



# **NORTH HERTFORDSHIRE DISTRICT COUNCIL GYPSY, TRAVELLER AND SHOWPERSON ACCOMMODATION ASSESSMENT UPDATE**



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# Contents

<b>1. Introduction .....</b>	<b>5</b>
The Survey .....	5
Definitions .....	5
Legislation and Guidance for Gypsies and Travellers.....	6
Planning Policy for Traveller Sites .....	7
Tackling Inequalities for Gypsy and Traveller Communities .....	9
Funding for New Sites.....	9
Research Methodology.....	10
<b>2. Gypsy and Traveller Sites and Population .....</b>	<b>13</b>
Background.....	13
Sites in North Hertfordshire .....	14
<b>3. Future Site Provision.....</b>	<b>15</b>
Pitch Provision .....	15
Supply of pitches .....	15
Current Need .....	15
Future Need.....	15
Current Gypsy and Traveller Site Provision .....	16
Additional Site Provision: Current Need.....	16
Current Unauthorised Developments .....	17
Concealed Households .....	17
Bricks and Mortar .....	17
Additional Site Provision: Future Need .....	17
Temporary Planning Permissions .....	18
New Household Formation.....	18
In-migration from Other Sources .....	19
Overall Needs for North Hertfordshire.....	20
Requirement by Time Periods .....	21
Transit/Emergency Stopping Site Provision .....	21
Travelling Showpersons.....	22
<b>4. Conclusions .....</b>	<b>23</b>
Introduction.....	23

Gypsy and Traveller Future Pitch Provision..... 23

Travelling Showperson Requirements..... 23

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# 1. Introduction

## The Survey

- 1.1 Opinion Research Services (ORS) were commissioned by North Hertfordshire District Council to undertake a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment.
- 1.2 The study seeks to provide an evidence base to enable the authority to comply with their requirements towards Gypsies and Travellers and Travelling Showpeople under the Housing Act 2004, the National Planning Policy Framework 2012 and Planning Policy for Traveller Sites 2012. The main objective of this study is to provide the Council with robust, defensible and up-to-date evidence about the accommodation needs of Gypsies and Travellers and Travelling Showpeople in North Hertfordshire in the 19 years period until 2031 in sections covering 2013-2017, 2018-2022 and 2023-2027 and 2028-2031.
- 1.3 We would note at the outset that the study covers the needs of Gypsies, Irish Travellers, New 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.

## Definitions

- 1.4 For the purposes of the planning system, 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 or permanently, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such.”* (Planning Policy for Traveller Sites, CLG, March 2012)
- 1.5 Within the main definition of Gypsies and Travellers, there are a number of main cultural groups which include:
  - » Romany Gypsies;
  - » Irish Travellers; and
  - » New Travellers.
- 1.6 Romany Gypsies and Irish Travellers are recognised in law as distinct ethnic groups and are legally protected from discrimination under the Equalities Act 2010.
- 1.7 Alongside Gypsies and Travellers, a further group to be considered are Travelling Showpeople. They are defined as:

*“Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their family’s or dependent’s more localized pattern of trading, educational or health needs or old age have ceased to travel temporarily*

*or permanently, but excludes Gypsies and Travellers as defined above.” (Planning Policy for Traveller Sites, CLG, March 2012).*

## Legislation and Guidance for Gypsies and Travellers

- 1.8 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 pieces of legislation and guidance are relevant when constructing policies relating to Gypsies and Travellers and Travelling Showpeople:
- » Planning Policy for Traveller Sites 2012;
  - » National Planning Policy Framework 2012;
  - » Gypsy and Traveller Accommodation Needs Assessments Guidance October 2007
  - » Environmental Protection Act 1990 for statutory nuisance provisions;
  - » The Human Rights Act 1998, when making decisions and welfare assessments;
  - » The Town and Country Planning Act 1990 (as subsequently amended);
  - » Homelessness Legislation and Allocation Policies;
  - » Criminal Justice and Public Order Act 1994 (sections 61, 62);
  - » Anti-social behaviour Act 2003 (both as victims and perpetrators of anti-social behaviour);
  - » Planning and Compulsory Purchase Act 2004;
  - » Housing Act 2004 which requires local housing authorities to assess the accommodation needs of Gypsies & Travellers and Showpeople as part of their housing needs assessments. This study complies with the this element of government guidance ;
  - » Housing Act 1996 in respect of homelessness.
- 1.9 To focus on Gypsies and Travellers, the Criminal Justice and Public Order Act 1994 (Sections 77, 78) is particularly important with regard to the issue of planning for Gypsy and Traveller site provision. This repealed the duty of local authorities to provide appropriate accommodation for Gypsies and Travellers. However, Circular 1/94 did support maintaining existing sites and stated that appropriate future site provision should be considered.
- 1.10 For site provision, the previous Labour Government guidance focused on increasing site provision for Gypsies and Travellers and Travelling Showpeople and encouraging local authorities to have a more inclusive approach to Gypsies and Travellers and Travelling Showpeople within their Housing Needs Assessment. The Housing Act 2004 required local authorities to identify the need for Gypsy and Traveller sites, alongside the need for other types of housing, when conducting Housing Needs Surveys. Therefore, all local authorities were required to undertake accommodation assessments for Gypsies and Travellers and Travelling Showpeople either as a separate study such as this one, or as part of their main Housing Needs Assessment.
- 1.11 Local authorities were encouraged rather than compelled to provide new Gypsy and Traveller sites by central government. Circular 1/06 ‘Planning for Gypsy and Traveller Caravan Sites’, released by the CLG in

January 2006, replaced Circular 1/94 and suggested that the provision of authorised sites should be encouraged so that the number of unauthorised sites would be reduced.

- 1.12 The Coalition Government announced that the previous government's thinking contained in Planning for Gypsy and Traveller Caravan Sites (Circular 01/06) was to be repealed, along with the Regional Spatial Strategies which were used to allocate pitch provision to local authorities. The CLG published 'Planning Policy for Traveller Sites' in March 2012 which set out the Government's planning policy for traveller sites. It should be read in conjunction with the National Planning Policy Framework.

## Planning Policy for Traveller Sites

- 1.13 The document 'Planning Policy for Traveller Sites' which came into force in March 2012 sets out the direction of government policy. Planning Policy for Traveller Sites is closely linked to the National Planning Policy Framework, but is to be viewed as a separate document. ORS have sought clarification of this relationship from CLG and have been told that Planning Policy for Traveller Sites should be viewed as effectively a separate document with little overlap. In particular, ORS queried paragraphs 47 and 159 of the National Planning Policy Framework.

- 1.14 Paragraph 47 states that local authorities should:

*Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.*

- 1.15 While paragraph 159 states local authorities should:

*Prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries.*

- 1.16 We were informed by CLG that there was no requirement to implement these paragraphs in Gypsy and Traveller Accommodation Assessments because they are not in Planning Policy for Traveller Sites. Similarly a Planning Inspector at a hearing in Wokingham has stated that the requirement to have a buffer for land supply contained in paragraph 47 of the National Planning Policy Framework does not apply to Gypsy and Traveller sites because it is not in Planning Policy for Traveller Sites. (Appeal Reference APP/X0360/A/13/2201525). Therefore, it is clear that Planning Policy for Traveller Sites is best considered largely in isolation from the wider requirements set out in the National Planning Policy Framework.

- 1.17 Among other objectives, the aims of the policy in respect of Traveller sites are (Planning Policy for Traveller Sites Pages 1-2):

- » 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.

- » 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.

<sup>1.18</sup> In practice, the document states that (Planning Policy for Traveller Sites Page 3):

*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.*

<sup>1.19</sup> 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.

<sup>1.20</sup> A key element to the new policies is a continuation of previous Government policies. Local Authorities now have a duty to ensure a 5 year land supply to meet the identified needs for Traveller sites. However, 'Planning Policy for Traveller Sites' also notes on Pages 3-4 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.*

## Tackling Inequalities for Gypsy and Traveller Communities

- 1.21 In April 2012 the government issued a further document relating to Gypsies and Travellers in the form of 'Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers (CLG April 2012)'.
- 1.22 This report contains 28 commitments to help improve the circumstances and outcomes for Gypsies and Travellers across a range of areas including:
- » Identifying ways of raising educational aspirations and attainment of Gypsy, Roma and Traveller children;
  - » Identifying ways to improve health outcomes for Gypsies and Travellers within the proposed new structures of the NHS;
  - » Encouraging appropriate site provision; building on £60m Traveller Pitch Funding and New Homes Bonus incentives;
  - » Tackling hate crime against Gypsies and Travellers and improving their interaction with the criminal justice system;
  - » Improving knowledge of how Gypsies and Travellers engage with services that provide a gateway to work opportunities and working with the financial services industry to improve access to financial products and services;
  - » Sharing good practice in engagement between Gypsies and Travellers and public service providers.

## Funding for New Sites

- 1.23 The Coalition Government policies also involve financial incentives for new affordable pitch provision in the form of the New Homes Bonus. For all new annual supply of pitches on Local Authority or Registered Provider owned and managed sites, Local Authorities receive a New Homes Bonus equivalent to council tax (based on the national average for a Band A property), plus an additional £350 per annum for six years. This equates to around £8,000 pounds per pitch.
- 1.24 Direct grant funding is also available for Gypsy and Traveller sites. The Homes and Communities Agency (HCA) took over delivery of the Gypsy and Traveller Sites Grant programme from CLG in April 2009. Since then they have invested £16.3m in 26 schemes across the country to provide 88 new or additional pitches and 179 improved pitches. The HCA welcomes bids from Local Authorities, housing associations and traveller community groups working with Registered Providers.
- 1.25 The HCA has now confirmed allocations for all of its £60m of future funding which will support 96 projects around the country for the provision of new Gypsy and Traveller sites and new pitches on existing sites, as well as the improvement of existing pitches.

- 1.26 While all HCA funds for Gypsy and Traveller pitches have now been allocated, further funding may become available as a result of slippage over the course of the programme. Providers are advised to continue to work closely with HCA area teams to develop their proposals should any funding become available.

## Research Methodology

- 1.27 This section sets out the methodology we have followed to deliver the outputs for this study. Over the past 10 years ORS have developed a methodology which provides the required outputs from a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment and this has been updated in light of Planning Policy for Traveller Sites.
- 1.28 We would note that prior to the involvement of ORS in this process North Hertfordshire Council had undertaken a significant amount of work to consult on the issues affecting Gypsies and Travellers and Travelling Showpeople in preparation for their Local Plan.
- 1.29 The stages below provide a summary of the process undertaken by ORS, with more information on each stage provided in the appropriate section of the report.

### Stage 1: Background

- 1.30 At the outset of the project we sought to understand the background to Gypsy and Traveller and Travelling Showpeople population in North Hertfordshire. The study sought to identify the location of all known sites in the study area and the number of pitches or plots on each one.

### Stage 2: Household Survey

- 1.31 For most Gypsy and Traveller studies we seek to interview all known households in a study area using a detailed questionnaire. Given the very limited size of the population in North Hertfordshire, instead of conducting interviewer facilitated detailed personal interviews, the main site was visited by ORS researchers in May 2013. They conducted qualitative interviews with the households to determine if they have any current or likely future needs and how these may be addressed.
- 1.32 These interviews had a number of objectives. One objective was to analyse the provision of services on existing sites to assess if more, or improved, service provision was required within the existing sites. Another main objective was to view travelling patterns and likely future household formation to analyse the future need for extra site provision.

### Stage 3: Future Pitch and Plot Requirements

- 1.33 The methodology used by ORS to calculate future pitch and plot requirements has been developed over the past 10 years and has drawn on lessons from both traditional housing needs assessments and also best and worst practice for Gypsy and Traveller and Travelling Showpeople Accommodation Assessment conducted across the country.
- 1.34 The overall principles behind assessing future needs are relatively simple. The residential pitch requirements for Gypsies and Travellers are identified separately from those for Travelling Showpeople and for each group the requirements are identified in 5 year periods to 2031 in line with the requirements of Planning Policy for Traveller Sites.

**Stage 4: Conclusions**

<sup>1.35</sup> This stage draws together the evidence from Stages 1 and 2 to provide an overall summary of the requirements for Gypsies and Travellers and Travelling Showpeople in North Hertfordshire.



## 2. Gypsy and Traveller Sites and Population

### Background

- 2.1 A Strategic Housing Market Assessment focuses upon the number of dwellings required in an area, and how many of these should each be provided by the public and private sector. The central aim of this study was to follow a similar format for Gypsy and Traveller and Travelling Showpeople accommodation requirements.
- 2.2 One of the main considerations of this study is the provision of pitches and sites for Gypsies and Travellers. A pitch is an area which is large enough for one household to occupy and typically contains enough space for one or two caravans, but can vary in size. 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 or 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 North Hertfordshire.
- 2.3 The public and private provision of mainstream housing is also largely mirrored when considering Gypsy and Traveller accommodation. One common form of Gypsy and Traveller sites is the publicly-provided residential site, which is provided by the local authority, or by a registered provider (usually a housing association). Places on public sites can be obtained through a waiting list, and the costs of running the sites are met from the rent paid by the licensees (similar to social housing).
- 2.4 The alternative to public residential sites is private residential sites for Gypsies and 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.
- 2.5 The Gypsy and Traveller and Travelling Showpeople population also has other forms 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 period of residence which can vary from a few weeks to a period of months. An alternative 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. Both of these two types of site are designed to accommodate Gypsies and Travellers whilst they travel.
- 2.6 Further considerations in the Gypsy and Traveller population are unauthorised developments and encampments. Unauthorised developments occur on land which is owned by the Gypsies and Travellers, 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 in North Hertfordshire

- 2.7 The chart below document all sites and pitches known to exist in North Hertfordshire. At the time of writing, there are 12 pitches on a Gypsy and Traveller site with permanent permission, 6 pitches with temporary planning permission and none on unauthorised sites. There are no known travelling Showpeople sites in North Hertfordshire.

Figure 1  
Current Gypsy and Traveller Sites and Pitches in North Hertfordshire

Site	Number of Pitches
<b>Local Authority Sites</b>	
<b>TOTAL PITCHES ON LOCAL AUTHORITY SITES</b>	<b>0</b>
<b>Private Sites with Permanent Permission</b>	
Wexford Park/Pulmore Water	12
<b>TOTAL PITCHES ON PRIVATE SITES WITH PERMANENT PERMISSION</b>	<b>12</b>
<b>Private Sites with Temporary Permission</b>	
Wexford Park/Pulmore Water	6
<b>TOTAL PITCHES ON PRIVATE SITES WITH TEMPORARY PERMISSION</b>	<b>6</b>
<b>Tolerated Sites – Long-term without planning permission</b>	
<b>TOTAL PITCHES ON LONG-TERM TOLERATED PRIVATE SITES</b>	<b>0</b>
<b>Unauthorised Developments</b>	
<b>TOTAL PITCHES ON UNAUTHORISED DEVELOPMENTS</b>	<b>0</b>
<b>TOTAL PITCHES</b>	<b>18</b>

## 3. Future Site Provision

### Pitch Provision

- 3.1 This section focuses on the extra site provision which is required in North Hertfordshire currently and over the next 19 years by 5 year segments.
- 3.2 The March 2012, the CLG document 'Planning Policy for Traveller Sites', requires an assessment for future pitch requirements, but does not provide a suggested methodology for undertaking this calculation. 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 for residential pitches is to compare the supply of pitches available for occupation with the current and future needs of the households. The key factors in each of these elements are set out below:

### Supply of pitches

- 3.3 Pitches which are available for use can come from a variety of sources. These include
- » Currently vacant pitches;
  - » Any pitches currently programmed to be developed within the study period;
  - » Pitches vacated by people moving to housing;
  - » Pitches vacated by people moving out of the study area
  - » Pitches vacated due to the dissolution of households (normally through the death of a single person household).

### Current Need

- 3.4 There are three key components of current need. Total current need (which is not necessarily need for additional pitches) is simply:
- » Households on unauthorised developments for which planning permission is not expected;
  - » Concealed households; and
  - » Households in brick and mortar wishing to move to sites;

### Future Need

- 3.5 There are three key components of future need. Total future need is simply the sum of the following:
- » Households living on sites with temporary planning permissions;
  - » New household formation expected during the study period; and
  - » Migration to sites from outside the study area.

- 3.6 We will firstly provide the model as set out above for Gypsies and Travellers before repeating the calculation for Travelling Showpeople.

## Current Gypsy and Traveller Site Provision

- 3.7 There are currently 18 pitches on private sites in North Hertfordshire, including those with temporary permission.
- 3.8 The next stage of the process is to assess how much space is, or will become available on existing sites. The main ways of finding this is through:
- » Current empty pitches;
  - » New sites or site extensions which are likely to gain planning permission;
  - » Migration away from the area;
  - » Movement to bricks and mortar;
  - » Dissolution of households.
- 3.9 ORS researchers identified a complex position on the Wexford Park/Pulmore Water sites with a number of non Gypsy and Traveller households being present. . The site visit indicated around 10 Gypsy and Traveller households present, but this number was thought to rise in the winter as some household travel in the summer and use the site as a winter base. Therefore, we have allowed for 12 pitches being occupied by Gypsies and Travellers, and therefore there is potentially space on the site at the moment. However, this is dependent upon existing sites which are occupied by non-Travellers being vacated in the future and we have modelled our results upon this happening, so we allowed for 6 empty pitches in future supply. If enforcement action is not taken, or not successful, against the non-Traveller households then 6 additional pitches will be required.
- 3.10 For out-migration to other areas or movements to bricks and mortar household will also wish to move in the opposite direction. Therefore, we have treated these as being part of the current and future need sections of the calculation.
- 3.11 The dissolution of a household occurs when all the members leave the household. Common ways for a household to dissolve are for a person living on their own to die, or to move to an existing household. Given that households will also form in the future we have treated the net growth in household numbers as being part of the future need.

## Additional Site Provision: Current Need

- 3.12 The next stage of the process is to assess how many households are currently seeking pitches in the area. Groups of people who are likely to be seeking pitches will include those:
- » Households on unauthorised developments for which planning permission is not expected;
  - » Concealed households; and
  - » Households in brick and mortar wishing to move to sites;



## Current Unauthorised Developments

- 3.13 There are currently no households on unauthorised developments in North Hertfordshire so we have not allowed for any provision for this group. North Hertfordshire has historically seen very few unauthorised developments.

## Concealed Households

- 3.14 The site visits from ORS interviewers identified no evidence on any concealed households and therefore no need has been included from this source.

## Bricks and Mortar

- 3.15 Identify households in bricks and mortar has been frequently highlighted as an issue with Gypsy and Traveller Accommodation Assessments. The 2011 UK Census of Population identified a population of 33 Gypsy and Traveller persons in North Hertfordshire. The figure of 33 persons is likely to be an underestimate of the total population due to some Gypsies and Travellers not declaring their ethnic status or completing the Census at all, but it does still indicate a relatively low population in bricks and mortar.
- 3.16 ORS worked with the local authority on-site interviewees and also through advertising on the Friends, Family and Travellers Facebook page to identify households in bricks and mortar. This process yielded no interviews.
- 3.17 North Hertfordshire District Council also received confirmation from Hertfordshire County Council that there are no North Hertfordshire bricks and mortar residents on their Gypsy and Traveller site waiting list.
- 3.18 We would also note that it would be possible for the Council to undertake an extremely expensive process to try and identify all households in bricks and mortar. However, the National Planning Policy Framework requires councils to use a proportionate evidence base and the new National Planning Policy Guidance, Section 3, para 1 recommends:

*'Plan makers should avoid expending significant resources on primary research (information that is collected through surveys, focus groups or interviews etc. and analysed to produce a new set of findings) as this will in many cases be a disproportionate way of establishing an evidence base.'*

- 3.19 Therefore, Gypsies and Travellers are the only group in the community who are currently being surveyed on a regular basis with all other housing needs being assessed from secondary data. We would consider it contrary to this policy for a large scale expensive survey to be undertaken to assess the needs of Gypsies and Travellers in bricks and mortar.
- 3.20 It is also the case that within most face to face surveys undertaken on-site by ORS, a small number of households are seeking to move to bricks and mortar. Therefore, it should be remembered that movement between housing and sites runs in both directions. However, the on-site survey contained no interviews with households wanting to move from sites to bricks and mortar.

## Additional Site Provision: Future Need

- 3.21 The next stage of the process is to assess how many households are likely to be seeking pitches in the area in the future. Groups of people who are likely to be seeking pitches will include those:

- » Households living on sites with temporary planning permissions;
- » New household formation expected during the study period; and
- » Migration to sites from outside the study area.

## Temporary Planning Permissions

- 3.22 North Hertfordshire currently has one site with temporary planning permissions with a total of 6 pitches. In this case the permissions will expire within the next 5 years, they have therefore been counted as need within this assessment, but not as supply of pitches. If the site is granted as a permanent permission this will count towards the total identified need.

## New Household Formation

- 3.23 Traditionally many studies of Gypsy and Traveller populations have assumed a net growth in the population of 3% per annum, and this figure was used in the East of England Regional plan. However, a 3% per annum growth rate will see household numbers double in 23.5 years and this figure has been used without any clear underlying evidence to support it, and is significantly higher than for the population as a whole.
- 3.24 In a study on behalf of Office of the Deputy Prime Minister in 2003 (Local Authority Gypsy and Traveller Sites in England Office of the Deputy Prime Minister, 2003), Pat Niner identified that household growth rates of 2%-3% per cent a year were appropriate when projecting future formations.
- 3.25 Current guidance is clear that each individual assessment should use local evidence for future household formation rates. This position was further reiterated in the debate in the House of Commons on 4th February 2014 when the Planning Minister, Brandon Lewis MP stated:

*'That leads me directly to the comment of my Hon. Friend the Member for South West Bedfordshire about the 3% growth rate in Gypsy and Traveller household net formation. He believes the figure to be closer to 1.5% and will know from his research that the 3% figure originates in the Office of the Deputy Prime Minister's 2003 report "Local Authority Gypsy/Traveller Sites in England", which was probably written with the same pens that we still have many thousands of, paid for with taxpayers' money back then. The figure was restated in the Department for Communities and Local Government's 2007 report "Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies". My Hon. Friend makes a fair point, so, bearing in mind that we have moved away from regional spatial strategies, I will go away and examine whether we can reassess the guidance.'*

- 3.26 The current position was confirmed dated 26th March 2014 from the Planning Minister, Brandon Lewis MP, which stated: in a letter

*'The previous Administration's guidance for local authorities on carrying out Gypsy and Traveller Accommodation Assessments under the Housing Act 2004 is unhelpful in that it uses an illustrative example of calculating future accommodation need based on the 3% growth rate figure. The guidance notes that the appropriate rate for individual assessments will depend on the details identified in the local authority's own assessment of need. As such the Government is not endorsing or supporting the 3% growth rate figure, though in some cases we are aware that inspectors have, in considering the level of unmet local need when demonstrating specific traveller appeals, used the 3% growth rate figure in the absence of a local authority's own up-to-date assessment of need.'*

- 3.27 ORS have also produced a detailed separate paper 'Household Formation Rates for Gypsies and Travellers: Technical Note' which demonstrates that the likely rate of growth for the population of Gypsies and Travellers across the whole of England based upon the best available evidence is closer to 1.5% per annum. Officials from Communities and Local Government have seen the technical note and confirmed that they have not undertaken any research on population or household growth for Gypsies and Travellers, and therefore have no information which contradicts this position.
- 3.28 A population growth rate of 1.5% will not necessarily equate to a household growth rate of 1.5%. Instead household growth rates may be higher. For example, across the whole of England for the whole population, the Office for National Statistics project in their 2011 based population highlight a natural change in the population of 0.5% per annum and an overall change of 0.83% per annum when the effects of migration are added. 2011 based household projections produced by Communities and Local Government show a projected rise in households on 0.95% per annum.
- 3.29 ORS believe that the 3% figure often used in Gypsy and Traveller Accommodation Assessments is demonstrably too high to be used as a fixed value for all studies and is not based upon any form of robust evidence. Instead we believe that a range of values should be considered in light of local evidence.
- 3.30 The household survey for North Hertfordshire indicates an age profile for the population includes a relatively high number of children. Across England as a whole, ORS typically use a 2% net formation rate, but given the relative youthfulness of the population an annual growth rate of 2.50% has been used in this assessment. Given that the evidence for population growth is as low as 1.5% per annum, we consider that this relatively high rate will provide enough pitches to accommodate all newly forming households in North Hertfordshire.
- 3.31 When including the impact of compound growth, a 2.5% growth per annum provides for 13% growth over 5 years, 28% growth over 10 years, 45% growth over 15 years and 60% over 19 years. We have used the 12 households on site households as a baseline for the growth in the population. On this basis, a growth rate of 60% would see an additional 7 households in the area by 2031.

## In-migration from Other Sources

- 3.32 The most complicated area for a study such as this is to estimate how much need will be generated from households moving in from outside the study area. Potentially Gypsies and Travellers could move to North Hertfordshire from anywhere in the country. The number of households seeking to move to North Hertfordshire is likely to be heavily dependent upon pitch provision elsewhere. It has been noted that a weakness of many Gypsy and Traveller Accommodation Assessments conducted across the country has been that they either allowed for out-migration without in-migration which led to under-counting of need, or they over-counted need by assuming every household visiting the area required a pitch.
- 3.33 This issue has been raised at a number of planning appeals and ORS have demonstrated that in order to include a component for net in-migration need there is also the requirement to identify where out-migration will occur from.
- 3.34 Typically there are three main sources of out-migration. Historically, London has seen a loss of Gypsy and Traveller sites and this has seen population displaced to areas across the country. However, ORS are currently working with a number of London Boroughs including Camden, Lambeth, Bexley and also the London Legacy Development Corporation to undertake their GTAAs. In all cases the authorities have been

advised by their Planning Inspectors to undertake these studies and to meet the needs identified before their Local Plans can be found to be sound. Therefore, the Planning Inspectorate is requiring London Boroughs to assess needs and provide sites, which should prevent, or significantly limit any future out-migration

- 3.35 The second potential source of out-migration is from local authorities with significant areas of Greenbelt. A Ministerial Statement in July 2013 reaffirmed that:

*‘The Secretary of State wishes to make clear that, in considering planning applications, although each case will depend on its facts, he considers that the single issue of unmet demand, whether for traveller sites or for conventional housing, is unlikely to outweigh harm to the green belt and other harm to constitute the ‘very special circumstances’ justifying inappropriate development in the green belt.’*

- 3.36 However, while this reaffirmation of policy states that green belt development is likely to be inappropriate, it does not remove the requirement for local authorities with Greenbelt to assess their needs and to provide pitches. There is a requirement for local authorities who have difficulties in meeting their own local need in their own area to work with neighbouring authorities through the Duty to Cooperate process to have these needs met. It is not the place of the Gypsy and Traveller Accommodation Assessment to assume a particular authority will meet the needs of another and instead any authority unable to meet their own needs should work with neighbours to meet these. This process is already well established in general housing provision.
- 3.37 The final main source of out-migration is from the closure of unauthorised sites and encampments. There are several well documented cases of large-scale movement of Gypsies and Travellers following enforcement action against unauthorised sites – Dale Farm being a good example.
- 3.38 We would acknowledge that there is a potential for double counting with the households seeking to live in North Hertfordshire also potentially being counted as need in the areas where they currently reside. There is no system in place which allows for a joined up consideration of needs across a region or nationally.
- 3.39 We have allowed for a balanced level of migration on to existing private sites. The advantage of allowing for net migration to sum to zero is that it avoids the problems seen with other Gypsy and Traveller Accommodation Assessments where the modelling of migration clearly identified too low or high a level of total pitch provision. ORS would also note that we consulted with CLG in 2013 and were told that Gypsy and Traveller Accommodation Assessments were not the correct place to consider the redistribution of needs across local authority boundaries. And instead that this was the role of the Duty to Cooperate.
- 3.40 Beyond this, rather than assess in-migrant households seeking to develop new sites in the area, we would propose that each case is assessed as a desire to live in the area and that site criteria rules are followed for each new site. It is important for the authorities to have clear criteria based planning policies in place for any new potential sites which do arise.

## Overall Needs for North Hertfordshire

- 3.41 The estimated extra site provision that is required until 2031 is 7 pitches. This assumes that the current temporary permission for 6 pitches is not renewed. In practical terms, by 2031 if we apply a 2.5% growth rate per annum to the current population of 12 households, 19 households will be looking to live on sites while only 12 pitches have permanent permission. Currently no extra provision is required, but need will

arise in the future. Therefore, if the 6 pitches with temporary permissions become permanent the entire need for pitches will almost be met until 2031. This also assumes that pitches occupied by non Travellers are released back into use for Gypsies and Travellers.

Figure 2  
Extra Pitches which are Required in North Hertfordshire from 2013-2031

Reason for Requirement/Vacancy	Gross Requirement	Supply	Net Requirement
<b>Supply of Pitches</b>			
Additional supply from empty pitches	-	6	
Additional supply new sites	-	0	
<b>Total Supply</b>		<b>6</b>	
<b>Current Need</b>			
Current unauthorised developments or encampments and seeking to stay in the area	0	-	
Concealed households	0	-	
Net movement from bricks and mortar	0	-	
<b>Total Current Need</b>	<b>0</b>		
<b>Future Needs</b>			
Currently on sites with temporary planning permission	6	-	
Net migration to the area	0	--	
Net new household formation	7	-	
<b>Total Future Needs</b>	<b>13</b>	-	
<b>Total</b>	<b>13</b>	<b>6</b>	<b>7</b>

## Requirement by Time Periods

- 3.42 The evidence contained in this survey is that there is a requirement in the next 5 years for a total of 6 pitches to address the need for households who will see their temporary planning permissions expire within this time period. On the assumption these pitches become permanent permissions, there is no other clear identified need in North Hertfordshire until the time period 2028-2031 when an additional pitch is projected to be required. However, this is just a projection and is beyond the time periods set out in Planning Policy for Traveller Sites in terms of identifying 5 year land supply and broad locations for future sites.

## Transit/Emergency Stopping Site Provision

- 3.43 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 around 13 weeks and has a range of facilities such as water supply, electricity and amenity blocks. They do not have a function in meeting local need which must be addressed on permanent sites.

- 3.44 An alternative 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.
- 3.45 The presence of a transit site or emergency stopping place in an area can speed up enforcement on unauthorised encampments, with households facing committing an offence if they do not move on to the site, or leave the County. However, we would note that Local Authorities are not able to use transit provision on private sites as part of their enforcement action policies and therefore while it does provide an option for visiting households it is at the discretion of the site owner who is allowed on to the site.
- 3.46 There are currently no transit sites in North Hertfordshire, but there is a publically provided transit site in the county of Hertfordshire which is located in Hertsmere. This provides for an option for enforcement action for North Hertfordshire. ORS have spoken to a number of Local Authorities and County Councils across the country such as those in Herefordshire, Worcestershire, Buckinghamshire, Wiltshire and Hertfordshire with many indicating that publically provided transit sites are poorly used and in some cases have fallen out of use. This is part is due to management issues and the sites having locations away from major travelling routes.
- 3.47 A key issue in determining if there is a requirement for further transit site provision is whether there is evidence of sufficient travelling through the area. Records from Hertfordshire County Council indicate very few unauthorised encampments occur in North Hertfordshire. We do not consider that there is any evidence of need for further public transit site provision in North Hertfordshire. But there is an option to allow transit site provision linked to the private site at Pulmore Water/Wexford Park.

## Travelling Showpersons

- 3.48 There are currently no known Travelling Showpeople plots in North Hertfordshire, nor any evidence of Showpeople in bricks and mortar accommodation and therefore no projected future family formation. Nonetheless, it is still important for the authority to have criteria based planning policies in place in the event of someone seeking to develop a new Showpeople's yard in North Hertfordshire.

# 4. Conclusions

## Introduction

- 4.1 This chapter brings together the evidence presented earlier in the report to provide some key policy conclusions for North Hertfordshire. It focuses upon the key issues of future site provision for Gypsies and Travellers and also Travelling Showpersons.

## Gypsy and Traveller Future Pitch Provision

- 4.2 Based upon the evidence presented in Chapter 3, the estimated extra pitch provision that is required for Gypsies and Travellers in the next 19 years in North Hertfordshire is 7 pitches. On the assumption that 6 current pitches with a temporary permission become permanent permission and non Travellers vacate pitches they currently occupy there is no identified need for any pitches in North Hertfordshire in the next 15 years.

## Travelling Showperson Requirements

- 4.3 There are currently no known Travelling Showpeople plots in North Hertfordshire, nor any evidence of Showpeople in bricks and mortar accommodation and therefore no projected future family formation.