and will continue to be consulted on options to provide any sites as part of the Local Plan process. The last consultation process (issues and options) ended in January 2015, three quarters of respondents did not respond to the question on meeting Gypsy and Traveller accommodation needs, of those who did just over half supported the provision of small family sized sites (60%), most of the remaining respondents supported the provision of a single site (30%) with approximately one in ten supporting the provision of contributions towards pitch provision through a site size threshold approach (10%). Overall this support for several smaller sites is in line with the outcomes of previous MLDF consultations. The National Federation of Gypsy Liaison Groups responded to the Local Plan consultation, their preferred option was for several smaller sites with provision in part from contributions from larger housing developments.

12.0 WARDS AFFECTED

12.1 All wards are affected.

Contact Officers: H Rai Head of Communities & Neighbourhoods
Nicola Butcher Strategic Housing Officer

Date: 2nd March 2015

Appendices: Appendix A Profile of Gypsies and Travellers
Appendix B GTAA study summary
Appendix C GTAA Refresh Study 2013
Appendix D Site Options
Appendix E Glossary

Background Papers: [Leicester, Leicestershire and Rutland Gypsy and Traveller Accommodation Assessment 2006](#)

[Leicestershire Gypsy and Traveller Accommodation Assessment Refresh 2013](#)

[Planning Policy for Travellers sites](#)

Reference: X:\Cttee, Council & Sub Cttees\CSA\2014.15