

CABINET

DATE	20 th July 2022
REPORT OF	Councillor Stephen Harness Portfolio Holder for Finance, Resources and Assets
RESPONSIBLE OFFICER	Sharon Wroot, Executive Director of Environment, Economy and Resources
SUBJECT	Gypsy and Traveller/ Negotiated Stopping Agreements
STATUS	Open
FORWARD PLAN REF NO.	CB 07/22/01

CONTRIBUTION TO OUR AIMS

Consideration of the needs of Gypsy and Travellers visiting the Borough of North East Lincolnshire contributes to the priority of 'Stronger Communities'.

This is through the provision of a specific managed approach within North East Lincolnshire to accommodate Gypsy and Travellers with the aim of reducing the instances of unauthorised encampments.

Any provision to meet identified needs, which is centred on clear evidenced based consultation and data, would support the delivery of the Local Plan and meet the Councils outcome of 'Stronger Communities'.

EXECUTIVE SUMMARY

Local Authorities are responsible for assessing the permanent and transient needs of the Gypsy and Traveller communities and how any identified needs will be met.

This report refers to the requirement of permanent and transient needs. There are currently no transient sites in North East Lincolnshire.

The recently updated Gypsy & Traveller Accommodation Assessment (GTAA) (attached as Appendix 1) for North East Lincolnshire has identified that due to low historic numbers of unauthorised encampments, and the existence of private transit pitches, there is no current need for a formal public transit site.

The purpose of this report is to share with Cabinet the findings of the exploration work that has been conducted and to make recommendations on how a managed approach with 'negotiated stopping agreements' (NSAs) could be implemented.

Negotiated stopping agreements will strengthen the existing arrangements that supports the Gypsy and Traveller communities who visit the area. It seeks to work in partnership with the travelling community and also provide some assurance for wider communities on the management of the visits.

RECOMMENDATIONS

It is recommended that Cabinet:

1. Take note of the findings of the exploration work that has been conducted to

- understand how a 'negotiated stopping agreement' (NSA) approach could be implemented
2. Approves the adoption of the 'NSA approach' outlined within the body of this report and authorises the Executive Director of Environment, Economy and Resources in consultation with the Portfolio Holder for Finance, Resources and Assets to so implement, making any amendments or modifications as may be necessary from time to time
 3. That the Executive Director of Environment, Economy and Resources in consultation with the Portfolio Holder for Finance, Resources and Assets conducts a review of the new approach in 12 months time (or earlier if required) to allow an understanding for the need for changes

REASONS FOR DECISION

The Council has undertaken a review of the Gypsy and Traveller Accommodation Assessment (GTAA) which has provided new guidance based on current evidence.

Following Cabinet's decision in June 2021 to approve the findings from the GTAA and to delegate authority for a 'negotiated stopping agreement' (NSA) approach to be explored, research has been conducted to determine the best format in which the new approach can be implemented. Research included conversations with other Local Authorities that are already piloting the approach effectively.

1 BACKGROUND AND ISSUES

- 1.1 Cabinet received an update to the Gypsy and Traveller Accommodation Assessment (GTAA) at a Cabinet meeting in June 2021, revealing that there is no need for permanent pitches in North East Lincolnshire (NEL); there is no need for transient sites in NEL; it is recommended that a review is conducted on a Lincolnshire-wide basis; it is recommended that no change to arrangements take place during the COVID-19 outbreak; it is recommended that the Council explores a managed approach, using 'negotiated stopping agreements' (NSAs) whereby caravans can be directed to a suitable piece of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets.

At the 16th June 2021 meeting Cabinet agreed to approve the findings of the GTAA and feedback to the technical consultation, release five sites previously considered and explore a negotiated stopping agreements (NSA) approach, and report back to Cabinet.

- 1.2 In an NSA approach, agreements would be made between the Council and temporary residents regarding expectations on both sides. This approach is being successfully piloted by other Local Authorities and can be adapted to meet the requirements of the Council.
- 1.3 The table below details the number of traveller visits for the last 9 years and the average number of caravans for each of those visits. The data includes the number of visits on encampments on both publicly and privately owned land and commences at 1st April each year and not per calendar year. It can be noted that there is a decline in numbers, and this will have been considered as

part of the GTAA. These figures have been used in the consideration and development of an NSA approach.

Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
Number of Visits	35	14	26	28	24	7	17	6	7
Average Number of Caravans	7.2	7.7	8.1	8	6.2	4	5.29	5.6	8

- 1.4 Discussions have been held with Leeds City Council and Perth and Kinross Council, who are already piloting an NSA approach. Sites within these Local Authorities are identified and reviewed on an ongoing basis to allow for stopovers from Gypsy and Traveller groups wherever they land. If the land is deemed tolerable, this would be identified when the Welfare Assessment is conducted. If the site is deemed unsuitable, or intolerable, then the group is directed onto a site that can tolerate the needs of the group for a fixed duration of time.
- 1.5 This approach supports the existing arrangements that are carried out by the Home Improvement Team. The approach will support current activity that includes welfare checks, assessment of suitability of sites and instigation of court proceedings. The new measures will ensure that some of the current problems that are reported to the Council are mitigated, such as waste collection and clearing of sites when travellers move on.
- 1.6 Leeds City Council have shared with the Local Authority the templates they are using to successfully implement their approach to NSAs. These templates have been adapted to fit the needs of NELC (see Appendix 2 and 3 for the adapted NSA agreement template, and the adapted Policy Note that NELC intends to implement). The approach includes a formal written agreement that is signed by the Council and by the travelling group, informing of any requirements and expectations to be met by both parties. Breach of the agreement leads to immediate termination of the agreement from the Council, following which Legal action is appropriate to be taken.
- 1.7 As part of the agreement, it is intended that a site cannot be re-visited by a group of Gypsy and Travellers within a 12-month period, or utilised for more than 14 days, to ensure that a site is not over-used. The provision of portable toilets and general waste facilities are brought to site on the understanding that the area will be cleared at the end of the stay. The agreement specifies the number of caravans and vehicles that will be allowed on site for the specified duration of the agreement. The group signing the agreement sign up to the responsibility to keep the area clean and tidy, to always keep dogs under control, to follow the instruction to not start any fires on site, to not make any changes to the landscape, to ensure no environmental harm, inconvenience, or distress to surrounding occupants/other people within the local vicinity, and to take all belongings at the end of the agreement. This list is detailed further within the agreement template (see Appendix 2).
- 1.8 The Policy Note (see Appendix 3) explains in further detail the rationale behind implementing an NSA approach in NEL and what an NSA is/how it works. This

information will be made available on the Council's website.

1.9 The predicted cost of implementing an NSA approach has been explored and is detailed within the table below:

<p>Gypsy and Traveller Negotiated Stopping Agreements: Costs Associated with the New Approach</p>
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Financial Assumptions:	<p>Estimated total costs are based on 7 caravans for a period of 14 days, not including any hazardous or contaminated waste.</p> <p>These costs exclude the following:</p> <ul style="list-style-type: none"> - Any damage to gates or grounds entering or during the stay - Enforcement costs/legal costs if a group need to be removed - Costs of portable toilets
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Activity	Number of Units	Cost (£s)
Emptying wheelie bins	7 240lt bins for 14 days	1648.36
Disposal	7 bins to be emptied for 14 days/98 occurrences of bins being emptied at £120/tonne for disposal (1 tonne is equal to 20 bins emptied)	600.00
Provision of cage vehicle with two members of staff	1 full day when the group leave the site, and 2 half days during the stay (13 hours total at £48.12/hour)	625.69
	Disposal of any waste (7 tonnes at £120/tonne)	840.00
Deposit to cover damage/theft of wheelie bins	£50/240lt wheelie bin	350.00
Total cost RE waste	A group of 7 caravans for 14 days	4064.05
Portable toilets	Three toilets for a group of 7 caravans for 14 days at £36 per toilet per week, and with the added cost of £60 delivery and collection per toilet	396.00
Total cost	For bins and portable toilet provision for a group of 7 caravans for 14 days	4460.05

NEL experiences an average of 9.25 visits annually.
£4460.05 * 9.25 = £41,255.46. Moreover, the estimated cost of implementing the new approach is £41,255.46 per annum.

1.10 It is hoped that through a managed NSA approach this will see an improved offer for Gypsy and Travellers visiting the area but also bring some assurance to wider communities around some of the issues that have been raised as a concern in the past.

2 RISKS AND OPPORTUNITIES

2.1 Risks:

- i. Any change in need and subsequent provision could result in increased capital and revenue resources to be met by the Council in establishing and managing an NSA.
- ii. Delays to delivering an approach. This could impact on management of future visits. This risk has been mitigated through the formation of an appropriately resourced cross service project team.
- iii. Financial. Costs that have been explored at this stage are predicative and are therefore subject to change, dependent on the actual requirements of the approach once being piloted. The current predicative budget requirements have been calculated based on the average sized group visiting a site, and an average number of annual visits. If group sizes were to increase or the number of visits increase, there is a risk of an additional financial pressure.
- iv. Management of the sites used as part of any NSA. Officers will need to identify the resources and expertise to effectively manage any recommended approach. This risk has been mitigated through the formation of an appropriately resourced cross service project team.
- v. Public opposition. The nature of this form of development can create local resistance. This will be mitigated by working with the Council's Communications Team to enable effective communication and engagement and consultation throughout the process.

2.2 Opportunities:

- i. The provision of an NSA would enable a joint working arrangement with the Police and where necessary utilise their powers to move unauthorised encampments, reducing their occurrence and cost of Police Officer hours, and improving community relations.
- ii. There is the opportunity to offer greater consistency in support services to Gypsy & Traveller families.
- iii. Contributes towards the Local Plan.
- iv. The cost of an NSA approach is predicted to be lower than the cost of supplying a DSP.
- v. Delivering a negotiated approach creates the opportunity for stronger relationships to be formed with the Gypsy and Travellers communities.
- vi. It is hoped that the agreements will support a reduced level of Anti-Social Behaviours (ASB) from the communities that visit, and the agreements allow for some flexibility in our approach dependent upon circumstances.
- vii. Implementing the new approach resolves the problem NELC has faced for a number of years in attempting to identify a suitable DSP. It follows the recommendations of the GTAA report by delivering a managed approach to stopovers to fulfil the level of need within the Borough, as opposed to supplying a site unnecessarily at cost to the Council.

3 OTHER OPTIONS CONSIDERED

- 3.1. Do nothing – whilst the GTAA advises that there is no requirement for any permanent or transient pitches in North East Lincolnshire, it does recommend that there is a need to consider how the needs of Gypsies and Travellers will be accommodated and managed. If the Council did not consider the recommendations, it would be operating at risk with the potential for legal

challenge from the planning inspector, central government, and private individuals.

- 3.2. To locate a suitable site for a Designated Stopping Place (DSP) – revisit this task and work to try to locate a suitable site for a DSP; this work has been ongoing for several years without success. Several sites have been put forward and a number of consultations including a public call for sites, therefore the attempts to locate a suitable location are unlikely to be achieved. Any sites identified thus far would require significant mitigation and investment. Furthermore, the latest GTAA advises that a DSP is not required.
- 3.3. Encourage a third party to deliver a DSP – following previous approaches made to Social Housing Providers and other appropriate organisations, all indications to date are that there are no third parties interested in delivering a DSP in the area. Reliance on this would likely result in a ‘do nothing’ approach as above.
- 3.4. Consider provision on a site in another Local Authority area - this option was investigated, and approaches made to Neighbouring Local Authorities. However, no identified available / suitable site or agreement to lease could be secured. Any leasing agreement would need to ensure that space on a site was available between March and October otherwise illegal encampments in NEL could not be managed. Other authorities have permanent or transit sites which offer more facilities and are more costly to provide; therefore, rarely have surplus availability as they will have been provided to meet the Local Authority’s own local need.

4 REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1 The Council’s Communications Team has been briefed on the recommendations and will issue any information requirements in respect to the outcome of the report. The consideration of a managed approach and NSAs will have both positive and negative reputational and communication implications.
- 4.2 The process requires a communications plan so that the approach can be understood by all interested parties, consultation will be undertaken with Economy Scrutiny and briefings with the Portfolio Holder as the development and delivery of the approach progresses.

5 FINANCIAL CONSIDERATIONS

As this report seeks to explore a change in direction from earlier reports that have considered provision of a DSP, the financial impact of any new approach requires a full assessment. The associated costs have been explored and are being presented to Scrutiny and Cabinet as part of this recommendation. These can be found in the table at 1.10 of the report.

6 CHILDREN AND YOUNG PEOPLE IMPLICATIONS

There is no impact from the proposal on Children and Young People within the Borough. The NSA process allows for Gypsy and Travellers to be moved on from sites that would have any impact on neighbouring School provision.

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

- 7.1 The recommendations outlined within this report have been considered so far as their impact of the proposal on climate change and the environment. In reference to the Council's environmental policy, the proposal supports the Council's environmental priorities:
- a. By recognising and realising the economic and social benefits of a high-quality environment.
 - b. By working towards a low carbon North East Lincolnshire that is prepared for, and resilient to, the impacts of climate change.

8 CONSULTATION WITH SCRUTINY

- 8.1. Economy Scrutiny were updated at the meeting of 8th September 2020 that the GTAA assessment was being undertaken and that the results of Technical Consultation were paused, subject to the outcome of the GTAA.
- 8.2. Economy Scrutiny received a further update at the meeting of 9th March 2021 to highlight a summarised outcome of the Technical Consultation, the recommendations of the revised GTAA, and the intended recommendations to Cabinet.
- 8.3. Further to this Economy Scrutiny were updated on 4th January 2022 to share progress on findings of the process of NSA's and will consider this report at their meeting of 12th July, prior to Cabinet.

9 FINANCIAL IMPLICATIONS

- 9.1. The estimated cost of operating the arrangement is detailed in section 1.10 of the report.

10 LEGAL IMPLICATIONS

- 10.1 Although there are no specific legal implications arising directly from the above report, save binding the Council to policy, the Cabinet must have in mind and give due regard to the wider obligations arising from s149 Equality Act 2010 (the Public Sector Equality Duty) and Articles 8 and 14 of Part 1 of the Human Rights Act 1988 which enshrine the right to respect of private and family life and prohibit infringement of Convention rights by discrimination.

11 HUMAN RESOURCES IMPLICATIONS

- 12.1 There are no direct HR implications.

13 WARD IMPLICATIONS

All wards could be affected.

15 BACKGROUND PAPERS

There are no background papers to this report.

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Appendix One - Gypsy & Traveller Accommodation Assessment (GTAA)

Appendix Two – Negotiated Stopping Agreement (NSA) Template

Appendix Three – Negotiated Stopping Agreement (NSA) Policy Note



North East Lincolnshire

Gypsy and Traveller Accommodation Assessment (GTAA)

Final Report

March 2021



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1. Executive Summary

Introduction and Methodology

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in North East Lincolnshire Council (the Council).
- 1.2 As well as updating previous GTAAs, The GTAA provides a credible evidence base which can be used to aid the implementation of Local Plan Policies and, where appropriate, the provision of new Gypsy and Traveller pitches and Travelling Showpeople plots for the period 2021 to 2035 to cover the NE Lincs Local Plan period and the 15-year requirements set out in PPTS. The outcomes of this study supersede the outcomes of any previous GTAAs for NE Lincs Council.
- 1.3 The GTAA has sought to understand the accommodation needs of the Gypsy, Traveller and Travelling Showpeople population in NE Lincs through a combination of desk-based research, stakeholder interviews and engagement with members of the travelling community living on all known sites, yards, and encampments. A total of 3 interviews or proxy interviews were completed with Gypsies and Travellers living on sites in NE Lincs and a total of 4 interviews were completed with households living in bricks and mortar. There were no Travelling Showmen identified living in NE Lincs. A total of 6 stakeholder interviews were also completed with Officers from NE Lincs Council and with Officers from neighbouring local authorities.
- 1.4 The fieldwork for the study was completed between December 2020 and January 2021, and the baseline date for the study is January 2021.

Key Findings

Pitch Needs – Gypsies and Travellers

- 1.5 Overall, the pitch needs for Gypsies and Travellers for the 15-year period 2021-2035 are set out below. Needs are set out for those households that met the planning definition of a Gypsy or Traveller; for any undetermined households¹ where an interview was not able to be completed due to households not being present despite up to three visits to each site who may meet the planning definition; and for those households that did not meet the planning definition – although this is no longer a requirement for a GTAA.
- 1.6 Only the need from those households who met the planning definition and from those of the undetermined households who subsequently demonstrate that they meet it should be formally considered as need arising from the GTAA. The need arising from households that met the planning definition should be addressed through site allocation/intensification/expansion Local Plan Policies as appropriate.

¹See Paragraph 3.28 for further information on undetermined households.

- 1.7 The Council will need to carefully consider how to address any need associated with undetermined Travellers as it is unlikely that all this need will have to be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan Policies, the Council should consider the use of a criteria-based policy (as suggested in PPTS) for any undetermined households, as well as to deal with any windfall applications.
- 1.8 In general terms, the need for those households who did not meet the planning definition will need to be addressed as part of general housing need and through separate Local Plan Policies. This approach is specifically referenced in the revised National Planning Policy Framework (February 2019). Paragraph 60 of the NPPF sets out that in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment conducted using the standard method in national planning guidance. Paragraph 61 then states that [emphasis added] *‘Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, **travellers**, people who rent their homes and people wishing to commission or build their own homes’*. The footnote to this section states that *‘Planning Policy for Traveller Sites sets out how travellers’ housing needs should be assessed for those covered by the definition in Annex 1 of that document.’*
- 1.9 It is recognised that the Council is in the process of preparing a new Local Plan. The findings of this report should be considered as part of future housing mix and type within the context of the assessment of overall housing need in relation to Gypsies, Travellers and Travelling Showpeople. Whilst the findings in this report are aggregated totals for the whole of NE Lincs due to data protection issues, the Council have more detailed data to enable accurate Local Plan allocations to be made.
- 1.10 There were 5 Gypsy or Traveller households identified in NE Lincs that met the planning definition; no undetermined households that may meet the planning definition; and 2 households that did not meet the planning definition.
- 1.11 There is a need for **no pitches for households that met the planning definition**. This is because there are currently 4 vacant pitches at the Mill House site to meet any current and future need from family members who are currently travelling or living locally in bricks and mortar. There are also 2 vacant pitches on the Rear of Mill House site. These are currently being used as private transit pitches for family members and will be used to meet need from older children currently living on other pitches on the site when they need them.
- 1.12 There is a need for **no pitches for undetermined households** as interviews were completed with all Gypsies and Travellers living on sites in NE Lincs.
- 1.13 Whilst not now a requirement to include in a GTAA, there is a need for **no pitches for households that did not meet the planning definition**. Both households are currently living in bricks and mortar and are happy to stay where they are.

Figure 1 – Need for Gypsy and Traveller households in NE Lincs (2021-35)

Status	2020-2035
Meet Planning Definition	0
Undetermined	0
Do not meet Planning Definition	0

Figure 2 – Need for Gypsy and Traveller households in NE Lincs that met the Planning Definition by year periods

Years	0-5	6-10	11-15	Total
	2021-25	2026-30	2031-35	
	0	0	0	0

Plot Needs - Travelling Showpeople

- 1.14 Overall, the plot needs for Travelling Showpeople from 2021-2035 are set out below. Needs are set out for those households that met the planning definition of a Travelling Showperson; for those undetermined households where an interview was not able to be completed who may meet the planning definition; and for those households that did not meet the planning definition (although this is no longer a requirement for a GTAA).
- 1.15 Only the need from those households who met the planning definition and from those of the undetermined households who may subsequently demonstrate that they meet it should be considered as need arising from the GTAA.
- 1.16 The need arising from households that met the planning definition should be addressed through yard allocation/intensification/expansion in Local Plan Policies.
- 1.17 The Council will need to carefully consider how to address any need associated with undetermined Travelling Showpeople as it is unlikely that all of this need will have to be addressed through the provision of conditioned Travelling Showpeople plots.
- 1.18 Any need for households who did not meet the planning definition will need to be considered as part of general housing need. See Paragraphs 1.10-1.13 for further details.
- 1.19 There were no Travelling Showpeople identified in NE Lincs so there is **no current or future need for additional plots.**

Figure 3 – Need for Travelling Showpeople households in NE Lincs (2021-35)

Status	2020-35
Meet Planning Definition	0
Undetermined	0
Do not meet Planning Definition	0

Figure 4 – Need for Travelling Showpeople households in NE Lincs that meet the Planning Definition by year periods

Years	0-5	6-10	11-15	Total
	2021-25	2026-30	2031-35	
	0	0	0	0

Transit Recommendations

- 1.20 Due to low historic low numbers of unauthorised encampments, and the existence of private transit pitches, it is not recommended that there is a need for a formal public transit site in NE Lincs at this time.
- 1.21 The situation relating to levels of unauthorised encampments should be monitored. As well as information on the size and duration of the encampments, this monitoring should also seek to gather information from residents on the reasons for their stay in the local area; whether they have a permanent base or where they have travelled from; and whether they have any need or

preference to settle permanently in the local area. This information could be collected as part of a Welfare Assessment (or similar).

- 1.22 It is recommended that a review of the evidence base relating to unauthorised encampments, including the monitoring referred to above, should be undertaken on a Lincolnshire-wide basis. This will establish whether there is a need for investment in any new transit provision or emergency stopping places, or whether a managed approach is preferable.
- 1.23 In the short-term the Council should continue to use its current approach when dealing with unauthorised encampments and management-based approaches such as negotiated stopping agreements could also be considered.
- 1.24 The term 'negotiated stopping' is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent 'built' transit sites but negotiated agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. Agreements are made between the Council and the (temporary) residents regarding expectations on both sides. See www.negotiatedstopping.co.uk for further information.
- 1.25 Temporary stopping places can be made available at times of increased demand due to fairs or cultural celebrations that are attended by Gypsies and Travellers. A charge may be levied as determined by the local authority although they only need to provide basic facilities including: a cold-water supply; portaloos; sewerage disposal point and refuse disposal facilities.

2. Introduction

- 2.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in North East Lincolnshire. The outcomes of the study will supersede the outcomes of the previous Traveller and Travelling Showpeople Accommodation Needs Assessments completed in North East Lincolnshire.
- 2.2 The study provides an evidence base to enable the Council to comply with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, Planning Policy for Traveller Sites (PPTS) 2015, the Housing and Planning Act (2016), the revised National Planning Policy Framework (NPPF) 2019, and the revised Planning Practice Guidance (PPG) 2019.
- 2.3 The GTAA provides a robust assessment of need for Gypsy, Traveller and Travelling Showpeople accommodation in the study area. It is a credible evidence base which can be used to aid the implementation of Local Plan Policies and the provision of Traveller pitches and plots covering the period 2021 to 2035 to meet the 15-year requirements of the PPTS. As well as identifying current and future permanent accommodation needs, it also seeks to identify any need for the provision of transit sites or emergency stopping places.
- 2.4 We would note at the outset that the study covers the needs of Gypsies (including English, Scottish, Welsh and Romany Gypsies), Irish Travellers, New (Age) Travellers, and Travelling Showpeople, but for ease of reference we have referred to the study as a Gypsy and Traveller (and Travelling Showpeople) Accommodation Assessment (GTAA).
- 2.5 The baseline date for the study is January 2021 which was when the household interviews were completed.

Definitions

- 2.6 The planning definition for a Gypsy, Traveller or Travelling Showperson is set out in PPTS (2015). The previous definition set out in the Housing Act (2004) was repealed by the Housing and Planning Act (2016).

The Planning Definition in PPTS (2015)

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

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

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

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

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

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

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

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

- 2.8 The key change that was made to both definitions was the removal of the term “*persons...who have ceased to travel permanently*”, meaning that those who have ceased to travel permanently will no longer fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

Planning Definition of Travelling

- 2.9 One of the most important questions that GTAAs will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘*nomadic*’.
- 2.10 **R v South Hams District Council (1994)** – defined Gypsies as “persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.
- 2.11 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.
- 2.12 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 2.13 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family’s recently approved Gypsy site sought judicial review of the local authority’s decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 2.14 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated

that he intended to abandon his nomadic habit of life, lived in a permanent dwelling, and was taking a course that led to permanent employment.

- 2.15 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 2.16 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes, or for seeking work, and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as holidays and visiting friends or relatives. It will not cover those who commute to work daily from a permanent place of residence (see APP/E2205/C/15/3137477).
- 2.17 It may also be that within a household some family members travel for nomadic purposes on a regular basis, but other family members stay at home to look after children in education, or other dependents with health problems etc. In these circumstances the household unit would be defined as travelling under the planning definition.
- 2.18 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational, health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition, households will also have to demonstrate that they plan to travel again for work in the future.
- 2.19 This approach was endorsed by a Planning Inspector in Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267) that was issued in December 2016. A summary can be seen below.

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

- 2.20 This was further reinforced in a more recent Decision Notice for an appeal in Norfolk that was issued in February 2018 (Ref: APP/V2635/W/17/3180533) that stated:

As discussed during the hearing, although the PPTS does not spell this [the planning definition] out, it has been established in case law (R v South Hams DC 1994) that the nomadism must have an economic purpose. In other words, gypsies and travellers wander of travel for the purposes of making or seeking their livelihood.

Legislation and Guidance for Gypsies and Travellers

- 2.21 Decision-making for policy concerning Gypsies, Travellers and Travelling Showpeople sits within a complex legislative and national policy framework and this study must be viewed in the context of this legislation and guidance. For example, the following key pieces of legislation and guidance are relevant when developing policies relating to Gypsies, Travellers and Travelling Showpeople:

- » The Housing Act, 1985
- » Planning Policy for Traveller Sites (PPTS), 2015
- » The Housing and Planning Act, 2016
- » National Planning Policy Framework (NPPF), 2019
- » Planning Practice Guidance² (PPG), 2019

- 2.22 In addition, Case Law, Ministerial Statements, the outcomes of Local Plan Examinations and Planning Appeals, and Judicial Reviews need to be taken into consideration. Relevant examples have been included in this report.

- 2.23 The primary guidance for undertaking the assessment of housing need for Gypsies, Travellers and Travelling Showpeople is set out in the PPTS (2015). It should be read in conjunction with the National Planning Policy Framework (NPPF). In addition, the Housing and Planning Act makes provisions for the assessment of need for those Gypsy, Traveller and Travelling Showpeople households living on sites and yards who do not meet the planning definition – through the assessment of all households living in caravans.

Planning Policy for Traveller Sites (PPTS) 2015

- 2.24 PPTS (2015), sets out the direction of Government policy. As well as introducing the planning definition of a Traveller, PPTS is closely linked to the NPPF. Among other objectives, the aims of the policy in respect of Traveller sites are (PPTS Paragraph 4):

- » *Local planning authorities should make their own assessment of need for the purposes of planning.*
- » *To ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites.*
- » *To encourage local planning authorities to plan for sites over a reasonable timescale.*
- » *That plan-making and decision-taking should protect Green Belt from inappropriate development.*

²With particular reference to the sections on *Housing needs of different groups* (July 2019).

- » *To promote more private Traveller site provision while recognising that there will always be those Travellers who cannot provide their own sites.*
- » *That plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective.*
- » *For local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies.*
- » *To increase the number of Traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply.*
- » *To reduce tensions between settled and Traveller communities in plan-making and planning decisions.*
- » *To enable provision of suitable accommodation from which Travellers can access education, health, welfare, and employment infrastructure.*
- » *For local planning authorities to have due regard to the protection of local amenity and local environment.*

2.25 In practice, the document states that (PPTS Paragraph 9):

- » *Local planning authorities should set pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople, which address the likely permanent and transit site accommodation needs of Travellers in their area, working collaboratively with neighbouring local planning authorities.*

2.26 PPTS goes on to state (Paragraph 10) that in producing their Local Plan local planning authorities should:

- » *Identify and annually update a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets.*
- » *Identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15.*
- » *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 strategic planning issues that cross administrative boundaries).*
- » *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.*
- » *Protect local amenity and environment.*

2.27 Local Authorities now have a duty to ensure a 5-year land supply to meet the identified needs for Traveller sites. However, PPTS 2015 also notes in Paragraph 11 that:

- » *Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria-based policies should be fair and should facilitate the traditional and nomadic life of Travellers, while respecting the interests of the settled community.*

Revised National Planning Policy Framework (NPPF) 2019

- 2.28 The most recent version of the National Planning Policy Framework was issued in February 2019. Paragraph 60 of the revised NPPF sets out that in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment conducted using the standard method in national planning guidance.
- 2.29 Paragraph 61 then states that [emphasis added] ‘*Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, **travellers**, people who rent their homes and people wishing to commission or build their own homes*’. The footnote to this section states that ‘*Planning Policy for Traveller Sites sets out how travellers’ housing needs should be assessed for those covered by the definition in Annex 1 of that document.*’
- 2.30 This essentially sets out that the needs of households that meet the planning definition should be assessed under the PPTS and that the needs of households that are not found to meet the planning definition should be assessed as part of the wider housing needs of an area.
- 2.31 In an Appeal Decision that was published in March 2020 for an appeal in Central Bedfordshire (APP/P0240/C/18/3213822) the Inspector concluded in relation to Paragraph 61 of the revised NPPF that:

It seems to me that this wording makes clear that it is only those meeting that definition that should be included in an assessment of need for ‘planning definition’ travellers and that gypsies who have ceased travelling should be counted and provided for elsewhere and this is the approach proposed in the emerging LP. This does not, of course mean that these gypsies should be allocated ‘bricks and mortar’ type housing. They will also need a suitable supply of caravan sites to meet their needs.

Planning for the Future White Paper (2020)

- 2.32 In August 2020 the Government published a White Paper on proposals to reform the current planning system in England. The consultation period on the White Paper ended on 29th October 2020. Whilst the White Paper does not make any references to planning for Gypsies and Travellers, the Council may need to consider the outcomes of the consultation and any subsequent changes to planning legislation in England that relate to Gypsies and Travellers.

3. Methodology

Background

- 3.1 Over the past 10 years, ORS has continually refined a methodology for undertaking robust and defensible Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessments. This has been updated in light of changes to PPTS in August 2015, the Housing and Planning Act (2016) the revised NPPF (2019), and the revised PPG (2019). It has also responded to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- 3.2 PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- 3.3 ORS would note that since the changes to the PPTS in August 2015 the ORS GTAA methodology has been repeatedly found to be sound and robust, including through Local Plan Examinations in Bedford, Cambridge, Cheltenham, Cotswold, Daventry, East Hertfordshire, Gloucester, Maldon, Milton Keynes, Newham, Runnymede, South Cambridgeshire, Tewkesbury, and Waverley.
- 3.4 A recent Appeal Decision for a Hearing in Central Bedfordshire (APP/P0240/C/18/3213822) that was issued in March 2020 concluded:
- '...whilst there have been some queries in previous appeal decisions over the conclusions of other GTAAs produced by ORS, the methodology, which takes into account the revisions made in 2015 to the Government's Planning Policy for Traveller Sites (PPTS), has nevertheless been accepted by Inspectors in a considerable number of Local Plan Examinations.'*
- 3.5 The Inspector for the East Herts District Plan also found the evidence base in relation to Gypsies and Travellers to be sound in her Inspection Report that was issued in July 2018. She concluded:
- 'The need of the travelling community has been carefully and robustly assessed and locations to meet identified needs have been allocated for the plan period. Policy HOU9 sets out the need for 5 permanent pitches for Gypsies and Travellers... the approach to the provision of housing is comprehensive, positively prepared, appropriate to the needs of the area and consistent with national policy.'*
- 3.6 The stages below provide a summary of the methodology that was used to complete this study. More information on each stage is provided in the appropriate sections of this report.

Glossary of Terms/Acronyms

3.7 A Glossary of Terms/Acronyms can be found in **Appendix A**.

Desk-Based Review

3.8 ORS collated a range of secondary data that was used to support the study. This included:

- » Census data.
- » Traveller Caravan Count data.
- » Records of unauthorised sites/encampments.
- » Information on planning applications/appeals.
- » Information on enforcement actions.
- » Existing Needs Assessments and other relevant local studies.
- » Existing national and local policy, guidance, and best practice.

Stakeholder Engagement

3.9 Engagement was undertaken with key Council Officers from NE Lincs through telephone interviews. An interview was completed with one Council Officer from the study area.

Working Collaboratively with Neighbouring Planning Authorities

3.10 To help support the Duty-to-Cooperate and provide background information for the study, telephone interviews were conducted with Planning Officers in neighbouring planning authorities. These interviews will help to ensure that wider issues that may impact on this project are fully understood. This included interviews with Officers from the Councils set out below. Again, a detailed topic guide was agreed with the Council.

- » East Lindsey
- » North Lincolnshire
- » West Lindsey

Survey of Travelling Communities

3.11 As a result of travel and social distancing restrictions due to COVID-19 in March 2020 a 2-stage methodology was proposed to complete the household interviews.

3.12 Through the desk-based research and the stakeholder interviews, ORS sought to identify all authorised and unauthorised sites/yards and encampments in the study area and attempted to complete an interview with the residents on all occupied pitches and plots. In order to gather the robust information needed to assess households against the planning definition of a Traveller, up to 3 attempts were made to interview households where it was not initially possible to conduct an interview because they were not available at the time.

- 3.13 Our experience suggests that an attempt to interview households on all pitches is more robust. A sample-based approach often leads to an under-estimate of need – and is an approach which is regularly challenged by the Planning Inspectorate and at Planning Appeals.
- 3.14 ORS worked closely with the Council to ensure that the interviews would collect all the necessary information to support the study. The site interview questions that were used (see **Appendix E**) have been updated to take account of recent changes to PPTS and to collect the information ORS feel is necessary to apply the planning definition. All interviews were completed by members of our dedicated team of experienced Researchers who work on our GTAA studies across England and Wales. Researchers attempted to conduct semi-structured interviews with residents to determine their current demographic characteristics, their current or future accommodation needs, whether there is any over-crowding or the presence of concealed households and travelling characteristics. Researchers also sought to identify contacts living in bricks and mortar to interview, as well as an overall assessment of each site to determine any opportunities for intensification or expansion to meet future needs.
- 3.15 Researchers also sought information from residents on the type of pitches they may require in the future – for example private or socially rented, together with any features they may wish to be provided on a new pitch or site.
- 3.16 Where it was not possible to undertake an interview, Researchers sought to capture as much information as possible about each pitch through a proxy interview from sources including neighbouring residents and site management (if present).

Stage 1 – Telephone Interviews (December 2020 – January 2021)

- 3.17 The first phase of the fieldwork involved Researchers from ORS attempting to complete interviews over the telephone with residents living on sites and yards. This is an approach that ORS have followed in all of our GTAAs that have been completed since the COVID-19 restrictions were introduced. Contact details were sought through local stakeholders including site owners; by contacting Planning agents known to operate in the local area; and by sending letters to residents asking them to contact ORS to complete an interview – including follow-up letters. The wording of the letter that ORS currently used has been agreed with members of the Travelling Community and asks households to call ORS Researchers to complete an interview over the telephone. During interviews ORS Researchers also ask households if they have family or friends living on sites in the area and ask them to pass on our contact details and to encourage them to call us.

Stage 2 – Social Distanced Engagement (Not Needed)

- 3.18 Stage 2 of the fieldwork would have involved completing social distanced engagement with households on sites where it had not been possible to complete interviews over the telephone. However, it was possible to complete telephone interviews with all know Travellers living on sites in NE Lincs during Stage 1 of the fieldwork.

Engagement with Bricks and Mortar Households

- 3.19 The 2011 Census recorded just 10 households that identified as either Gypsies or Irish Travellers who lived in a house or bungalow NE Lincs and just 3 who lived in a flat or maisonette.

- 3.20 ORS apply a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan Examinations and Planning Appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards; intelligence from the stakeholder interviews; information from housing registers; and other local knowledge from stakeholders. Through this approach the GTAA endeavoured to do everything to give households living in bricks and mortar the opportunity to make their views known.
- 3.21 As a rule, ORS do not make any assumptions on the overall needs from household in bricks and mortar based on the outcomes of any interviews that are completed, as in our experience this leads to a significant over-estimate of the number of households wishing to move to a site or a yard. ORS work on the assumption that all those wishing to move will make their views known to us based on the wide range of publicity put in place.

Timing of the Fieldwork

- 3.22 ORS are fully aware of the transient nature of many travelling communities and subsequent seasonal variations in site and yard occupancy. ORS would normally aim to complete fieldwork during the non-travelling season, and also avoid days of known local or national events. However, due to COVID-19 restrictions the fieldwork was completed between December 2020 and January 2021 and ORS Researchers were able to collect information for all known site residents and family members living in bricks and mortar.

Applying the Planning Definition

- 3.23 The primary change to PPTS (2015) in relation to the assessment of need was the change to the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS sought to collect information necessary to assess each household against the planning definition. As the revised PPTS was only issued in 2015, only a small number of relevant appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied (see Paragraphs 2.20 and 2.21 for examples) – these support the view that households need to be able to demonstrate that they travel for work purposes, or for seeking work, to meet the planning definition, and stay away from their usual place of residence when doing so, or have ceased to travel for work purposes temporarily due to education, ill health or old age.
- 3.24 The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:
- » Whether any household members have travelled in the past 12 months.
 - » Whether household members have ever travelled.
 - » The main reasons for travelling.
 - » Where household members travelled to.
 - » The times of the year that household members travelled.
 - » Where household members stay when they are away travelling.
 - » When household members stopped travelling.

- » The reasons why household members stopped travelling.
 - » Whether household members intend to travel again in the future.
 - » When and the reasons why household members plan to travel again in the future.
- 3.25 When the household survey was completed, the answers from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses, households need to provide sufficient information to demonstrate that household members travel for work purposes, or for seeking work, and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future. The same definition applies to Travelling Showpeople as to Gypsies and Travellers. This included information on the type of work that is undertaken; which family members travelled for work; the times of year that family members travel for work; the duration of trips for work; and where family members stay when travelling away from home for work.
- 3.26 Households that need to be considered in the GTAA fall under one of three classifications that will determine whether their housing needs will need to be assessed in the GTAA. Only those households that meet, or may meet, the planning definition will form the components of need to be formally included in the GTAA:
- » Households that travel under the planning definition.
 - » Households that have ceased to travel temporarily under the planning definition.
 - » Households where an interview was not possible who may fall under the planning definition.
- 3.27 Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they will be assessed to provide the Council with components of need to consider as part of their work on wider housing needs assessments. This is consistent with the requirements of the revised NPPF (2019).

Undetermined Households

- 3.28 As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period) need to be assessed as part of the GTAA where they are believed to be Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed; an approach has been taken that seeks an estimate of potential need from these households. This will be an additional need figure over and above the need identified for households that do meet the planning definition.
- 3.29 The estimate seeks to identify potential current and future need from any pitches known to be temporary or unauthorised, and through new household formation. For the latter the ORS national rate of 1.50% has been used as the demographics of residents are unknown.
- 3.30 Should further information be made available to the Council that will allow for the planning definition to be applied, these households could either form a confirmed component of need to be addressed through the GTAA or through wider assessments of housing need.

- 3.31 ORS believe it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.
- 3.32 However, data that has been collected from over 4,300 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall, approximately 30% of households who have been interviewed meet the planning definition (this rises to 70% for Travelling Showpeople based on over 400 interviews that have been completed) – and in some local authorities, no households meet the planning definition.
- 3.33 ORS are not implying that this is an official national statistic - rather a national statistic based on the outcomes of our fieldwork since the introduction of PPTS (2015). It is estimated that there are 14,000 Gypsy and Traveller pitches in England and ORS have spoken with households on approximately 30% of them at a representative range of sites. Approximately 30% meet the planning definition. It is ORS' view therefore that this is the most comprehensive national statistic in relation to households that meet the planning definition in PPTS (2015) and should be seen as a robust statistical figure.
- 3.34 This would also suggest that it is likely that only a proportion of the potential need identified from undetermined households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through separate Local Plan Policies.
- 3.35 The ORS methodology to address the need arising from undetermined households was supported by the Planning Inspector for a Local Plan Examination for Maldon District Council, Essex. In his Report that was published on 29th June 2017 he concluded:

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

Households that Do Not Meet the Planning Definition

- 3.36 Households who do not travel for work now fall outside the planning definition of a Traveller. However Romany Gypsies, Irish and Scottish Travellers may be able to claim a right to culturally appropriate accommodation under the Equality Act (2010) as a result of their protected characteristics. In addition, provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance³

³ Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats. DCLG (March 2016).

related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area and will form a subset of the wider need arising from households residing in caravans. This is echoed in the revised NPPF (February 2019).

- 3.37 Paragraph 61 of the revised NPPF states that [emphasis added] *'Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, **travellers**, people who rent their homes and people wishing to commission or build their own homes'*. The footnote to this section states that *'Planning Policy for Traveller Sites sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 of that document.'*

Calculating Current and Future Need

- 3.38 To identify need, PPTS (2015) requires an assessment for current and future pitch requirements but does not provide a methodology for this. However, as with any housing assessment, the underlying calculation can be broken down into a relatively small number of factors. In this case, the key issue is to compare the supply of pitches available for occupation with the current and future needs of the population.

Supply of Pitches

- 3.39 The first stage of the assessment sought to determine the number of occupied, vacant, and potentially available supply in the study area:
- » Current vacant pitches.
 - » Pitches currently with planning consent due to be developed within 5 years.
 - » Pitches vacated by people moving to housing.
 - » Pitches vacated by people moving from the study area (out-migration).
- 3.40 It is important when seeking to identify supply from vacant pitches that they are in fact available for general occupation – i.e. on a public or social rented site, or on a private site that is run on a commercial basis with anyone being able to rent a pitch if they are available. Typically, vacant pitches on small private family sites are not included as components of available supply but can be used to meet any current and future need from the families living on the site.

Current Need

- 3.41 The second stage was to identify components of current need, which is not necessarily the need for pitches because they may be able to be addressed by space already available in the study area. It is important to address issues of double counting:
- » Households on unauthorised developments for which planning permission is not expected.

- » Concealed, doubled-up or over-crowded households (including single adults).
- » Households in bricks and mortar wishing to move to sites.
- » Households in need on waiting lists for public sites.

Future Need

- 3.42 The final stage was to identify components of future need. This includes the following four components:
- » Teenage children in need of a pitch of their own in the next 5 years.
 - » Households living on sites with temporary planning permissions.
 - » New household formation.
 - » In-migration/roadside.
- 3.43 Household formation rates are often the subject of challenge at appeals or examinations. ORS firmly believe that any household formation rates should use a robust local evidence base, rather than simply relying on national precedent. The approach taken is set out in more detail in Chapter 7 of this report.
- 3.44 ORS are also increasingly identifying households and adult household members who have been forced to leave sites due to over-crowding or exceeding planning conditions on the number of caravans permitted on sites. These households are typically living on the roadside or doubling-up on pitches in neighbouring local authorities. ORS include these households as components of hidden need and term them displaced in-migration.
- 3.45 All of these components of supply and need are presented in tabular format which identify the overall net need for current and future accommodation for Gypsies, Travellers and Travelling Showpeople. This has proven to be a robust model for identifying needs. The residential and transit pitch needs for Gypsies and Travellers and Travelling Showpeople are identified separately and the needs are to 2035.

Pitch Turnover

- 3.46 Some assessments of need make use of pitch turnover as an ongoing component of supply. ORS do not agree with this approach or about making any assumptions about annual turnover rates. This approach frequently ends up significantly under-estimating need as, in the majority of cases, vacant pitches on sites are not available to meet any local need. The use of pitch turnover has been the subject of a number of Inspectors Decisions, for example APP/J3720/A/13/2208767 found a GTAA to be unsound when using pitch turnover and concluded:

West Oxfordshire Council relies on a GTAA published in 2013. This identifies an immediate need for 6 additional pitches. However, the GTAA methodology treats pitch turnover as a component of supply. This is only the case if there is net outward migration, yet no such scenario is apparent in West Oxfordshire. Based on the evidence before me I consider the underlying criticism of the GTAA to be justified and that unmet need is likely to be higher than that in the findings in the GTAA.

- 3.47 In addition, Best Practice for Assessing the Accommodation Needs of Gypsies and Travellers⁴ produced jointly in June 2016 by organisations including Friends, Families and Travellers, the London Gypsy and Traveller Unit, the York Travellers Trust, the Derbyshire Gypsy Liaison Group, Garden Court Chambers and Leeds GATE concluded that:

Assessments involving any form of pitch turnover in their supply relies upon making assumptions, a practice best avoided. Turnover is naturally very difficult to assess accurately and in practice does not contribute meaningfully to additional supply so should be very carefully assessed in line with local trends. Mainstream housing assessments are not based on the assumption that turnover within the existing stock can provide for general housing needs.

- 3.48 As such, other than current vacant pitches on sites that are known to be available, or pitches that are known to become available through the household interviews, pitch turnover has not been considered as a component of supply in this GTAA.

Transit Provision

- 3.49 GTAA studies require the identification of demand for transit provision. While the majority of Gypsies and Travellers have permanent bases either on Gypsy and Traveller sites or in bricks and mortar and no longer travel, other members of the community either travel permanently or for part of the year. Due to the mobile nature of the population a range of sites can be developed to accommodate Gypsies and Travellers as they move through different areas.

- » **Transit sites** - full facilities where Gypsies and Travellers might live temporarily (for up to three months) – for example, to work locally, for holidays or to visit family and friends.
- » **Emergency stopping places** - more limited facilities.
- » **Temporary sites and stopping places** - only temporary facilities to cater for an event.
- » **Negotiated stopping places** - agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time.

- 3.50 Transit sites serve a specific function of meeting the needs of Gypsy and Traveller households who are visiting an area or who are passing through on the way to somewhere else. A transit site typically has a restriction on the length of stay of usually around 12 weeks and has a range of facilities such as water supply, electricity, and amenity blocks.

- 3.51 An alternative to or in addition to a transit site is an emergency stopping place. This type of site also has restrictions on the length of time for which someone can stay on it but has much more limited facilities with typically only a source of water and chemical toilets provided.

- 3.52 Another alternative is ‘negotiated stopping’. The term ‘negotiated stopping’ is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent ‘built’ transit sites but negotiated agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited

⁴ See www.londongypsiesandtravellers.org.uk/resources/ for details.

services such as water, waste disposal and toilets. Agreements are made between the authority and the (temporary) residents regarding expectations on both sides.

- 3.53 Temporary stopping places can be made available at times of increased demand due to fairs or cultural celebrations that are attended by Gypsies and Travellers. A charge may be levied as determined by the local authority although they only need to provide basic facilities including: a cold-water supply; portaloos; sewerage disposal point and refuse disposal facilities.
- 3.54 The Criminal Justice and Public Order Act 1994 (Section 62a) is particularly important with regard to the issue of Gypsy and Traveller transit site provision. Section 62a of the Act allows the police to direct trespassers to remove themselves and their vehicles and property from any land where a suitable transit pitch on a relevant caravan site is available within the same local authority area (or within the county in two-tier local authority areas).
- 3.55 In order to investigate the potential need for transit provision when undertaking work to support the study, ORS sought to undertake analysis of any records of unauthorised sites and encampments, as well as information from the Ministry of Housing Communities and Local Government (MHCLG)⁵ Traveller Caravan Count. The outcomes of discussions with Council Officers and with Officers from neighbouring planning authorities were also taken into consideration when determining this element of need in the study area.

⁵ Formerly the Department for Communities and Local Government (DCLG).

4. Gypsy, Traveller & Travelling Showpeople Sites & Population

Introduction

- 4.1 One of the main considerations of this study is to provide evidence to support the provision of pitches and plots to meet the current and future accommodation needs of Gypsies, Travellers and Travelling Showpeople. A pitch is an area normally occupied by one household, which typically contains enough space for one or two caravans but can vary in size⁶. A site is a collection of pitches which form a development exclusively for Gypsies and Travellers. For Travelling Showpeople, the most common descriptions used are a plot for the space occupied by one household and a yard for a collection of plots which are typically exclusively occupied by Travelling Showpeople. Throughout this study the main focus is upon how many extra pitches for Gypsies and Travellers and plots for Travelling Showpeople are required in the study area.
- 4.2 The public and private provision of mainstream housing is also largely mirrored when considering Gypsy and Traveller accommodation. One common form of a Gypsy and Traveller site is the publicly provided residential site, which is provided by a Local Authority or by a Registered Provider (usually a Housing Association). Pitches on public sites can be obtained through signing up to a waiting list, and the costs of running the sites are met from the rent paid by the tenants (similar to social housing).
- 4.3 The alternative to a public residential site is a private residential site and yard for Gypsies, Travellers and Travelling Showpeople. These result from individuals or families buying areas of land and then obtaining planning permission to live on them. Households can also rent pitches on existing private sites. Therefore, these two forms of accommodation are the equivalent to private ownership and renting for those who live in bricks and mortar housing. Generally, the majority of Travelling Showpeople yards are privately owned and managed.
- 4.4 The Gypsy, Traveller and Travelling Showpeople population also has other types of sites due to its mobile nature. Transit sites tend to contain many of the same facilities as a residential site, except that there is a maximum occupancy period of residence which can vary from a few days or weeks to a period of months. An alternative to a transit site is an emergency or negotiated stopping place. This type of site also has restrictions on the length of time someone can stay on it but has much more limited facilities. Both of these two types of site are designed to accommodate, for a temporary period, Gypsies, Travellers and Travelling Showpeople whilst they travel. A number of authorities also operate an accepted encampments policy where short-term stopovers are tolerated without enforcement action.

⁶ Whilst it has now been withdrawn, Government Guidance on Designing Gypsy and Traveller Sites recommended that, as a general guide, an average family pitch must be capable of accommodating an amenity building, a large trailer [a static caravan or park home for example] and touring caravan, parking space for two vehicles and a small garden area.

- 4.5 Further considerations for the Gypsy and Traveller population are unauthorised developments and encampments. Unauthorised developments occur on land which is owned by the Gypsies and Travellers or with the approval of the landowner, but for which they do not have planning permission to use for residential purposes. Unauthorised encampments occur on land which is not owned by the Gypsies and Travellers.

Sites and Yards in NE Lincs

- 4.6 In NE Lincs, at the base date for the GTAA, there were no public sites; 2 private sites (9 pitches); no temporary sites; no tolerated pitches; and no unauthorised sites. There were no Travelling Showmen’s yards, and no public transit sites identified. See **Appendix D** for further details.

Figure 5 - Total amount of provision in NE Lincs (January 2021)

Category	Sites/Yards	Pitches/Plots
Public sites	0	0
Private with permanent planning permission	2	9
Private with temporary planning permission	0	0
Tolerated pitches	0	0
Unauthorised sites	0	0
Public transit sites	0	0
Travelling Showpeople yards	0	0
TOTAL	2	9

MHCLG Traveller Caravan Count

- 4.7 Another source of information available on the Gypsy, Traveller and Travelling Showpeople population is the bi-annual Traveller Caravan Count which is conducted by each Local Authority in England on a specific date in January and July of each year and reported to MHCLG. This is a statistical count of the number of caravans on both authorised and unauthorised sites across England. With effect from July 2013, it was renamed the Traveller Caravan Count due to the inclusion of data on Travelling Showpeople.
- 4.8 As this count is of caravans and not households, it makes it more difficult to interpret for a study such as this because it does not count pitches or resident households. The count is merely a ‘snapshot in time’ conducted by the Local Authority on a specific day, and any unauthorised sites or encampments which occur on other dates will not be recorded. Likewise, any caravans that are away from sites on the day of the count will not be included. As such it is not considered appropriate to use the outcomes from the Traveller Caravan Count in the calculation of current and future need as the information collected during the site visits is seen as more robust and fit-for-purpose. However, the Caravan Count data has been used to *support* the identification of the need to provide for transit provision and this is set out later in this report.
- 4.9 The most recent Traveller Caravan Count in January 2020⁷ recorded just 1 caravan on a site with permanent planning permission.

⁷ There was no count in July 2020 as a result of COVID-19.

5. Stakeholder Engagement

Introduction

- 5.1 ORS undertook a stakeholder engagement programme to complement the information gathered through interviews with members of the Travelling Community. This consultation took the form of telephone interviews which were tailored to the role of the individual.
- 5.2 The aim of these interviews was to provide an understanding of current provision and possible future need; short-term encampments; transit provision; and cross-border issues.
- 5.3 A total of three interviews were undertaken with Council Officers from the study area.
- 5.4 As stated in the Planning Policy for Traveller Sites, Local Authorities have a duty to cooperate on strategic planning issues that cross administrative boundaries (S.110 Localism Act 2011). In order to explore issues relating to cross boundary working, ORS interviewed a Planning Officer from 3 neighbouring local authorities:
- » East Lindsey
 - » North Lincolnshire
 - » West Lindsey
- 5.5 Due to issues surrounding data protection, and in order to protect the anonymity of those who took part, this section presents a summary of the views expressed by interviewees and verbatim comments have not been used. The views expressed in this section of the report represent a balanced summary of the views expressed by stakeholders, and on the views of the individuals concerned, rather than the official policy of their Council or organisation.

Views of Key Stakeholders and Council Officers in NE Lincs

Accommodation Needs

- 5.6 Since the last GTAA, a special group has been set up of representatives from different sections of the Council, and they have had several meetings. The main focus of these meetings has been to find suitable locations for new public sites. This has been a high priority for the Council, with suggestions put forward of purchasing new land and almost every piece of Council owned land being assessed. From these meetings a short-list of five potential locations have been found, however, it is possible that neither location will ultimately be suitable.
- 5.7 The Council have also worked with neighbouring authorities on the issue of finding suitable site locations, although no sites that have currently been put forward have been deemed to be suitable.

Short-term Encampments and Transit Provision

- 5.8 In general, the area experiences a small number of encampments throughout the year. It was believed that these encampments are predominantly made up of the same family units each year.

- 5.9 For encampments that do visit, a statutory welfare check is performed, and a Notice of Direction is given with presence of Police within 24 hours.
- 5.10 There is nowhere presently in the area that is suitable for encampments to stay. Therefore, encampments often stay at tourist areas, such as Cleethorpes seafront. This location is felt to be highly unsuitable as it takes away tourist's car parking spaces, which also then has an impact on the revenue for local shops.
- 5.11 It is believed that it would be advantageous to have some form of transit provision in the area. However, this would have to be at the right location and would have to be appropriately managed.

Cross Border Issues

- 5.12 It has been observed that Travellers are crossing over from neighbouring authorities for day-to-day work. It was not believed that these individuals are necessarily staying in the area, but it is something to keep aware of.
- 5.13 The Council have engaged with neighbouring authorities on the issue of finding suitable locations for Traveller sites.

Future Priorities and Any Further Issues

- 5.14 A future priority for the Council should be provide some form of transit provision which allows families to stay at a suitable location for a few weeks at a time.

Neighbouring Authorities

East Lindsey

- 5.15 With regard to **overall accommodation need** in East Lindsey, the views of the officer interviewed were as follows:
- » Since the last GTAA, there has been ongoing work involving the implementation of the allocations set out in the Local Plan.
 - » When considering new permanent accommodation, need was said to exist for a few family groups. However, as these are from communities that do not traditionally mix, it means that provision for individual families is more likely to be the case.
 - » The lack of a transit site in a suitable location was believed to possibly exacerbate the impact of unauthorised encampments over the summer months. The Council is therefore seeking to provide a Transit site (allocated in the Local Plan) to accommodate seasonal travel.
- 5.16 With regard to the subject of **cross border issues and the Duty to Cooperate**, the views of the officer interviewed were as follows:
- » The main cross boundary issue is the movement of Gypsies and Travellers through the respective authorities. However, the need for permanent accommodation in

East Lindsey is generated from families already residing in the District, and not from in-migration from elsewhere.

- » East Lindsey is aware that North East Lincolnshire have put considerable effort into finding a site to meet its own need. While that endeavour has not been entirely successful, so far, there has been no appreciable impact on East Lindsey.
- » Cross-border working is most evident with North East Lincolnshire. However, given the level of need and limited cross boundary issues, more detailed joint working has not been required.

North Lincolnshire

5.17 With regard to **overall accommodation need** in North Lincolnshire, the views of the officer interviewed were as follows:

- » Since the last GTAA, North Lincolnshire Council have carried out (February 2020) a call for sites through Local plan consultation asking for land to be submitted for Gypsy and Traveller Sites. The Council are also in the process of updating the 2017 GTAA so it is up to date and can be used for the Local Plan Evidence Base.
- » The North Lincolnshire 2017 GTAA indicated that current provision met the need for residential pitches. There were no Travelling Showpeople identified in North Lincolnshire that meet the planning definition of a Travelling Showperson, so there is no current or future need for additional Showperson plots.
- » The 2017 GTAA did not identify a need for additional transit provision. If transit provision was provided, the location would possibly need to be flexible (i.e temporary/negotiated stopping).
- » Through the revision of the GTAA and the new Local plan, the Council are trying to address any needs issues for Gypsy and Travellers in North Lincolnshire.

5.18 With regard to the subject of **cross border issues and the Duty to Cooperate**, the views of the officer interviewed were as follows:

- » No specific cross-border issues were discussed.
- » North Lincolnshire have previously worked with neighbouring authorities on joint GTAAs and site provision consideration. It was felt that all concerned are complying with the Duty to Cooperate.

West Lindsey

5.19 With regard to **overall accommodation need** in West Lindsey, the views of the officer interviewed were as follows:

- » Since the last GTAA, West Lindsey has increased the total provision for Gypsies and Travellers in the district, which includes new permanent pitches and new transit provision. The Council has also granted planning permission for a 6-plot Travelling Showperson's yard. This yard is in the process of being developed and will address all the accommodation need identified by the 2020 GTAA.

- » Based on the assessment of need and the PPTS definition, it is considered there is an unmet need of 27 pitches over the plan period to 2040 in West Lindsey. With 5 pitches being required within the next 5yrs.
- » The 2020 GTAA found that there is a lack of transit facilities within the county of Lincolnshire to which agencies can direct Gypsy and Traveller households residing on unauthorised encampments.

^{5.20} With regard to the subject of **cross border issues and the Duty to Cooperate**, the views of the officer interviewed were as follows:

- » There are no cross-border issues in relation to migration, however, the lack of transit sites or tolerated stopping places within the County impacts on all authorities when Travellers are moved on.
- » There is general recognition within the 2020 GTAA that there is a shortage of allocations within Local Planning Policies across the County, and that most rely on windfall sites to meet need.
- » There has been some discussion around joint working and better collaboration in relation to Gypsy and Traveller provision, specifically transit sites and tolerated stopping places. However, this aspect of work falls outside the specific requirements for need in terms of planning policy and as such is being considered by Lincolnshire County Council.

6. Survey of Travelling Communities

Interviews with Gypsies and Travellers

- 6.1 One of the major components of this study was a detailed survey of the Gypsy and Traveller population living in the study area, and also efforts to engage with the bricks and mortar community.
- 6.2 Through the desk-based research and stakeholder interviews ORS identified no public sites; 2 private sites with permanent planning permission; no temporary sites; no sites that are tolerated for planning purposes; no unauthorised sites; and no 2 Travelling Showmen’s Yards.
- 6.3 The table below sets out the number of pitches/plots, the number of interviews that were completed, and any reasons why interviews were not completed.
- 6.4 During the period between commencing the GTAA and reporting no further transient households were identified to interview other than those who were interviewed.

Figure 6 – Interviews completed in NE Lincs

Site Status	Pitches/Plots	Interviews	Reasons for not completing interviews/additional interviews
Public Sites			
None	-	-	-
Private Sites			
Mill House	5	1	4 x vacant
Rear of Mill House	4	2	2 x vacant
Temporary Sites			
None	-	-	-
Tolerated Sites			
None	-	-	-
Unauthorised Sites/Pitches			
None	-	-	-
Bricks and Mortar			
Mill House	1	1	-
Immingham	1	1	-
NE Lincs	2	2	-
Travelling Showpeople			
None	-	-	-
TOTAL	13	7	

Interviews with Gypsies and Travellers in Bricks and Mortar

- 6.5 Following all of the efforts that were made it was possible to identify and interview 4 households living in bricks and mortar in NE Lincs.

7. Current and Future Pitch Provision

Introduction

- 7.1 This section focuses on the pitch provision which is needed in the study area currently and to 2035. This includes both current unmet need and need which is likely to arise in the future⁸. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- 7.2 We would note that this section is based upon a combination of the on-site surveys, planning records and stakeholder interviews. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- 7.3 This section concentrates not only upon the total provision which is required in the area, but also whether there is a need for any transit sites and/or emergency stopping place provision.

New Household Formation Rates

- 7.4 Nationally, a household formation and growth rate of 3.00% net per annum⁹ has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for pitches unrealistically. In this context, ORS prepared a *Technical Note on Gypsy and Traveller Household Formation and Growth Rates* in 2015 and updated it in June 2020. The main conclusions are set out here and the full paper is in **Appendix F**.
- 7.5 Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only proper way to project future population and household growth is through demographic analysis.
- 7.6 The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- 7.7 The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and

⁸ See Paragraphs 3.41 and 3.42 for details of components on current and future need.

⁹ Page 25, Gypsy and Traveller Accommodation Needs Assessments – Guidance (DCLG – 2007) *Now withdrawn*.

Travellers (in addition research by ORS has identified a national growth rate of 1.00% for Travelling Showpeople) and this has also been adjusted locally based on site demographics.

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

In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate, the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.50% but that a 2.50% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.50% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.50% figure is justified in the case of Doncaster.

- 7.9 Another more recent was in relation to an appeal in Guildford that was issued in March 2018 (Ref: APP/W/16/3165526) where the agent acting on behalf of the appellant again claimed that a rate closer to 3.00% should be used. The Inspector concluded:

There is significant debate about household formation rates and the need to meet future growth in the district. The obvious point to make is that this issue is likely to be debated at the local-plan examination. In my opinion, projecting growth rates is not an exact science and the debate demonstrates some divergence of opinion between the experts. Different methodologies could be applied producing a wide range of data. However, on the available evidence it seems to me that the figures used in the GTAA are probably appropriate given that they are derived by using local demographic evidence. In my opinion, the use of a national growth rate and its adaptation to suit local or regional variation, or the use of local base data to refine the figure, is a reasonable approach.

- 7.10 In addition, the Technical Note has recently been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice in December 2017. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit.

- 7.11 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys, and the 'baseline' includes all current authorised households, all households identified as in current need (including concealed households, movement from bricks and mortar and those on waiting lists not currently living on a pitch or plot), as well as households living on tolerated unauthorised pitches or plots who are not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates, household dissolution, and in-/out-migration.

- 7.12 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. Whilst there are some teenagers and younger children planning to move to

their family site at Mill House, there are enough vacant pitches to meet their current and futures needs. Therefore, the assessment has not sought to estimate need from new household formation.

Breakdown by 5 Year Bands

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

Applying the Planning Definition

- 7.14 The outcomes from the household interviews were used to determine the status of each household against the planning definition in PPTS (2015). This assessment was based on the responses to the questions given to Researchers. Only those households that met the planning definition, in that they were able to provide information during the household interview that household members travel for work purposes, or for seeking work, and stay away from their usual place of residence when doing so – or that they have ceased to travel temporarily due to education, ill health or old age, form the components of need that will form the baseline of need in the GTAA. Households where an interview was not completed who may meet the planning definition have also been included as a potential additional component of need from undetermined households. Whilst they do not need to be formally considered in the GTAA, need from households that did not meet the planning definition has also been assessed to provide the Councils with information on levels of need that will have to be considered as part of the wider housing needs of the area and through separate Local Plan Policies.
- 7.15 The information used to assess households against the planning definition included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future and for what reasons. The table below sets out the planning status of households that were interviewed for the NE Lincs GTAA. This includes any hidden households that were identified during the household interviews including concealed and doubled-up households or single adults and accepted in-migration.

Figure 7 – Planning status of households in NE Lincs

Status	Meet Planning Definition	Do Not Meet Planning Definition	Undetermined
Gypsies and Travellers			
Private Sites	3	0	0
Bricks and Mortar	2	2	0
TOTAL	5	2	0

- 7.16 Figure 7 shows that for Gypsies and Travellers, 5 households met the planning definition of a Traveller in that ORS were able to determine that household members travel for work purposes,

or for seeking work, and stay away from their usual place of residence or have ceased to travel temporarily.

- 7.17 A total of 2 Gypsy and Traveller households did not meet the planning definition as they were not able to demonstrate that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health, or old age. Some did travel for cultural reasons, to visit relatives or friends, and others had ceased to travel permanently.

Interviews with Gypsies and Travellers in Bricks and Mortar

- 7.18 Following all of the efforts that were made, it was possible to identify and interview 4 households living in bricks and mortar – 2 met the planning definition and 2 did not. Two of the households (who were living on the Mill House site at the time of the last GTAA) are planning to move back to the site to be with family members as they are unhappy living in bricks and mortar.

Migration

- 7.19 The study has also sought to address in-migration (households requiring accommodation who move into the study area from outside) and out-migration (households moving away from the study area). Site surveys typically identify only small numbers of in-migrant and out-migrant households and the data is not normally robust enough to extrapolate long-term trends. At the national level, there is nil net migration of Gypsies and Travellers across the UK, but the assessment has taken into account local migration effects on the basis of the best evidence available.
- 7.20 The study also sought to identify need from households who have been forced to move from sites due to overcrowding and who are currently living on the roadside or on sites in other local authorities – and who have strong family links with households in NE Lincs. These are referred to as roadside households or displaced in-migration.
- 7.21 Evidence drawn from stakeholder and household interviews has been considered alongside assessments of need that have been completed in other nearby local authorities. The household interviews did not identify any households living in other local authorities who need to move back to a family site in NE Lincs.
- 7.22 ORS have also found no evidence from other local studies that have been completed recently of any additional households wishing to move to NE Lincs. Therefore, net migration to the sum of zero has been assumed for the GTAA – which means that net pitch requirements are driven by locally identifiable need rather than speculative modelling assumptions.
- 7.23 It is important to note that any future demand for new sites or additional pitches as a result of in-migration should be seen as windfall need and should be dealt with by a criteria-based development management policy. This additional need should not be assessed against levels of need identified in the GTAA or to contribute towards 5-year supply to meet this need.

Pitch Needs – Gypsies and Travellers that meet the Planning Definition

- 7.24 There is a need for **no pitches for households that met the planning definition**. This is because there are currently 4 vacant pitches at the Mill House site to meet any current and future need from family members who are currently travelling or living locally in bricks and mortar who may wish to move back to the site. There are also 2 vacant pitches on the Rear of Mill House site. These are currently being used as private transit pitches for family members and will be used to meet need from older children currently living on other pitches on the site when they need them.

Figure 8 – Need for Gypsy and Traveller households in NE Lincs that met the Planning Definition (2021-35)

Gypsies and Travellers - Meeting Planning Definition	Pitches
Supply of Pitches	
Supply from vacant public and private pitches	6
Supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
Total Supply	6
Current Need	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	2
Movement from bricks and mortar	2
Households on waiting lists for public sites	0
Total Current Need	4
Future Need	
5 year need from teenage children	1
Households on sites with temporary planning permission	0
In-migration/Roadside	0
New household formation	1
<i>(Formation from household demographics)</i>	
Total Future Needs	2
Net Pitch Need = (Current and Future Need – Total Supply)	0

Figure 9 – Need for Gypsy and Traveller households in NE Lincs that met the Planning Definition by 5-year periods

Years	0-5	6-10	11-15	Total
	2021-25	2026-30	2031-35	
	0	0	0	0

Pitch Needs – Undetermined Gypsies and Travellers

- 7.25 There is a need for **no pitches for undetermined households** as interviews were completed with all Gypsies and Travellers living on sites in NE Lincs.

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

- 7.26 It is not now a requirement for a GTAA to include an assessment of need for households that did not meet the planning definition. However, this assessment is included for illustrative purposes, to help fulfil the requirements of the Housing Act (1985)¹⁰ and to provide the Council with information on levels of need that will have to be addressed through separate Local Plan Policies.
- 7.27 Whilst not now a requirement to include in a GTAA, there is a need for **no pitches for households that did not meet the planning definition**. Both households are currently living in bricks and mortar and are happy to stay where they are.

¹⁰ See Paragraph 3.34 for details.

Travelling Showpeople Needs

Plot Needs – Travelling Showpeople

7.28 There were no Travelling Showpeople identified in NE Lincs so there is **no current or future need for additional plots.**

Figure 10 – Need for Travelling Showpeople households in NE Lincs that met the Planning Definition (2021-35)

Travelling Showpeople - Meeting Planning Definition	Pitches
Supply of Plots	
Supply from vacant public and private plots	0
Supply from pitches on new yards	0
Plots vacated by households moving to bricks and mortar	0
Plots vacated by households moving away from the study area	0
Total Supply	0
Current Need	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Total Current Need	0
Future Need	
5 year need from teenage children	0
Households on yards with temporary planning permission	0
In-migration	0
New household formation	0
<i>(No Travelling Showpeople)</i>	
Total Future Needs	0
Net Plot Need = (Current and Future Need – Total Supply)	0

Figure 11 – Need for Travelling Showpeople households in NE Lincs that met the Planning Definition by 5-year periods

Years	0-5	6-10	11-15	Total
	2021-25	2026-30	2031-35	
	0	0	0	0

Transit Requirements

- 7.29 When determining the potential need for transit provision the assessment has looked at data from the MHCLG Traveller Caravan Count, the outcomes of the stakeholder interviews and records on numbers of unauthorised encampments, and the potential wider issues related to changes made to PPTS in 2015.

MHCLG Traveller Caravan Count

- 7.30 Whilst it is considered to be a comprehensive national dataset on numbers of authorised and unauthorised caravans across England, it is acknowledged that the Traveller Caravan Count is a count of caravans and not households. It also does not record the reasons for unauthorised caravans. This makes it very difficult to interpret in relation to assessing future need because it does not count pitches or resident households. The count is also only a twice yearly (January and July) 'snapshot in time' conducted by local authorities on a specific day, and any caravans on unauthorised sites or encampments which occur on other dates are not recorded. Likewise, any caravans that are away from sites on the day of the count are not included. As such it is not considered appropriate to use the outcomes from the Traveller Caravan Count in the assessment of future transit provision. It does however provide valuable historic and trend data on whether there are instances of unauthorised caravans in local authority areas.
- 7.31 Data from the Traveller Caravan Count shows that there have been very low numbers of non-tolerated unauthorised caravans on land not owned by Travellers recorded in the study area in recent years.

Stakeholder Interviews and Local Data

- 7.32 Whilst there is currently no public transit provision in NE Lincs, the fieldwork identified a small number of private pitches that are currently being used as private transit pitches for visiting family members.
- 7.33 Information from the stakeholder interviews identified that there are occasional encampments, but that these are household passing through and that they are dealt with effectively by the Councils Enforcement Team.

Potential Implications of PPTS (2015)

- 7.34 It has been suggested that there will need to be an increase in transit provision across the country as a result of changes to PPTS leading to more households travelling. This may well be the case, but it will take some time for any changes to become apparent. As such the use of historic evidence to make an assessment of future transit need is not recommended at this time. Any recommendation for future transit provision will need to make use of a robust post-PPTS (2015) evidence base and there has not been sufficient time yet for this to happen at this point in time.

Transit Recommendations

- 7.35 Due to low historic low numbers of unauthorised encampments, and the existence of private transit pitches, it is not recommended that there is a need for a formal public transit site in NE Lincs at this time.
- 7.36 The situation relating to levels of unauthorised encampments should be monitored. As well as information on the size and duration of the encampments, this monitoring should also seek to gather information from residents on the reasons for their stay in the local area; whether they have a permanent base or where they have travelled from; and whether they have any need or preference to settle permanently in the local area. This information could be collected as part of a Welfare Assessment (or similar).
- 7.37 It is recommended that a review of the evidence base relating to unauthorised encampments, including the monitoring referred to above, should be undertaken on a Lincolnshire-wide basis. This will establish whether there is a need for investment in any new transit provision or emergency stopping places, or whether a managed approach is preferable.
- 7.38 In the short-term the Council should continue to use its current approach when dealing with unauthorised encampments and management-based approaches such as negotiated stopping agreements could also be considered.
- 7.39 The term ‘negotiated stopping’ is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent ‘built’ transit sites but negotiated agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. Agreements are made between the Council and the (temporary) residents regarding expectations on both sides. See www.negotiatedstopping.co.uk for further information.
- 7.40 Temporary stopping places can be made available at times of increased demand due to fairs or cultural celebrations that are attended by Gypsies and Travellers. A charge may be levied as determined by the local authority although they only need to provide basic facilities including: a cold-water supply; portaloos; sewerage disposal point and refuse disposal facilities.

8. Conclusions

8.1 This study provides a robust evidence base to enable the Council to assess the housing needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, Planning Policy for Traveller Sites (PPTS) 2015, the Housing and Planning Act 2016, the revised National Planning Policy Framework (NPPF) 2019, and Planning Practice Guidance (PPG) 2019. It also provides the evidence base which can be used to support Local Plan Policies.

Gypsies and Travellers

8.2 In summary there is a need for:

- » No pitches in NE Lincs over the GTAA period to 2035 for Gypsy and Traveller households that met the planning definition.
- » No pitches for undetermined Gypsy and Traveller households that may meet the planning definition.
- » No pitches for Gypsy and Traveller households who did not meet the planning definition.

8.3 Whilst there is no need for pitches identified in the GTAA, the Council will need to carefully consider how to address any needs from households seeking to move to NE Lincs (in-migration), or from any other households currently living in bricks and mortar. In terms of Local Plan Policies, the Council should consider the use of a criteria-based policy (as suggested in PPTS).

8.4 It is recognised that the Council is in the process of preparing a new Local Plan that sets out overall housing need. The findings of this report should be considered as part of future housing mix and type within the context of the assessment of overall housing need in relation to Gypsies and Travellers. Whilst the findings in this report are aggregated totals for the whole of NE Lincs due to data protection issues, the Council have more detailed data to enable accurate Local Plan allocation to be made.

Travelling Showpeople

8.5 The GTAA identifies a need for no plots for households for Travelling Showpeople as none were identified living in NE Lincs

Transit Provision

8.6 Due to historic low numbers of unauthorised encampments, and the existence of private transit pitches, it is not recommended that there is a need for a formal public transit site in NE Lincs at this time. However, there is a need for a more strategic approach to transit provision across Lincolnshire to establish whether there is a need for transit provision.

8.7 In the short-term the Council should continue to use its current approach when dealing with unauthorised encampments and management-based approaches such as negotiated stopping agreements could also be considered.

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Appendix A: Glossary of Terms / Acronyms used

Amenity block/shed	A building where basic plumbing amenities (bath/shower, WC, sink) are provided.
Bricks and mortar	Mainstream housing.
Caravan	Mobile living vehicle used by Gypsies and Travellers. Also referred to as trailers.
Chalet	A single storey residential unit which can be dismantled. Sometimes referred to as mobile homes.
Concealed household	Households, living within other households, who are unable to set up separate family units.
Doubling-Up	Where there are more than the permitted number of caravans on a pitch or plot.
Emergency Stopping Place	A temporary site with limited facilities to be occupied by Gypsies and Travellers while they travel.
Green Belt	A land use designation used to check the unrestricted sprawl of large built-up areas; prevent neighbouring towns from merging into one another; assist in safeguarding the countryside from encroachment; preserve the setting and special character of historic towns; and assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
Household formation	The process where individuals form separate households. This is normally through adult children setting up their own household.
In-migration	Movement of households into a region or community
Local Plans	Local Authority spatial planning documents that can include specific policies and/or site allocations for Gypsies, Travellers and Travelling Showpeople.
Out-migration	Movement from one region or community in order to settle in another.
Personal planning permission	A private site where the planning permission specifies who can occupy the site and doesn't allow transfer of ownership.
Pitch/plot	Area of land on a site/development generally home to one household. Can be varying sizes and have varying caravan numbers. Pitches refer to Gypsy and Traveller sites and Plots to Travelling Showpeople yards.
Private site	An authorised site owned privately. Can be owner-occupied, rented or a mixture of owner-occupied and rented pitches.

Site	An area of land on which Gypsies, Travellers and Travelling Showpeople are accommodated in caravans/chalets/vehicles. Can contain one or multiple pitches/plots.
Social/Public/Council Site	An authorised site owned by either the local authority or a Registered Housing Provider.
Temporary planning permission	A private site with planning permission for a fixed period of time.
Tolerated site/yard	Long-term tolerated sites or yards where enforcement action is not expedient, and a certificate of lawful use would be granted if sought.
Transit provision	Site intended for short stays and containing a range of facilities. There is normally a limit on the length of time residents can stay.
Unauthorised Development	Caravans on land owned by Gypsies and Travellers and without planning permission.
Unauthorised Encampment	Caravans on land not owned by Gypsies and Travellers and without planning permission.
Waiting list	Record held by the local authority or site managers of applications to live on a site.
Yard	A name often used by Travelling Showpeople to refer to a site.

GTAA	Gypsy and Traveller Accommodation Assessment
GTANA	Gypsy and Traveller Accommodation Needs Assessment
HEDNA	Housing and Economic Development Needs Assessment
HMA	Housing Market Assessment
LPA	Local Planning Authority
MHCLG	Ministry of Housing, Communities and Local Government
NPPF	National Planning Policy Framework
ORS	Opinion Research Services
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SHMA	Strategic Housing Market Assessment
TSP	Travelling Showpeople

Appendix B: Undetermined Households

Figure 12 - Need for undetermined Gypsy and Traveller households in NE Lincs (2021-35)

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

Figure 13 – Need for undetermined Gypsy and Traveller households in NE Lincs by 5-year periods

Years	0-5	6-10	11-15	Total
	2021-25	2026-30	2031-35	
	0	0	0	0

Figure 14 - Need for undetermined Travelling Showpeople households in NE Lincs (2021-35)

Travelling Showpeople – Undetermined	Plots
Supply of Plots	
Supply from vacant public and private plots	0
Supply from plots on new yards	0
Plots vacated by households moving to bricks and mortar	0
Plots vacated by households moving away from the study area	0
Total Supply	0
Current Need	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Total Current Need	0
Future Need	
5 year need from teenage children	0
Households on yards with temporary planning permission	0
In-migration/Roadside	0
New household formation	0
<i>(No Travelling Showpeople)</i>	
Total Future Needs	0
Net Plot Need = (Current and Future Need – Total Supply)	0

Figure 15 – Need for undetermined Travelling Showpeople households in NE Lincs by 5-year periods

Years	0-5	6-10	11-15	Total
	2021-25	2026-30	2031-35	
	0	0	0	0

Appendix C: Households that did not meet the Planning Definition

Figure 16 - Need for Gypsy and Traveller households in NE Lincs that did not meet the Planning Definition (2021-35)

Gypsies and Travellers - Not Meeting Planning Definition	Pitches
Supply of Pitches	
Supply from vacant public and private pitches	0
Supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
Total Supply	0
Current Need	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
Total Current Need	0
Future Need	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration/Roadside	0
New household formation	0
<i>(No formation from 2 households)</i>	
Total Future Needs	0
Net Pitch Need = (Current and Future Need – Total Supply)	0

Figure 17 – Need for Gypsy and Traveller households in NE Lincs that did not meet the Planning Definition by 5-year periods

Years	0-5	6-10	11-15	Total
	2021-25	2026-30	2031-35	
	0	0	0	0

Figure 18 - Need for Travelling Showpeople households in NE Lincs that did not meet the planning definition (2021-35)

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

Figure 19 – Need for Travelling Showpeople households in NE Lincs that did not meet the Planning Definition by 5-year periods

Years	0-5	6-10	11-15	Total
	2021-25	2026-30	2031-35	
	0	0	0	0

Appendix D: Site and Yard Lists (January 2021)

Site/Yard	Authorised Pitches or Plots	Unauthorised Pitches or Plots
Public Sites		
None	-	-
Private Sites with Permanent Permission		
Mill House	5	-
Rear of Mill House	4	-
Private Sites with Temporary Permission		
None	-	-
Tolerated Sites-Long-term without Planning Permission		
None	-	-
Unauthorised Developments		
None	-	-
TOTAL PITCHES	9	0
Travelling Showpeople Yards		
None	-	-
TOTAL PLOTS	0	0
TOTAL	9	0

Appendix E: Household Interview Questions

GTAA Questionnaire 2019



INTERVIEWER: Good Morning/afternoon/evening. My name is < > from Opinion Research Services, working on behalf of XXXX Council.

The Council are undertaking a study of Gypsy, Traveller and Travelling Showpeople accommodation needs assessment in this area. This is needed to make sure that accommodation needs are properly assessed and to get a better understanding of the needs of the Travelling Community.

The Council need to try and speak with every Gypsy, Traveller and Travelling Showpeople household in the area to make sure that the assessment of need is accurate.

Your household will not be identified and all the information collected will be anonymous and will only be used to help understand the needs of Gypsy, Traveller and Travelling Showpeople households.

ORS is registered under the Data Protection Act 1998. Your responses will be stored and processed electronically and securely. This paper form will be securely destroyed after processing. Your household will not be identified to the council and only anonymous data and results will be submitted, though verbatim comments may be reported in full, and the data from this survey will only be used to help understand the needs of Gypsy, Traveller and Travelling Showpeople households

A General Information

A1 Name of planning authority:
INTERVIEWER please write in

A2 Date/time of site visit(s):
INTERVIEWER please write in

A3 Name of interviewer:
INTERVIEWER please write in

A4 Address and pitch number:
INTERVIEWER please write in

A5 Type of accommodation: *INTERVIEWER please cross one box only*

Council	Private rented	Private owned	Unauthorised	Bricks and Mortar
<input type="checkbox"/>				

A6 Name of Family:
INTERVIEWER please write in

A7 Ethnicity of Family:
INTERVIEWER please cross one box only

Romany Gypsy	Irish Traveller	Scots Gypsy or Traveller	Show Person
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
New Traveller	English Traveller	Welsh Gypsy	Non-Traveller
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)			

A8 Number of units on the pitch:
INTERVIEWER please write in

Mobile homes	Touring Caravans	Day Rooms	Other (please specify)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

A9 Is this site your main place of residence? If not where is it?
INTERVIEWER: Please cross one box only

Yes No

A10 How long have you lived here? If you have moved in the past 5 years, where did you move from? *INTERVIEWER: Please write in below*

Years	Months	If you have moved in the past 5 years, where did you move from? Include ALL moves
-------	--------	---

A11 Did you live here out of your own choice or because there was no other option? If there was no other option, why? *INTERVIEWER: Please cross one box only*

Choice No option

A12 Is this site suitable for your household? If so why and if not why not? (For example close to schools, work, healthcare, family and friends etc.)
INTERVIEWER: Please cross one box only

Yes No

A13 How many separate families or unmarried adults live on this pitch?
INTERVIEWER: Please cross one box only

1 2 3 4 5 6 7 8 9 10

B Demographics

B1 Demographics — Household 1 *INTERVIEWER: Please write-in*

Person 1		Person 2		Person 3	
Sex	Age	Sex	Age	Sex	Age

Complete additional forms for each household on pitch *INTERVIEWER: Please write-in*

Person 4		Person 5		Person 6		Person 7		Person 8	
Sex	Age								

C Accommodation Needs

C1 How many families or unmarried adults living on this pitch are in need of a pitch of their own in the next 5 years? *INTERVIEWER: Please cross one box only*

INTERVIEWER: AN ADULT IS DEFINED AS 16+

1 2 3 4 5 6 7 8 9 10

Other Please specify

C2 How many of your children will need a home of their own in the next 5 years? If they live here now, will they want to stay on this site? If not, where would they wish to move? (e.g. other site, in bricks and mortar etc.) If they do not live on this site, where do they currently live and would they want to move on to this site or another local site if they could get a pitch? *INTERVIEWER: Please cross one box only*

1 2 3 4 5 6 7 8 9 10

Other *Please specify*

Details (Please specify)

D **Waiting List**

D1 Is anyone living here on the waiting list for a pitch in this area? *INTERVIEWER: Please cross one box only*

Yes —————> Continue to D2
 No —————> Go to D4

D2 How many people living here are on the waiting list for a pitch in this area? *INTERVIEWER: Please cross one box only*

1 2 3 4 5 6 7 8 9 10

Other *(Please specify)*

Details (Please specify)

D3 How long have they been on the waiting list? *INTERVIEWER: Please cross one box only*

0-3 months 3-6 months 6-12 months 1-2 years 2+ years

Other *(Please specify)*

Details (Please specify)

D4 If they are not on the waiting list, do any of the people living here want to be on the waiting list? (INTERVIEWER if they do - please take their contact details) *INTERVIEWER: Please cross one box only*

1 2 3 4 5 6 7 8 9 10

No Other *(Please specify)*

Details (Please specify) and take contact details)

E		Future Accommodation Needs				
E1	Do you plan to move from this site in the next 5 years? If so, why?					
	<i>INTERVIEWER: Please cross one box only</i>					
	Yes <input type="checkbox"/> <i>If yes</i> → <i>Continue to E2</i>	If so, why? (please specify)				
	No <input type="checkbox"/> <i>If no</i> → <i>Go to E5</i>					
E2	Where would you move to?	<i>INTERVIEWER: Please cross one box only</i>				
	Another site in this area <i>(specify where)</i>	A site in another council area <i>(specify where)</i>	Bricks and mortar in this area <i>(specify where)</i>	Bricks and mortar in another council area <i>(specify where)</i>	Other (e.g. land they own elsewhere) <i>(Please specify)</i>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<p>Please specify where they would move to If they own land elsewhere - probe for details</p>					
E3	If you want to move would you prefer to buy a private pitch or site, or rent a pitch on a public or private site?	<i>INTERVIEWER: Please cross one box only</i>				
	Private buy	Private rent	Public rent			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
E4	Can you afford to buy a private pitch or site?	<i>INTERVIEWER: Please cross one box only</i>				
	Yes	No				
	<input type="checkbox"/>	<input type="checkbox"/>				
E5	Are you aware of, or do you own any land that could have potential for new pitches?	<i>INTERVIEWER: Please cross one box only</i>				
	Yes	No				
	<input type="checkbox"/>	<input type="checkbox"/>				
	<p>Please ask for details on where land/site is located and who owns the land/site?</p>					

F Travelling	
F1	<p>How many trips, living in a caravan or trailer, have you or members of your family made away from your permanent base in the last 12 months? <i>INTERVIEWER: Please cross one box only</i></p> <p style="text-align: center;"> <input type="checkbox"/> 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5+ </p> <p style="text-align: center;"> ↓ Go to F6a } Continue to F2 </p>
F2	<p>If you or members of your family have travelled in the last 12 months, which family members travelled? <i>INTERVIEWER: Please cross one box only</i></p> <p style="text-align: center;"> All the family Adult males Other If other, please specify </p> <p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </p>
F3	<p>What were the reasons for travelling? <i>INTERVIEWER: Please cross all that apply</i></p> <p style="text-align: center;"> Work Holidays Visiting family Fairs Other </p> <p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </p> <p style="border: 1px solid black; padding: 5px; text-align: center;"> Details / specify if necessary. If fairs—probe for whether this involves work </p>
F4	<p>At what time of year do you or family members usually travel? And for how long? <i>INTERVIEWER: Please cross one box only</i></p> <p style="text-align: center;"> All year Summer Winter </p> <p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </p> <p style="border: 1px solid black; padding: 5px; text-align: center;"> And for how long? </p>
F5	<p>Where do you or family members usually stay when they are travelling? <i>INTERVIEWER: Please cross all boxes that apply</i></p> <p style="text-align: center;"> LA transit sites Private transit sites Roadside Friends/family Other If other, please specify </p> <p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </p> <p style="border: 1px solid black; padding: 5px; text-align: center;"> INTERVIEWER: Ask F6a — F8 <u>ONLY</u> if F1 = 0. Otherwise, go to F9 </p>
F6a	<p>Are there any reasons why you don't you travel at the moment?</p> <p style="border: 1px solid black; padding: 5px; text-align: center;"> Details </p>
F6b	<p>Have you or family members ever travelled? <i>INTERVIEWER: Please cross one box only</i></p> <p style="text-align: center;"> Yes <input type="checkbox"/> —————> Continue to F7 No <input type="checkbox"/> —————> Go to F9 </p>
F7a	<p>When did you or family members last travel? <i>INTERVIEWER: Please write in</i></p> <p style="border: 1px solid black; padding: 5px; text-align: center;"> Details </p>
F7b	<p>What were the reasons for travelling? <i>INTERVIEWER: Please cross all that apply</i></p> <p style="text-align: center;"> Work Holidays Visiting family Fairs Other </p> <p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </p> <p style="border: 1px solid black; padding: 5px; text-align: center;"> Details / specify if necessary. If fairs—probe for whether this involves work </p>

F8 Why do you not travel anymore? *INTERVIEWER: Cross all boxes that apply & probe for details*

- | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Children in school | Ill health | Old age | Settled now | Nowhere to stop | No work opportunities | Other |
| <input type="checkbox"/> |

If other, please specify

Details about children in school, types of ill health, or looking after relative with poor health, and specific problems/issues relating to old age

F9 Do you or other family members plan to travel in the future?

INTERVIEWER: Please cross one box only

- | | | | |
|------------|--------------------------|--------|-----------------|
| Yes | <input type="checkbox"/> | —————> | Continue to F10 |
| No | <input type="checkbox"/> | —————> | Go to G1 |
| Don't know | <input type="checkbox"/> | —————> | Go to G1 |

F10 When, and for what purpose do you/they plan to travel?

Details

F11 Is there anything else you would like to tell us about your travelling patterns?

Details

G Any other information	
G1	Any other information about this site or your accommodation needs? <i>INTERVIEWER: Please write in</i>
<p>Details (e.g. can current and future needs be met by expanding or intensifying the existing site?)</p>	
G2	Site/Pitch plan? Any concerns? <i>INTERVIEWER: Please sketch & write in</i>
<p>Sketch of Site/Pitch — any concerns?</p> <p>Are any adaptations needed?</p> <p>Why does the current accommodation not meet the household's needs; and could their needs could be addressed in situ e.g. extra caravans. This could cover people wanting to live with that household but who cannot currently</p>	

H Bricks & Mortar Contacts	
H1	Contacts for Bricks and Mortar interviews? <i>INTERVIEWER: Please write in</i>
Details	
Council contact?	
<p>Would you like the council to contact you about any of the issues raised in this interview? Please note that although ORS will pass on your contact details to the Council we cannot guarantee when they will contact you?</p> <p><i>INTERVIEWER: Please cross one box only</i></p>	
Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<p>INTERVIEWER: Can I confirm your name and telephone number so that we can pass them on to the Council for this purpose only. Your details will only be used for this purpose and will not be passed onto anyone else.</p>	
Respondent's Name.....	<input type="text"/>
Respondent's Telephone.....	<input type="text"/>
Respondent's Email.....	<input type="text"/>
Interview log	
<p>INTERVIEWER: Please record the date and time that the interview was carried out</p>	
Date.....	<input type="text"/>
Time of interview.....	<input type="text"/>

Appendix F: Technical Note on Gypsy and Traveller Household Formation and Growth Rates



Technical Note

Gypsy and Traveller Household Formation and Growth Rates

June 2020

Opinion Research Services



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Household Growth Rates

Abstract and Conclusions

1. National and local household formation and growth rates are important components of Gypsy and Traveller accommodation assessments, but until 2013 little detailed work had been done to assess their likely scale. ORS undertook work in 2013 to assess the likely rate of demographic growth for the Gypsy and Traveller population and concluded that the figure could be as low 1.25% per annum, but that best available evidence supports a national net household growth rate of 1.50% per annum.
2. This analysis was produced as a separate document in 2013 and then updated in 2015 (www.opinionresearch.co.uk/formation2015) in light of comments from academics, planning agents and local authorities. The 2015 document was complex because there was still serious dispute as to the level of demographic growth for Gypsies and Travellers in 2015. However, ORS now consider these disputes have largely been resolved at Planning Appeals and Local Plan Examinations, so we consider that much of the supporting evidence is now no longer required to be in the document.
3. This current document represents a shortened re-statement to our findings in 2015 to allow for easier comprehension of the issues involved. It contains no new research and if reader wishes to see further details of the supporting information, they should review the more detailed 2015 report.

Introduction

4. Compared with the general population, the relative youthfulness of many Gypsy and Traveller populations means that their birth rates are likely to generate higher-than-average population growth, and proportionately higher *gross* household formation rates. However, while their *gross* rate of household growth might be high, Gypsy and Traveller communities' future accommodation needs are, in practice, affected by any reduction in the number of households due to dissolution and/or by movements in/out of the area and/or by transfers into other forms of housing. Therefore, the *net* rate of household growth is the *gross* rate of formation *minus* any reductions in households due to such factors.

Modelling Population and Household Growth Rates

5. The basic equation for calculating the rate of Gypsy and Traveller population growth seems simple: start with the base population and then calculate the average increase/decrease by allowing for births, deaths, in-/out-migration and household dissolution. Nevertheless, deriving satisfactory estimates is difficult because the evidence is often tenuous – so, in this context in 2013, ORS modelled the growth of the national Gypsy and Traveller population based on the most likely birth and death rates, and by using PopGroup (the leading software for population and household forecasting). To do so, we supplemented the available national statistical sources with data derived from our own surveys.

Migration Effects

6. Population growth is affected by national net migration and local migration (as Gypsies and Travellers move from one area to another). In terms of national migration, the population of Gypsies and Travellers is relatively fixed, with little international migration. It is in principle possible for Irish Travellers (based in Ireland) to move to the UK, but there is no evidence of this happening to a significant extent and the vast majority of Irish Travellers were born in the UK or are long-term residents.

Population Profile

7. The main source for the rate of Gypsy and Traveller population growth is the UK 2011 Census. The ethnicity question in the 2011 Census included for the first time 'Gypsy and Irish Traveller' as a specific category. While non-response bias probably means that the size of the population was underestimated, the age profile the Census provides is not necessarily distorted and matches the profile derived from ORS's extensive household surveys.

Table 1 - Age Profile for the Gypsy and Traveller Community in England (Source: UK Census of Population 2011)

Age Group	Number of People	Cumulative Percentage
Age 0 to 4	5,725	10.4
Age 5 to 7	3,219	16.3
Age 8 to 9	2,006	19.9
Age 10 to 14	5,431	29.8
Age 15	1,089	31.8
Age 16 to 17	2,145	35.7
Age 18 to 19	1,750	38.9
Age 20 to 24	4,464	47.1
Age 25 to 29	4,189	54.7
Age 30 to 34	3,833	61.7
Age 35 to 39	3,779	68.5
Age 40 to 44	3,828	75.5
Age 45 to 49	3,547	82.0
Age 50 to 54	2,811	87.1
Age 55 to 59	2,074	90.9
Age 60 to 64	1,758	94.1
Age 65 to 69	1,215	96.3
Age 70 to 74	905	97.9
Age 75 to 79	594	99.0
Age 80 to 84	303	99.6
Age 85 and over	230	100.0

Birth and Fertility Rates

8. The table above provides a way of understanding the rate of population growth through births. The table shows that surviving children aged 0-4 years comprise 10.4% of the Gypsy and Traveller population – which means that, on average, 2.1% of the total population was born each year (over the last 5 years). The same estimate is confirmed if we consider that those aged 0-14 comprise 29.8% of the Gypsy and Traveller population – which also means that almost exactly 2% of the population was born each year.
9. The total fertility rate (TFR) for the whole UK population is just below 2 – which means that on average each woman can be expected to have just less than two children who reach adulthood. We know of only one estimate of fertility rates of the UK Gypsy and Traveller community, in *'Ethnic identity and inequalities in*

Britain: The dynamics of diversity by Dr Stephen Jivraj and Professor Ludi Simpson (published May 2015). The authors use the 2011 Census data to estimate the TFR for the Gypsy and Traveller community as 2.75.

10. ORS used our own multiple survey data to investigate the fertility rates of Gypsy and Traveller women. The ORS data shows that on average Gypsy and Traveller women aged 32 years have 2.5 children (but, because the children of mothers above this age point tend to leave home progressively, full TFRs were not completed). On this basis it is reasonable to infer an average of 3 children per woman during her lifetime, which is broadly consistent with the estimate of 2.75 children per woman derived from the 2011 Census.

Death Rates

11. Although the above data imply an annual growth rate through births of about 2%, the death rate has also to be taken into account. Whereas the average life expectancy across the whole population of the UK is currently just over 80 years, a Sheffield University study found that Gypsy and Traveller life expectancy is about 10-12 years less than average (Parry et al (2004) *'The Health Status of Gypsies and Travellers: Report of Department of Health Inequalities in Health Research Initiative'*, University of Sheffield).
12. Therefore, in our population growth modelling we used a conservative estimate of average life expectancy as 72 years – which is entirely consistent with the lower-than-average number of Gypsies and Travellers aged over 70 years in the 2011 Census (and also in ORS's own survey data).

Modelling Outputs

13. If we assume a TFR of 3 and an average life expectancy of 72 years for Gypsies and Travellers, then the modelling, undertaken in PopGroup, projects the population to increase by 66% over the next 40 years – implying a population compound growth rate of 1.25% per annum. If we assume that Gypsy and Traveller life expectancy increases to 77 years by 2050, then the projected population growth rate rises to nearly 1.50% per annum. To generate an 'upper range' rate of population growth, we assumed an implausible TFR of 4 and an average life expectancy rising to 77 over the next 40 years – which then yields an 'upper range' growth rate of 1.90% per annum.

Household Growth

14. In addition to population growth influencing the number of households, the size of households also affects the number. Hence, population and household growth rates do not necessarily match directly, mainly due to the current tendency for people to live in smaller childless or single person households.
15. Because the Gypsy and Traveller population is relatively young and has many single parent households, a 1.25%-1.50% annual population growth could yield higher-than-average household growth rates, particularly if average household sizes fall or if younger-than-average households form. However, while there is evidence that Gypsy and Traveller households already form at an earlier age than in the general population, the scope for a more rapid rate of growth, through even earlier household formation, is limited.
16. Based on the 2011 Census, the table below compares the age of household representatives in English households with those in Gypsy and Traveller households – showing that the latter has many more household representatives aged under-25 years. In the general English population 3.60% of household representatives are aged 16-24, compared with 8.70% in the Gypsy and Traveller population. ORS's survey data shows that about 10% of Gypsy and Traveller households have household representatives aged under-25 years.

Table 2 - Age of Head of Household (Source: UK Census of Population 2011)

Age of household representative	All households in England		Gypsy and Traveller households in England	
	Number of households	Percentage of households	Number of households	Percentage households
Age 24 and under	790,974	3.6%	1,698	8.7%
Age 25 to 34	3,158,258	14.3%	4,232	21.7%
Age 35 to 49	6,563,651	29.7%	6,899	35.5%
Age 50 to 64	5,828,761	26.4%	4,310	22.2%
Age 65 to 74	2,764,474	12.5%	1,473	7.6%
Age 75 to 84	2,097,807	9.5%	682	3.5%
Age 85 and over	859,443	3.9%	164	0.8%
Total	22,063,368	100%	19,458	100%

17. The following table shows that the proportion of single person Gypsy and Traveller households is not dissimilar to the wider population of England; but there are more lone parents, fewer couples without children, and fewer households with non-dependent children amongst Gypsies and Travellers

Table 3 - Household Type (Source: UK Census of Population 2011)

Household Type	All households in England		Gypsy and Traveller households in England	
	Number of households	Percentage of households	Number of households	Percentage households
Single person	6,666,493	30.3%	5,741	29.5%
Couple with no children	5,681,847	25.7%	2345	12.1%
Couple with dependent children	4,266,670	19.3%	3683	18.9%
Couple with non-dependent children	1,342,841	6.1%	822	4.2%
Lone parent: Dependent children	1,573,255	7.1%	3,949	20.3%
Lone parent: All children non-dependent	766,569	3.5%	795	4.1%
Other households	1,765,693	8.0%	2,123	10.9%
Total	22,063,368	100%	19,458	100%

18. The key point, though, is that since 20% of Gypsy and Traveller households are lone parents with dependent children, and up to 30% are single persons, there is limited potential for further reductions in average household size to increase current household formation rates significantly – and there is no reason to think that earlier household formations or increasing divorce rates will in the medium term affect household formation rates. While there are differences with the general population, a 1.25%-1.50% per annum Gypsy and Traveller population growth rate is likely to lead to a household growth rate of 1.25%-1.50% per annum

Summary Conclusions

19. The best available evidence suggests that the net annual Gypsy and Traveller household growth rate is 1.50% per annum. Some local authorities might allow for a household growth rate of up to 2.50% per annum, to provide a 'margin' if their populations are relatively youthful; but in areas where on-site surveys indicate that there are fewer children in the Gypsy and Traveller population, lower estimates should be used.
20. The outcomes of this Technical Note can be used to provide an estimate of local new household formation rates by adjusting the upper national growth rate of 1.50% based on local demographic characteristics.
21. In addition, in certain circumstances where the numbers of households and children are higher or lower than national data has identified, or the population age structure is skewed by certain age groups, it may not be appropriate to apply a percentage rate for new household formation. In these cases, a judgement should be made on likely new household formation based on the age and gender of the children identified in local household interviews. This should be based on the assumption that 50% of households likely to form will stay in any given area and that 50% will pair up and move to another area, while still considering the impact of dissolution. This is based on evidence from over 140 GTAAs that ORS have completed across England and Wales involving over 4,300 household interviews.

Temporary Negotiated Stopping Agreement

Site Name

This Agreement is for days, commencing from/..../.... and terminating on/..../.... This Agreement is between (please provide the name and signature of a member of the group over the age of 18 that will be on site for the whole duration of the stay):

- 1 North East Lincolnshire Borough Council ("the Council")
- 2 .

This Agreement is to set out the terms of the temporary occupation at the above site for the specified period of time.

This agreement will be reviewed weekly and can be terminated by the Council immediately at any time, in writing, if it is believed that the agreement is in breach.

The Council recognises its legal obligations to carry out welfare assessments prior to commencing legal action to recover possession of the land.

The Council will assist you with any medical, school, or housing needs during your stay.

The Council reserves the right to seek possession through the courts if necessary.

This agreement relates to the temporary stopping on part of the land owned by the Council at The area owned by the Council is shown edged red on the attached plan.

The Council is currently willing to negotiate the temporary encampment on the site for..... period of time and will be reviewed on a weekly basis.

- This agreement is only valid for the time that the persons entering into this agreement resides at the site or until termination
- The persons entering into this agreement have permission to park only:
Number of caravans -
Number of vehicles -
- You must give 24 hours' notice of your intention to move all caravans/vehicles from the site otherwise this Agreement will be terminated by the Council immediately in writing. The notice of absence must be agreed with a member of

the Home Improvement Team by telephoning 01472 326296 and selecting Option 3 between 9am and 5pm Monday to Friday. Outside of these hours you will need to telephone 01472 313131 and report the matter to Security. Information regarding your absence will not be accepted via a third party.

- If, having given notice you leave unoccupied caravans and/or vehicles on the site this is done so at your own risk
- If you choose to cease to stay on the site this agreement will be terminated with immediate effect. You will be notified of this in writing to any forwarding address OR we will make contact via the telephone contact details which need to be provided at the point of sign up.
- It should be understood by the group that once you have stayed on the site, the site will then not be able to be reused for at least 12 months as per the Council's approach to managing temporary visitors. Therefore, you should not return to the site within 12 months of this agreement terminating.
- If any caravans/vehicles/items are left on the site after this agreement is terminated the Council will serve an appropriate notice and any caravans/vehicles/items will be disposed of after the expiry of the notice
- You are encouraged to co-operate with the Council to make the agreement work by discussing any incidents, concerns or suggestions that may affect the agreement with local authority officers during their visits to the site. You can also telephone the Council on 01472 326296 and select Option 3 between 9am and 5pm Monday to Friday.

This agreement applies to you and the following members of your family:

Name DOB Relationship

Name DOB..... Relationship

Contact details:

ALL persons entering into this agreement agree to adhere to the following terms:

1. All persons entering into this agreement must stay within the boundaries of the area edged in red on the attached plan
2. You are responsible for keeping the area around your caravan clean and tidy. You have been asked to bag all rubbish and place in the bins provided. The area must be kept in a good condition.
3. Dogs must be kept on a lead at all times, and kept under control by the owner, meaning they should not freely roam the site or foul the area
4. No livestock or horses are permitted without prior consent of the Council. If there is any encroachment this agreement will be terminated immediately by the Council in writing.
5. No fires are to be lit on the site. No burning of commercial or domestic waste is allowed on the site.
6. Portable toilets will be provided by our contractor for use by the agreed family/group only and will be cleaned twice weekly. You must utilise the facilities provided to you under all circumstances. You must maintain the condition of the portable toilets and ensure these are kept clean and tidy between the professional cleans.
7. You must not make any changes to the landscape of the site or its surrounding areas; amongst other things, chopping down trees, cutting down hedgerows or the removal of fencing
8. At the end of your stay, you must take all belongings with you and the site must be left in the condition at which you found it, meaning the site has been kept to a reasonable state, kept clean and tidy, and with no alterations made to the land
9. You must not cause any grievances or nuisances to other people within the local vicinity in terms of noise nuisance and the parking of vehicles. You must switch off generators and not play music at anti-social hours (after 10pm); use of quadbikes and motorbikes on the site is not permitted; and you must not park vehicles where this will cause hinderance to entrances/exits of other properties/sites.
10. You must not engage in any anti-social behaviour, disorder or fly tipping on or near to the site, and you must not interfere with local gas, water, or electricity supplies
11. You must drive and park all vehicles safely
12. Environmental officers may monitor the site and take action against any activity likely to cause environmental harm, inconvenience, or distress to surrounding occupants such as, amongst other things, fly-tipping, excessive noise or use of quad bikes

If you do not understand any of the contents of this document you should take your own independent legal advice.

I understand the above points which have been explained to me, and I agree to the terms.

Signed.....

On behalf of North East Lincolnshire Council.

Dated

Signed.....

Dated

Signed.....

WHY NEGOTIATED STOPPING?

In order to meet the identified Gypsy and Traveller need within North East Lincolnshire, as set out within the Gypsy and Traveller Accommodation Assessment (2021) (GTAA 2021), negotiated stopping was seen as a positive and acceptable method of meeting that need. North East Lincolnshire Council has identified the need for no permanent pitches for Gypsy and Travellers (G&T). The GTAA (2021) recommended that the Council implement management-based approaches such as Negotiated Stopping Agreements to manage the needs of the G&T communities.

HOW IT WORKS?

Negotiated Stopping describes an agreement between the local authority and G&T who wish to temporarily visit North East Lincolnshire. The agreement may apply to a location that G&T have chosen themselves to pull onto, that is deemed suitable by the local authority for an agreed period of time, or it may be applied to another area of land that the Council suggests as an alternative, again for an agreed period of time. The proposal is to deliberately not identify designated stopping sites as they are less likely to lead to peaceful and settled co-existence because of the transitory nature of the occupants. The G&T families also agree to acceptable behaviour as part of the Negotiated Stopping Agreement approach.

The Council identifies a pool of 'Tier 2' sites (see Appendix 1 for examples of what these sites may look like) that can be made available at short notice, and are subject to change by the Council, as long as the site complies with a set list of criteria (not designated for other use, cannot be used for more than one visit of 14 days per year, vacant, safe for occupants etc.). Once a site has been agreed with the G&T household, then an agreement is reached with them and any temporary facilities can be supplied such as skips and toilets. The agreement will be implemented for a specified period of time that will be negotiated with the G&T household, and impacted by the nature of the site and the circumstances of the household. The agreement will also include a list of expectations from the family in terms of accepted behaviours, and termination of agreement.

SUCCESSFUL OUTCOMES

The results of Negotiated Stopping include reduced costs for the Council and increased happiness and wellbeing for the G&T communities and households who use the approach. It is anticipated that the Council will experience saved costs through policing, litigation and not having to take up enforcement action, whilst negotiations as part of the process help reduce anti-social behaviour through an improved relationship between the Council and the families.

It is also important to stress that the specified approach has been developed in response to evidence-based research in the production of the GTAA (2021) and by engaging with other local authorities using a similar approach.

Appendix 1 – Tier 1 and Tier 2 Site Definitions (as taken from the Humberside Joint Protocol for dealing with Travellers)

Tier 1 Land

- Recreation ground, school playing fields, and public playing fields
- A village green or other open area within a residential area
- Cemeteries
- Grounds of Places of worship
- Hospital Grounds
- Doctor's surgery car parks

The categories of land selected for Tier 1 are based upon the likely impact that trespass on this type of land will have upon wider communities in terms of quality of life and ASB albeit this list isn't exhaustive and each individual case needs to be treated and assessed on its own merits.

Tier 2 Land

Where the land use falls outside the categories above, an assessment will need to be made, to determine whether or not there are any other aggravating factors, where legislative powers should be used to effect prompt removal from the land. Factors to take into consideration when making this decision should include:

- Is immediate removal a proportionate response?
- If immediately removed from the land in question, is it likely that the occupants will then take up residence on more sensitive land?
- Has there been unacceptable behaviour by occupants at the encampment, including individual criminal activity, which cannot be controlled by means other than eviction?
- Has significant disruption occurred to the life of the surrounding community?
- Have there been serious breaches of the peace or disorder, or are any likely to be caused by the encampment?
- Are there any traffic hazards? · Is public health at risk?
- Is serious environmental damage likely – eg: pollution of water sources
- Genuine nuisance to neighbours
- Proximity to other sensitive land (E.g. Hospitals, Nursing Homes, Hospice, Places of Worship)
- Significant adverse impact upon commercial activities Where the use of legislative powers by the police are not deemed appropriate to effect immediate removal from the land, other powers and procedures should be implemented expeditiously in order to gain re-possession of the land.