

Gypsies and Travellers and Travelling Showpeople Background Paper

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GOSPORT
Borough Council

Gypsies and Travellers and Travelling Showpeople

Contents

1.0	Introduction	3
2.0	Policy Context	3
	• National Policy	3
	• Local Policy	5
3.0	Evidence	5
4.0	Consultation	9
5.0	Key issues addressed by the draft Local Plan	10
	List of Evidence Studies and other references	11

1.0 INTRODUCTION

- 1.1 This document is a background paper to the Gosport Borough Local Plan 2038 and relates to the accommodation needs of the local Gypsy and Travellers and of Travelling Showpeople communities. The Background Paper sets out the relevant national and local planning policy context and includes a summary of the latest evidence, together with a consideration of the key issues. This document will be updated through each stage of the Local Plan and consequently later versions will include details regarding the relevant consultations.
- 1.2 Providing a wide choice of housing to meet the needs of all members of the local community and creating sustainable, inclusive and mixed communities are key Government objectives and are established in national planning policy and other relevant guidance and legislation.

2.0 POLICY CONTEXT

National Policy

- 2.1 The Government Planning Policy for Traveller Sites August 2015 (PPTS) sets out the national planning policy framework for Local Authorities to address how the accommodation needs of members of the gypsy, traveller and travelling showpeople communities are met within local plans and the matters to be considered in making decisions on planning application or traveller sites. The PPTS is read in conjunction with the National Planning Policy Framework (2021) (NPPF)
- 2.2 The overarching aim of the PPTS is to ensure the fair and equal treatment for members of the travelling community in a way that assists with the continuation of a traditional way of life for travellers whilst respecting the interests of the settled community.
- 2.3 In August 2015, national policy changed the planning definition of gypsies and travellers and travelling showpeople. The new definition (for planning purposes only) is set out in Annex 1 of the PPTS and is reproduced below to set the policy context for this Background Paper.

*‘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 dependents’ 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.’
(Annex 1 Planning policy for traveller sites (August 2015))¹*

For the purposes of applying planning policies, ‘Travelling Showpeople’ means:

1

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf

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 dependents' 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.'

(Annex 1 Planning policy for traveller sites (August 2015))²

- 2.4 The key change that was made to both of these definitions was the removal of the term 'persons ...who have ceased to travel **permanently**'. This means that for those people who are **permanently** no longer travelling, they will no longer be defined, for planning purposes, as a 'traveller' and therefore the accommodation needs of those travellers who no longer travel would be assessed through local Councils' Strategic Housing Market Assessments rather than through the Gypsy, Traveller and Travelling Showpeople Accommodation Assessment process in accordance with the NPPF.
- 2.5 In terms of preparing local plans with regard to accommodation provision for traveller communities establishing the aims in the national policy for planning for traveller sites are set out as follows:
- that 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;
 - 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;

2

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf

- 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

(Planning policy for traveller sites, August 2015)

- 2.6 Local Plans should plan positively for meeting the accommodation needs of travellers where this has been identified through local evidence studies. In cases where local studies have not identified an accommodation need, Local Plans should nevertheless develop appropriate criteria based policies in order to provide a basis for decisions to be made on planning applications should these come forward during the plan period.
- 2.7 The NPPF expects local authorities to work collaboratively under a Duty to Co-operate on strategic matters that cross administrative boundaries. The Hampshire local authorities have worked in partnership over a number of years on joint GTAA studies to review the accommodation needs of Gypsies and Travellers and Travelling Showpeople in Hampshire. The GTAAs have formed part of the evidence base for local plans across the County. The findings of the latest study published in May 2017 are set out in Section 3: Evidence.

Local Policy

- 2.8 Policy LP26 of the Gosport Borough Local Plan 2011-2029 allocates land at Fareham Road to provide for 1 permanent site accommodating up to 3 caravans to meet local need identified through the GTAA process. In addition to this allocation the Council considered it appropriate to also include in the policy a criteria based approach in order to assess any new proposals which may come forward during the plan period.

3.0 EVIDENCE

Hampshire Consortium: Gypsy, Traveller and Travelling Showpeople Accommodation Assessment May 2017³

Background

- 3.1 There are two reasons for commissioning the study: first to re-assess the accommodation needs of the Gypsy and Traveller and Travelling Showpeople communities in light of the Government's changes to the planning definition of Gypsies, Travellers and Travelling Showpeople as explained in Section 2 of this background paper; and second to update the evidence base supporting the preparation of new planning policy in the Gosport Borough Local Plan 2036.
- 3.2 The latest GTAA was commissioned by a consortium of Hampshire Authorities made up of: Fareham Borough Council (FBC), Gosport Borough Council (GBC), Havant Borough Council (HBC), New Forest District Council (NFDC), New Forest National Park Authority (NFNPA), Test Valley Borough Council (TVBC) and Winchester City Council (WCC). The consultants undertaking the study

³ The Report is available on the Council's website on the Gosport Borough Local Plan Review 2038 – evidence studies page available at: <https://www.gosport.gov.uk/gblp2038>

are Opinion Research Services (ORS) who have substantial experience in the preparation of GTAAs across the country.

- 3.3 Separate GTAA studies were commissioned from ORS using the same methodology by: Basingstoke and Deane Borough Council (BDBC), Eastleigh Borough Council (EBC), East Hampshire District Council (EHDC) and Hart District Council (HDC) who were at different stages in the plan making process to the main commissioning consortium. The findings of these GTAAs were incorporated into a Hampshire GTAA Summary Report 2016-2036 (October 2017) in order to provide a more comprehensive picture of GTAA issues across the County.

The Approach

- 3.4 The fieldwork for the study was completed between June and October 2016 and most of the fieldwork was undertaken during the non-travelling season and avoided key dates of known local or national events. To reflect the guidance in the PPTS in (2015) questions were included in the household interviews to determine whether households were still travelling or who intended to travel were included.
- 3.5 The consultants identified all authorised and unauthorised sites and yards in the study area and attempted interviews for all occupied pitches and plots in order to obtain a fuller picture of the level of accommodation need in the study area rather than adopt a sample based approach. ORS also contacted households living in bricks and mortar accommodation through a range of sources including interviews with residents in existing sites and yards, where residents were known to local authorities and housing providers and adverts on social media including Friends, Families and Travellers Facebook Group.
- 3.6 In addition to household interviews with pitch and plot residents, and bricks and mortar households, ORS undertook stakeholder engagement with a number of key stakeholders including representatives from the Travelling Communities, the Showmen's Guild and registered housing providers, Hampshire County Council's Gypsy and Traveller Liaison Officer and a wide range of local authority departments. The consultants also interviewed the study area's neighbouring planning authorities both within and outside of Hampshire.
- 3.7 The plan period of the study for the provision of additional pitch/plot needs is from 2016-2036. Additional needs are set out for those households that meet the planning definition of a Gypsy or Traveller, for those unknown households where an interview was not able to be completed (either due to households refusing to be interviewed, or not being present despite 3 visits to each site) who may meet the planning definition, and for those households that do not meet the planning definition (even though this is no longer a requirement for a GTAA).
- 3.8 Only the accommodation need from those households who meet the planning definition and from those of the 'unknown households' who subsequently demonstrate that they meet it should be considered as accommodation needs arising from the GTAA.
- 3.9 The methodology and approach to carrying out GTAAs by the consultants was considered by the Planning Inspector at the Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council's Joint Core Strategy. The Inspector's Report into the Joint Core Strategy dated October

2017 considered the approach used by ORS in that GTAA was appropriate: *'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsies and Traveller households and consideration of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'* (Paragraph 148, Gloucester Cheltenham and Tewkesbury Joint Core Strategy, Inspector's Report October 2017).

Gosport findings

- 3.10 This Background Paper sets out the headline findings of the study. Further details about the study can be found on www.gosport.gov.uk/GBLP2038

Gypsies and Travellers – permanent site provision

- 3.11 There were no Gypsy or Traveller households identified in Gosport Borough that meet the current planning definition of a Gypsy and Traveller. However the survey found there was 1 'unknown household'. It was not possible despite repeated attempts (4 visits in total) by the fieldwork team to interview the site's residents.
- 3.12 It is believed that the residents at this site are ethnic Gypsies and Travellers and therefore *may* meet the new planning definition. The potential future housing needs of the residents living on the site are unknown and it is unclear what the residents' demographic profile is or whether any or all of the households have ceased to travel permanently. It is possible that the overall level of need could rise to form one additional new household during the plan period if for example there are older teenage children or any concealed adult households living on the site.
- 3.13 However this need could be off-set by other members living on the site who have ceased to travel permanently due to age or health related issues. As those individuals would no longer be defined as a Gypsy or Traveller for planning purposes their accommodation needs would be addressed through the SHMA rather than the GTAA process where only the accommodation needs from those households who meet the planning definition and from those of the unknown households who subsequently demonstrate that they may meet it should be considered as accommodation need arising from the GTAA.
- 3.14 There is currently no guidance as to how the needs of those households whose accommodation needs are classed as 'unknown' should be addressed. The new study has taken the approach of estimating the *potential* need that could arise from such households. The estimate seeks to identify potential current and future need from many pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50% has been used as the demographics of residents are unknown. This approach has been supported by a number of decisions by Planning Inspectors at appeal.⁴
- 3.15 In view of this approach, the GTAA identified there could be a 'potential need' of up to 1 additional permanent pitch for the 'unknown' household in Gosport Borough and this figure is made up of possible new household formation of up to 1 from a maximum of 3 households (on site). ORS have found that nationally, data which has been collected from 1,800 traveller household interviews that

⁴ See Chapter 7 (pages 58-60) Hampshire Consortium: Gypsy, Traveller and Travelling Showpeople Accommodation Assessment March 2017.

have been completed by ORS since the changes to the PPTS were implemented in 2015 suggests that approximately 10% of the households interviewed meet the planning definition. This suggests that it is likely that only a small proportion of the potential need identified from 'unknown' households will require Gypsy and Traveller pitches allocated through the GTAA process and that the housing needs of the majority of 'unknown' households will instead be addressed through the SHMA or HEDNA process. Therefore in Gosport's case, the study concludes there is no need to make provision in the next 5 years and any provision that may be required would be phased later in the plan period from 2026-31. This information is set out tables 1, 2 and 3 below. (The table headings are taken from the study.)

Table 1: Additional need for Gypsy and Traveller households in Gosport Borough 2016-2036

Status	Total
Meets Planning Definition	0
Unknown	0-1 (10% = 0)
Does not meet Planning Definition	0

Table 2: Additional potential need for unknown households in Gosport Borough - 2016-2036

Gypsies and Travellers - Unknown	Pitches
Supply of Pitches	0
Available vacant public and private pitches	0
Unimplemented pitches on new sites	0
Vacated by households moving to bricks and mortar	0
Out-migration	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	
Currently on sites with temporary planning permission	0
5 year need from older teenage children	0
In-migration	0
Net new household formation (Household base 3 and formation rate 1.50%)	1
Total Future Need	1
Net Pitch Need = (Current and Future Need – Total Supply)	1

Table 3: Additional potential need for unknown households in Gosport Borough by 5 year periods

Years	0-5	6-10	11-15	16-20	
	2016-21	2021-26	2026-31	2031-36	Total
	0	0	1	0	1

Travelling Showpeople provision

- 3.16 There are no Travelling Showpeople households identified in Gosport that meet the planning definition in the PPTS and no ‘unknown households’ that could meet the definition. Therefore there is no identified need to allocate land to provide for new additional plots during the new plan period for Travelling Showpeople.

Transit provision

- 3.17 The GTAA does not recommend any increase in new additional transit site provision at this time. This is because further monitoring on unauthorised encampments post PPTS is needed in order to determine the any possible effects of the policy changes in the PPTS might have on the level of site provision and unauthorised encampments to determine what level of transit site provision across Hampshire may be required.
- 3.18 The GTAA concluded that evidence from Caravan Counts show relatively low numbers of unauthorised caravans on public land in recent years and interviews with stakeholders concluded that the majority of these were short-term, transient or from a small number of groups moving around the county.
- 3.19 The GTAA recommends that Local Authorities continue to use short-term stopping places and consider a review of the evidence base relating to unauthorised encampments in the future to establish whether there is a need for investment in any additional transit sites or emergency stopping places.

4.0 CONSULTATION

- 4.1 Details of consultation undertaken and issues raised will be included in subsequent versions of the Background Paper to support later versions of the GBLP2038. To date the consultation undertaken so far relates to that described in Section 3 carried out by the consultants producing the Gypsy, Traveller and Travelling Showpeople Accommodation Assessment May 2017.
- 4.2 In addition to the interviews with members of the Gypsy and Traveller and Travelling Showpeople communities, Stakeholder engagement was undertaken with Local Authority officers in the study area from a wide range of Departments including, Housing, Planning, Environmental Health, Enforcement, Health and Safety, Legal and Gypsy Liaison. Engagement with other key stakeholders included the Hampshire County Council Gypsy and Traveller Liaison Officer, representatives from the Travelling Communities and the Showmen’s Guild and registered housing providers.
- 4.3 The study also conducted interviews with officers in neighbouring planning authorities to the study area to provide a more complete background picture to the study. These interviews were with the following Local Authorities:

- Basingstoke and Deane Borough Council;
- Dorset Council;
- Eastleigh Borough Council;
- East Hampshire District Council;
- Hart District Council;
- Portsmouth City Council;
- South Downs National Park Authority (SDNPA);
- Southampton City Council; and
- Wiltshire Council.

5.0 KEY ISSUES ADDRESSED BY THE DRAFT LOCAL PLAN

Gypsy and Traveller provision

- 5.1 Policy LP26: Gypsies, Travellers and Travelling Showpeople in the Gosport Borough Local Plan 2011-2029 allocates land at Fareham Road to provide for 1 permanent site gypsy and traveller site accommodating up to 3 caravans to meet identified local need. The GTAA identifies a possible future need but one that may only likely to arise in the latter part of the review plan period. However, crucially the study recognises there are a number of unknowns in terms of identifying and quantifying any potential need. It remains unclear as to how many of the existing site's residents would meet the new definition of Gypsies and Travellers under the PPTS planning definition and therefore whether firstly there is a need or any future accommodation needs should be addressed through a GTAA or a SHMA.
- 5.2 Therefore taking into account the findings of this latest evidence study, and the changes in the planning definition as set out in the PPTS, the Council proposes to maintain the current allocation as set out in draft policy H5: Gypsies, Travellers and Travelling Showpeople however it does not propose at this stage to allocate additional sites further new land for Gypsy and Traveller and Travelling Showpeople.
- 5.3 It is considered appropriate to maintain the criteria based policy in order to provide a sound planning framework to assess any new proposals that may come forward during the new plan period.

Travelling Showpeople provision

- 5.4 The study did not identify any Travelling Showpersons' yard in Gosport. The study concluded there is therefore no current or future accommodation need to be met during the plan period.

List of Evidence Studies and other references

National Policy and Guidance

National Planning Policy Framework (MHCLG) (2021)

www.gov.uk/government/publications/national-planning-policy-framework--2

Planning Policy for Traveller Sites August 2015

www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf

Local Planning Documents

Gosport Borough Local Plan 2011-2029 (adopted October 2015), Gosport Borough Council

www.gosport.gov.uk/localplan2029

Hampshire Consortium Gypsy, Traveller and Travelling Showpeople Accommodation Assessment Final Report May 2017, ORS

www.gosport.gov.uk/gblp2038

Hampshire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment Summary 2016-2036, (Revised) December 2018, ORS

www.gosport.gov.uk/gblp2038