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## NEW LOCAL PLAN ISSUES AND OPTIONS DOCUMENT: GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT (GTAA) 2017 – ROCHFORD DISTRICT ELEMENT

### 1 PURPOSE OF REPORT

- 1.1 The Council is at the early stages of reviewing its adopted Local Development Plan policies. To inform this review, the Council is supporting the preparation of a common evidence base with other Essex authorities to inform cross-boundary co-operation. This report explains the evidence and key findings of the emerging Essex-wide Gypsy and Traveller Accommodation Assessment (GTAA) 2017, as well as the implications for Rochford District's plan-making.

### 2 SALIENT INFORMATION

- 2.1 The Planning Policy for Traveller Sites<sup>1</sup> (PPTS) sets out national policy for Gypsies, Travellers and Travelling Show People. The PPTS requires Local Planning Authorities through the plan-making process to develop evidence which assesses the need for sites, including transit sites. Policy B sets out that, in the preparation of their Local Plans, local planning authorities should:-
- a) identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets;
  - b) identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15;
  - c) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to co-operate on planning issues that cross administrative boundaries);
  - d) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density; and
  - e) protect local amenity and environment.
- 2.2 The PPTS was first published in 2012 alongside the National Planning Policy Framework (NPPF) and was subsequently updated in 2015. The update to

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[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457420/Final\\_planning\\_and\\_travellers\\_policy.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf)

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the PPTS included a change to the definition of Travellers for planning purposes, which included the removal of the term '*persons... who have ceased to travel permanently*', meaning that those who have ceased to travel permanently now do not fall under the planning definition of a Traveller for the purposes of assessing their need within a GTAA.

- 2.3 The Essex authorities have a long history of working together to assess the needs for Gypsy and Traveller sites in the county. The most recent Gypsy and Traveller Accommodation Assessment (GTAA) covering Essex was published in 2014. Following the change in definition within the PPTS, the Essex authorities identified a need to review the 2014 GTAA.
- 2.4 Consultants, Opinion Research Services, (ORS) were commissioned by the Essex Planning Officers Association, on behalf of the Essex authorities, to undertake this revision to the GTAA to take account of the new national planning definition of Travellers. This joined-up approach has proved to be beneficial in identifying the needs for Gypsy and Traveller sites across the county. The Council is also an active member of the Essex Countywide Gypsy and Traveller Unit.
- 2.5 The emerging GTAA assesses the current and future needs of the Gypsy, Traveller and Travelling Show People population living in Rochford District. The assessment was completed through desk-based research and field work in the form of interviews. The desk-based research identified that there are 18 Gypsy and Traveller pitches in the district; five of which are private sites with planning permission. One site has temporary permission, and the remaining six sites (consisting of 12 pitches) are unauthorised pitches. There are no Travelling Show People plots in the district. It should, however, be noted that since production of the GTAA, an enforcement appeal (references APP/B1550/C/16/3162651, APP/B1550/C/17/3169878 & 3169879, and APP/B1550/W/16/3162649) has been allowed, relating to use of the Pumping Station, Watery Lane, Rawreth for the purposes of Gypsy and Traveller occupation.
- 2.6 The interviews sought to define whether households met the new planning definition set out by the PPTS in 2015. Out of the 18 pitches identified, two households were unable to be interviewed and 1 pitch was found to be vacant. Three attempted visits were made to all identified sites.
- 2.7 Households needed to demonstrate that they travel for work purposes, and stay away from their usual place of residence when doing so, or they have ceased to travel temporarily due to children in education, ill health or old age, in order to meet the PPTS definition. Only the households that meet, or may meet the planning definition will form the components of need to be included in the emerging GTAA. Whilst the needs of those households that do not meet the planning definition do not need to be included in the emerging GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a SHMA.

2.8 Table 1 below highlights the findings of the interviews – as one pitch was found to be vacant, the total number of pitches identified is reduced to 17.

**Table 1:** Findings of the interviews undertaken on identified Gypsy and Traveller sites in Rochford District

<b>Site Status</b>	<b>Meet Planning Definition</b>	<b>Unknown</b>	<b>Do Not meet Planning Definition</b>	<b>Total</b>
Private sites	2	0	3	<b>5</b>
Temporary sites	0	1	0	<b>1</b>
Unauthorised sites	3	1	7	<b>11</b>
<b>Total</b>	<b>5</b>	<b>2</b>	<b>10</b>	<b>17</b>

- 2.9 ORS also produced a Technical Note on Gypsy and Traveller Household Formation and Growth Rates (2015); this is a key secondary data source used to inform the emerging GTAA. For Rochford District, this means that a 1.00% annual household growth rate is applied to households that meet the planning definition; 1.50% annual rate for unknown households; and 1.10% net per annum rate for households that do not meet the new planning definition. This is lower than previous formation rates that have been used at the national level (around 3%) to project future needs for the travelling population. ORS’s recommended household growth rates, however, have been based on the best available evidence which supports a national net household growth rate of 1.5% per annum for Gypsies and Travellers. The Rochford District element of the emerging GTAA is appended to this report at Appendix A. Appendix B of this Rochford District document provides the detail on household growth rates for Gypsies and Travellers.
- 2.10 Based on the interviews and the calculation of household formation rates for the district’s Gypsy and Traveller population, the emerging GTAA evidence for Rochford District identifies a need for an additional six pitches to be delivered between 2016 and 2033. This is based on the needs of the five identified Gypsies and Traveller households that were found to fall within the new planning definition set out in the 2015 PPTS (Table 1). The six pitches include making provision for the three unauthorised pitches that meet the definition, plus allowances for concealed households/doubling-up/over crowding, a need within five years from older teenage children and new household formation (based on a rate of 1%).
- 2.11 This means that a further six pitches are required for the Gypsy and Traveller population which meet the planning definition in addition to the two private pitches already with planning permission (Table 1).
- 2.12 Two households were unable to be interviewed. In this instance, ORS has calculated that there may be a requirement for up to three additional pitches for the two unknown Gypsy and Traveller households that may fall into the

new planning definition. Studies undertaken by ORS across the county show that approximately 10% of households that have been interviewed fall within the planning definition; if this is applied to the two unknown households, there could be no additional pitches required.

- 2.13 The interviews found that 10 pitches are required for Gypsies and Travellers that do not fall within the new planning definition, arising from the 7 unauthorised pitches, concealed households/doubling-up/overcrowding and new household formation (based on a rate of 1.1%). This is in addition to the three pitches which do not meet the definition but already have planning permission. If the potential need from 90% of unknown households is added to this total of 10 additional pitches, then the need for non-travelling households could rise to 12 additional pitches.
- 2.14 The change in the 2015 PPTS definition, however, means that whilst there is no longer a need to provide Gypsy and Traveller pitches for those that do not meet the planning definition, there is still a need to provide accommodation for them in addition to the need for market, affordable and other types of homes assessed within the Strategic Housing Market Assessment (SHMA).
- 2.15 The need for Gypsy and Traveller pitches between 2016 and 2033 are summarised in tables 2 and 3 below:-

**Table 2:** Need for Gypsy and Traveller pitches in Rochford District 2016 to 2033

Status	GTAA	SHMA	Total
Meet planning definition (incl. 10% of unknowns)	6 (6+0)	0	6
Not meeting planning definition (incl. 90% of unknowns)	0	13 (10+3)	13
<b>Total</b>	<b>6</b>	<b>13</b>	<b>19</b>

**Table 3:** Breakdown of five year need for Gypsy and Traveller pitches

Years	0-5	6-10	11-15	16-17	
Planning definition status	2016-21	2021-26	2026-31	2031-33	Total
Meet planning definition	5	0	1	0	6
Unknown	2	0	1	0	3
Do not meet planning definition	8	0	1	1	10
<b>Total</b>	<b>15</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>19</b>

- 2.16 No Travelling Show People were identified in the district and so no need for Travelling Show People plots was established in the Rochford District element of the emerging GTAA.

- 2.17 The change in the 2015 PPTS planning definition is expected to alter the habits of Gypsy and Travellers. Previous transit provision data is not considered robust enough to define need for additional provision in Rochford District and possible changes from past trends. Therefore the emerging GTAA suggests short term toleration and negotiated stopping agreements to deal with encampments, whilst monitoring unauthorised encampments, analysing 'Decision to Leave Notices' on an Essex-wide basis and engage through the Duty to Co-operate with other Essex local planning authorities. This will create a new evidence base that could be used to analyse future needs.

### **3 RISK IMPLICATIONS**

- 3.1 Local Plans must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of their area. The emerging GTAA will set out the evidenced need for Gypsy and Traveller pitches in Essex; the Rochford District element sets out the implications for Rochford District's new Local Plan in the interim. Both the emerging GTAA, and the element specific to the district, are important as they ensure the Council can clearly demonstrate at the independent examination stage a justification for the draft policies covering Gypsy and Traveller needs.

### **4 ENVIRONMENTAL IMPLICATIONS**

- 4.1 Draft policies in the new Local Plan covering Gypsy and Traveller needs could have environmental implications. At this stage of preparing the new Local Plan, the Council is considering and presenting issues and options for further consideration. Any environmental implications will need to be carefully considered at the next stage of plan-making; this being the preferred options stage. This will be informed by Sustainability Appraisal to ensure the most sustainable options are identified.

### **5 RESOURCE IMPLICATIONS**

- 5.1 The Council is required to prepare a Plan in accordance with the requirements of national planning policy. The Rochford District element of the emerging GTAA has been prepared to deliver a joint piece of evidence across Essex to inform plan-making. Any further outputs, such as updates on the GTAA, Memorandums of Understanding or Statements of Common Ground, will need to be met from investments in the existing budget provision.

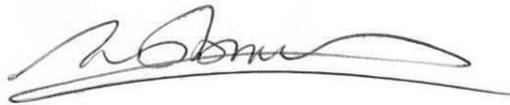
### **6 LEGAL IMPLICATIONS**

- 6.1 The Localism Act 2011 requires Rochford District Council to co-operate and work with other prescribed bodies as part of the Duty to Co-operate on strategic cross-boundary issues which includes, amongst other matters, provision for Gypsy and Traveller sites.

**7 RECOMMENDATION**

7.1 It is proposed that the Sub-Committee **RESOLVES**

That the Rochford District element of the emerging GTAA, as attached at Appendix A, be noted as evidence and published on the Council's website.



Matthew Thomas

Assistant Director, Planning and Regeneration Services

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**Background Papers:-**

None.

For further information please contact Natalie Hayward (Planning Policy and Economic Development Team Leader) on:-

Phone: 01702 318101

Email: [natalie.hayward@rochford.gov.uk](mailto:natalie.hayward@rochford.gov.uk)

If you would like this report in large print, Braille or another language please contact 01702 318111.



# **Rochford District Council Gypsy and Traveller Accommodation Assessment**



**Need Summary Report**

**June 2017**



Opinion Research Services The Strand, Swansea SA1 1AF  
Steve Jarman, Claire Thomas and Ciara Small  
Enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

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# 1. Introduction

- 1.1 The primary objective of the Rochford District Council Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation for the period 2016-2033.
- 1.2 The primary reason for completing the update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Paragraph 1.6 for the full definition).
- 1.3 The study will provide an evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, PPTS (2015), and the Housing and Planning Act 2016. It also provides an evidence base which can be used to support Local Plan policies.
- 1.4 The Rochford District Council GTAA is part of a wider study that covers the whole of Essex, together with Southend-on-Sea and Thurrock. The study across all 14 local authorities has been completed following the same methodology and has the same baseline date. Due to the complexity of this wider Essex study the data processing and analysis has not been completed in some areas so the overall report has not been completed. However the fieldwork and analysis has been completed for Rochford District Council and a final assessment of need has been undertaken. Therefore the purpose of this Need Summary is to provide the Council with a summary of the levels of need for Rochford District Council for the period 2016-2033.
- 1.5 It is anticipated that the final reporting framework for the wider Essex GTAA will comprise an Essex GTAA Methodology Report; individual GTAA Need Summary Reports for each of the 14 local authorities; and an Essex GTAA Summary Report that will bring together all over the final outcomes from each local authority and provide figures for Essex as a whole, as well as providing strategic recommendations on issues such as transit need.
- 1.6 The baseline date for the study is **September 2016**.

## The Planning Definition in PPTS (2015)

- 1.7 For the purposes of the planning system, the definition of Gypsies, Travellers and Travelling Showpeople was changed in PPTS (2015). The new 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)

- 1.8 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 not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- 1.9 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’ as well as other travelling characteristics.
- 1.10 **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.
- 1.11 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.
- 1.12 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*.
- 1.13 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.

- 1.14 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.
- 1.15 **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.
- 1.16 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 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 visiting horse fairs and visiting friends or relatives. It will **not cover** those who commute to work daily from a permanent place of residence.
- 1.17 It will also be the case that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. the household unit would be defined as travelling under the planning definition.
- 1.18 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 or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled in the past. In addition households may also have to demonstrate that they plan to travel again in the future.
- 1.19 This approach was endorsed by a Planning Inspector in a recent Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267). 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. Methodology

### Background

- 2.1 Over the past 10 years, ORS has continually refined a methodology for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in August 2015 and the Housing and Planning Act in 2016, as well as responding 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.
- 2.2 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.
- 2.3 The approach currently used by ORS was considered in April 2016 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy who concluded:

*'The methodology behind this assessment included undertaking a full demographic study of all occupied pitches, interviewing Gypsy and Traveller households, including those living in bricks and mortar accommodation, and considering the implications of the new Government policy. On the evidence before me, I am satisfied that the assessment has been appropriately carried out, and there is no reason for me to dispute the figures.'*

- 2.4 The stages of the methodology that was used to complete this study are set out below. More information on each stage will be provided in the full report for the Essex Planning Officers Group.

### Desk-Based Review

- 2.5 ORS collated a range of secondary data that was used to support the study. This included:
- » Census data.
  - » Site records.
  - » Caravan counts.
  - » Records of unauthorised sites/encampments.
  - » Information on planning applications/appeals.
  - » Existing Needs Assessments and other relevant local studies.
  - » Existing national and local policy.

### Survey of Travelling Communities

- 2.6 Through the desk-based research, ORS sought to identify all authorised and unauthorised sites and yards in the study area and attempted to complete an interview with the residents on all occupied

pitches and plots. In order to gather robust information to use to assess households against the planning definition of a Traveller multiple visits were made to households where it was not possible to conduct an interview because they were not in or not available.

- 2.7 Our experience suggests that an attempt to interview households on all pitches is more robust, as opposed to a sample based approach which often leads to an under-estimate of need - an approach which is regularly challenged by the Planning Inspectorate and at planning appeals.
- 2.8 ORS worked closely with the Council to ensure that the interviews collected all the necessary information to support the study. The household interview questions that were used have been updated to take account of PPTS (2015) and to collect the information ORS feel is necessary to apply the planning definition. All pitches and plots were visited by members of our dedicated team of experienced interviewers who work solely on our GTAA studies across England and Wales. They conducted 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. Interviewers 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. They 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.
- 2.9 Where it was not possible to undertake an interview, staff sought to capture as much information as possible about the residents on each pitch or plot from sources including neighbouring residents and site management (if present).

### Timing of the Fieldwork

- 2.10 ORS are fully aware of the transient nature of many travelling communities and subsequent seasonal variations in site and yard occupancy. As such the majority of the fieldwork was undertaken during the non-travelling season, and also avoided days of known local or national events. Fieldwork was completed between January and November 2016. Whilst this did cover the summer period, interviews were not completed during July and August.

### Engagement with Bricks and Mortar Households

- 2.11 The 2011 Census recorded just 21 households in Rochford living in a house or a flat who identified as Gypsies or Irish Travellers. 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 Council, information from housing registers and other local knowledge from stakeholders, and adverts on social media (including the Friends Families and Travellers Facebook group). Through this approach we endeavoured to do everything within our means to give households living in bricks and mortar the opportunity to make their views known to us.

<sup>2.12</sup> As a rule we do not extrapolate the findings from our fieldwork with bricks and mortar households up to the total estimated bricks and mortar population as a whole 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. We work on the assumption that all those wishing to move will make their views known to us based on the wide range of publicity we will put in place. Thus we are seeking to shift the burden of responsibility on to those living in bricks and mortar through demonstrating rigorous efforts to make them aware of the study.

## Calculating Current and Future Need

<sup>2.13</sup> 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

<sup>2.14</sup> 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).

<sup>2.15</sup> 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 family living on the site.

## Current Need

<sup>2.16</sup> The second stage was to identify components of current need. It is important to address issues of double counting – for example concealed or doubled-up households may also be on the waiting list, as may households in bricks and mortar. Current need is made up of the following:

- » Households on unauthorised developments for which planning permission is not expected.
- » Households on unauthorised encampments 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

- 2.17 The final stage was to identify components of future need. This includes the following four components:
- » Older teenage children in need of a pitch of their own in the next 5 years.
  - » Households living on sites with temporary planning permission.
  - » New household formation.
  - » In-migration.
- 2.18 Household formation rates are often the subject of challenge at appeals or examinations. We agree with the position now being taken by DCLG and firmly believe that any household formation rates should use a robust local evidence base where household interviews have been completed, rather than simply relying on precedent.
- 2.19 All of these components of supply and need are presented in easy to understand tables which identify the overall net need for current and future accommodation for both Gypsies and Travellers, and for Travelling Showpeople. This has proven to be a robust model for identifying needs. The residential and transit pitch needs for Gypsies and Travellers are identified separately and the needs are identified to 2033.

## Pitch Turnover

- 2.20 Some assessments of need by other companies 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 is an approach that usually ends up with a significant under-estimate of need as in the majority of cases vacant pitches on sites are not available to meet any additional 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.*

- 2.21 In addition a GTAA Best Practice Guide was produced in June 2016 by a number of 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.*

- <sup>2.22</sup> As such, other than current vacant pitches on sites that are known to be available, or pitches that are known to become vacant identified during the household interviews, pitch turnover has not been considered as a component of supply in this GTAA.

## Transit Provision

- <sup>2.23</sup> PPTS also requires an assessment of the need for any transit sites or stopping places. 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 or management approaches can be developed to accommodate Gypsies and Travellers as they move through different areas.

- » Transit sites
- » Temporary/Emergency stopping places
- » Temporary (seasonal) sites
- » Negotiated Stopping Agreements

- <sup>2.24</sup> In order to investigate the potential need for transit provision when undertaking work to support the study, ORS sought to undertake analysis on an Essex-wide basis of any local records of unauthorised sites and encampments (including Direction to Leave Notices), as well as information from the CLG Traveller Caravan Count. The outcomes of the interviews with Council Officers, Officers from neighbouring local authorities and other stakeholders that were undertaken during the previous GTAA were also taken into consideration when determining this element of need in the study area.

## 3. Planning Definition

<sup>3.1</sup> The primary change introduced by PPTS (2015) in relation to the assessment of need was the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS has collected information necessary to assess each household against the planning definition. As PPTS (2015) has only recently been issued only a small number of relevant appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the planning definition, and stay away from their usual place of residence when doing so. See Paragraph 1.18 for a recent example.

### Applying the Planning Definition

<sup>3.2</sup> 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.

<sup>3.3</sup> When the household survey was completed the outcomes 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 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.

<sup>3.4</sup> Households that need to be considered in the GTAA fall under one of 3 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 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.

3.5 Only those households that meet, or may meet, the planning definition will form the components of need to be included in the GTAA. Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they have been assessed to provide the Council with information on components of need to be addressed as part of a SHMA or HEDNA for example.

### Unknown Households

3.6 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 – despite repeated visits) need to be assessed as part of the GTAA where they are believed to be ethnic 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 applies an estimate of potential need from these households. This will be a maximum additional need figure over and above the need identified for households that do meet the planning definition.

3.7 The estimate seeks to identify potential current and future need from pitches known to be temporary or unauthorised, and through new household formation. For the latter the national rate of 1.50%<sup>1</sup> has been used as the demographics of residents are unknown. This approach is also consistent with the outcomes of a recent Planning Appeal where access to a site was not possible but basic information was known about the number of households residing there. (Planning Inspectorate Ref: APP/Z6950/A/14/2212012).

3.8 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed. However, data that has been collected from over 2,000 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall approximately 10% of households who have been interviewed meet the planning definition. This would suggest that it is likely that only a small proportion of the potential need identified from unknown households will need conditioned<sup>2</sup> Gypsy and Traveller pitches, and that the needs of the majority from unknown households will need to be addressed through a SHMA or HEDNA.

3.9 The Council will need to carefully consider how to address the needs associated with unknown Travellers in Local Plan policies as it is unlikely that all of these will have a need that should be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan policies the Council could consider the use of a criteria-based policy (as suggested in PPTS (2015)

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<sup>1</sup> See Paragraph 5.8.

<sup>2</sup> Pitches with planning conditions restricting occupation to Gypsies or Travellers.

Paragraph 11) for any unknown households that do provide evidence that they meet the planning definition, and also take into account the NPPF.

- <sup>3.10</sup> How the ORS methodology addresses need from unknown households was supported by the Planning Inspector for a recent Local Plan Examination in Maldon, 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

- <sup>3.11</sup> Households who do not travel or have ceased to travel permanently now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). 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 Guidance<sup>3</sup> 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, for example through the SHMA or HEDNA process, and will form a subset of the wider need arising from households residing in caravans.

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<sup>3</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## 4. Survey of Travellers

### Interviews with Gypsies, Travellers and Travelling Showpeople

4.1 One of the major components of this study was a detailed survey of the Gypsy, Traveller and Travelling Showpeople population living in Rochford District. Through the desk-based research ORS identified no public sites; 5 private sites (5 pitches); 1 site with temporary planning permission (1 pitch); no sites that are tolerated for planning purposes; 6 unauthorised sites (12 pitches); and no Travelling Showpeople yards. There are no transit sites. Interviews were completed between January and November 2016. Up to 3 attempts were made to interview each household where they were not present when interviewers visited. The table below sets out the number of pitches, the number of interviews that were completed, and the reasons why interviews were not completed.

Figure 1 – Gypsy and Traveller sites visited in Rochford District

Site Status	Pitches/ Plots	Interviews	Reasons for not completing interviews
<b>Private Sites</b>			
Goads Meadow, Hockley	1	1	-
Pudsey Hall Farm, Canewdon	1	1	-
Rayleigh Turf Yard, Rayleigh	1	1	-
Rob Rosa, Hullbridge	1	1	-
The Apple Barn	1	1	-
<b>Temporary Sites</b>			
Pear Tree, Hockley	1	0	1 x no contact possible
<b>Unauthorised Sites</b>			
Land adjacent to Pumping Station, Rawreth	1	0	1 x no contact possible
Land opposite Witherdens Farm, Rawreth	7	7	-
Land to the west of Goldsmith Drive	1	0	1 x vacant pitch
Little Orchard, Rayleigh	1	1	
Meadow View, Rayleigh	1	1	-
Pumping Station, Rawreth	1	1	-
<b>TOTAL</b>	<b>18</b>	<b>15</b>	

## 5. Current and Future Pitch Provision

- <sup>5.1</sup> This section focuses on the additional pitch provision which is needed in Rochford District currently and to 2033. This includes both current unmet need and need which is likely to arise in the future. 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 completed by ORS, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- <sup>5.2</sup> We would note that this section is based upon a combination of the on-site surveys, planning records and discussions with Officers from the Council. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- <sup>5.3</sup> This section includes an assessment of the total additional provision which is required in the area and the need for any transit sites and/or emergency stopping place provision.

### Planning Definition

- <sup>5.4</sup> As well as assessing housing need PPTS (2015) requires a GTAA to determine whether households living on sites, yards, encampments and in bricks and mortar fall within the planning definition of a Gypsy, Traveller or Travelling Showperson. Only households that fall within the planning definition, and those who *may* meet the planning definition (households where an interview was not completed), will have their housing needs assessed separately from the wider population in the GTAA. The planning definition excludes those who have ceased to travel permanently.

### New Household Formation Rates

- <sup>5.5</sup> Nationally, a household formation and growth rate of 3.00% net per annum 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 additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (August 2015)*. The main conclusions are set out below and the full document can be found in **Appendix B**.
- <sup>5.6</sup> 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 robust way to project future population and household growth is through demographic analysis.

5.7 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.

5.8 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 Travellers. This view has been supported by Planning Inspectors in a number of Decision Notices. The most recent was in relation to 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. The Inspector 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 1.5% but that a 2.5% 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 1.5% 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 1.5% figure is justified in the case of Doncaster.*

5.9 ORS assessments take full account of the net local household growth rate per annum for each local authority, calculated on the basis of demographic evidence from the site surveys. The 'baseline' includes all current authorised households, all households identified as in current need (excluding older teenage children whose needs are assessed separately), 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, and in-/out-migration.

5.10 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 in each local authority (by travelling status).

5.11 In certain circumstances where the numbers of households and children are low it may not be appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children.

5.12 In Rochford District for Gypsies and Travellers who meet the new definition a formation rate of 1.00% has been used based on the demographics of the households; for unknown Travellers the

national rate of 1.50% has been used; and for those who do not meet the new definition a rate of 1.10% has been used based on the demographics of the households.

### Breakdown by 5 Year Bands

- <sup>5.13</sup> In addition to tables which set out the overall need for Gypsies, Travellers and Travelling Showpeople, 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, and net movement from bricks and mortar) in the first 5 years. In addition the total net new household formation is split across the 5 year bands based on the rate of growth that was applied – as opposed to being spread evenly.

### Applying the Planning Definition

- <sup>5.14</sup> The outcomes from the questions in the household survey on travelling were used to determine the status of each household against the planning definition in PPTS. This assessment was based on the verbal responses to the questions given to interviewers as it is understood that oral evidence is capable of being sufficient when determining whether households meet the planning definition. Only those households that meet the planning definition, in that they stated during the interview that they travel for work purposes, 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 unknown households.

### Planning Status of Households

- <sup>5.15</sup> Information that was sought from households where an interview was completed allowed each household to be assessed against the planning definition of a Traveller. This 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. Figure 2 overleaf sets out the planning status of households in Rochford District.
- <sup>5.16</sup> Figure 2 shows that for Gypsies and Travellers 5 households meet the planning definition of a Traveller in that it was able to be determined that they travel for work purposes and stay away from their usual place of residence, or have ceased to travel temporarily. A total of 10 Gypsy and Traveller households did not meet the planning definition as they were not able to provide information 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, or to visit relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.
- <sup>5.17</sup> The number of households on each site where an interview was not possible are recorded as unknown. The reasons for this included households that refused to be interviewed and households

that were not present during the fieldwork period – despite up to 3 visits. One unauthorised pitch was vacant and did not show any signs of recent occupation so has not been included in the GTAA.

5.18 There were no Travelling Showpeople identified in Rochford District.

Figure 2 – Travelling status of households in Rochford District

Site Status	Meet Planning Definition	Unknown	Do Not Meet Planning Definition	TOTAL
Private Sites	2	0	3	5
Temporary Sites	0	1	0	1
Unauthorised Sites	3	1	7	11
<b>TOTAL</b>	<b>5</b>	<b>2</b>	<b>10</b>	<b>17</b>

### Bricks and Mortar Interviews

5.19 Despite all the efforts that were made it was not possible to complete any interviews with Gypsy and Traveller households living in bricks and mortar in Rochford District as none were identified through the fieldwork, adverts that were placed, or discussions with Council Officers.

### Pitch Needs – Gypsies and Travellers that meet the Planning Definition

5.20 The 5 households who meet the planning definition of Travelling were found on 2 private sites and 3 unauthorised sites. Analysis of the household information for the households that meet the planning definition indicates there are 3 unauthorised pitches, a need for 1 additional pitch for a concealed households or single adults, and a need for 1 additional pitch for an older teenage child in need of a pitch of their own in the next 5 years.

5.21 The household demographics indicate that a new household formation rate of 1.00% should be used. When applied to a household base of 7 (5 current households plus 1 concealed and 1 from 5 year need) this results in a need for 1 additional pitches through net new household formation.

5.22 Therefore the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **6 additional pitches** over the GTAA period to 2033.

5.23 Whilst Policy GT1 in the Rochford District Council Local Development Framework Allocations Document does include an allocation for a site for 15 new pitches to meet need identified in a previous GTAA, these pitches do not have planning permission and therefore cannot be considered as components of supply from pitches on new sites at this time. The situation regarding the potential new pitches as a result of this allocation should be closely monitored through annual Local Plan monitoring arrangements.

Figure 3 – Additional need for households in Rochford District that meet the Planning Definition (2016-33)

Gypsies and Travellers - Meeting Planning Definition	Pitches
Supply of Pitches	

Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches to be vacated by households moving to bricks and mortar	0
Pitches to be vacated by households moving to another area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	3
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	1
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>4</b>
<b>Future Need</b>	
5 year need from older teenage children	1
Households on sites with temporary planning permission	0
In-migration	0
New household formation (Household base 7 and formation rate 1.00%)	1
<b>Total Future Needs</b>	<b>6</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>6</b>

Figure 4 – Additional need for households in Rochford District that meet the Planning Definition by 5 year periods

Years	0-5	6-10	11-15	16-17	
	2016-21	2021-26	2026-31	2031-33	Total
	5	0	1	0	<b>6</b>

### Pitch Needs – Unknown Gypsies and Travellers

- 5.24 Whilst it was not possible to determine the travelling status of a total of 2 households as they were not on site at the time of the fieldwork, the needs of these households still need to be recognised by the GTAA as they are believed to be ethnic Gypsies and Travellers and **may** meet the planning definition.
- 5.25 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households in that local authority where an interview was completed.
- 5.26 However data that has been collected from over 1,800 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that nationally approximately 10% of households that have been interviewed meet the planning definition.
- 5.27 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need new Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through other means such as the SHMA or HEDNA.

- 5.28 Should further information be made available to the Council that will allow for the planning definition to be applied to the unknown households, the overall level of need could rise by up to 1 from the temporary pitch, by up to 1 from the unauthorised pitch and by up to 1 pitch from new household formation (this uses a base of the 2 household and a net growth rate of 1.50%<sup>4</sup>). Therefore additional need *could* increase by up to a further 3 pitches, plus any concealed adult households or 5 year need arising from older teenagers living in these households (if all unknown pitches are deemed to meet the planning definition). However, as an illustration, if the national average of 10% were to be applied this could be as few as no additional pitches. Tables setting out the components of need for unknown households can be found in **Appendix A**.

## Waiting Lists

- 5.29 There are no public sites in Rochford District so there is no need arising from households on waiting lists for public pitches.

## Plot Needs – Travelling Showpeople

- 5.30 There were no Travelling Showpeople yards identified in Rochford District so there is no need for any additional plots for Travelling Showpeople.

## Transit Requirements

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

## DCLG Caravan Count

- 5.32 Whilst it is considered to be a comprehensive national dataset on numbers of authorised and unauthorised caravans across England, it is acknowledged that the Caravan Count is a count of caravans and not households or pitches/plots. 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.
- 5.33 Data from the Caravan Count shows that there have been no non-tolerated unauthorised caravans on land not owned by Travellers recorded in Rochford District in recent years.

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<sup>4</sup> The ORS *Technical Note on Population and Household Growth (2015)* has identified a national growth rate of 1.50% for Gypsies and Travellers which has been applied in the absence of further demographic information about these households.

## Stakeholder Interviews and Local Data

- <sup>5.34</sup> Information from the stakeholder interviews that were completed for the previous GTAA that was published in 2014 also confirmed that there are usually very low levels of unauthorised encampments in Rochford District, and that the majority were short-term visiting family or friends, transient and simply passing through, or from a small number of groups moving around an area. In addition data from ECTU has recorded just 9 unauthorised encampments in Rochford since 2013.

## Potential Implications of PPTS (2015)

- <sup>5.35</sup> It has been suggested by a number of organisations and individuals representing the Travelling Community 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 seeking to meet the planning definition. 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 be developed.

## Transit Recommendations

- <sup>5.36</sup> Whilst there is historic evidence to suggest the need for some form of transit provision in Rochford (and Essex), it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop, and also to allow detailed analysis of 'Decision to Leave Notices' on an Essex-wide basis. Rochford Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed.
- <sup>5.37</sup> 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 Rochford District; whether they have a permanent base or where they have travelled from; and whether they have any need or preference to settle permanently in Rochford District; and whether their travelling is a result of changes to PPTS (2015). This information could be collected as part of a Welfare Assessment (or equivalent).
- <sup>5.38</sup> A review of the evidence base relating to unauthorised encampments, including the monitoring referred to above and analysis of 'Decision to Leave Notices' should be undertaken over the next 12 months. This will establish whether there is a need for investment in any formal transit sites or emergency stopping places, where this provision needs to be located, or whether a managed approach is preferable.
- <sup>5.39</sup> In the short-term the Council should consider the use of existing management arrangements for dealing with unauthorised encampments and could also consider the use of Negotiated Stopping Agreements, as opposed to taking forward an infrastructure-based approach.

- <sup>5.40</sup> 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 authority and the (temporary) residents regarding expectations on both sides.
- <sup>5.41</sup> 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.

## 6. Conclusions

- 6.1 This study provides a robust evidence base to enable the Council to assess and meet the needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, the National Planning Policy Framework (NPPF) 2012, Planning Practice Guidance (PPG) 2014, PPTS (2015), and the Housing and Planning Act 2016. It also provides the evidence base which can be used to support Local Plan policies.

### Gypsies and Travellers

- 6.2 In summary there is a need for **6 additional pitches** in Rochford District over the GTAA period to 2033 for Gypsy and Traveller households that meet the planning definition; a need for up to 3 additional pitches for Gypsy and Traveller households that may meet the planning definition – although if the national average of 10% were to be applied this could be as few as no additional pitches; and a need for 10 additional pitches for Gypsy and Traveller households who do not meet the planning definition (see **Appendix A**) – if the potential need from 90% of unknown households is added to this the total need for non-Travelling households could rise to 12 additional pitches.

### Travelling Showpeople

- 6.3 There were no Travelling Showpeople identified living in Rochford District.

### Transit Provision

- 6.4 Whilst there is historic evidence to suggest the need for some form of transit provision in Rochford (and Essex), it is not recommended that any should be provided at this point in time as the robustness of the data which could indicate this is not considered to be sufficient. It is recommended that the situation relating to levels of unauthorised encampments should continue to be monitored whilst any potential changes associated with PPTS (2015) develop, and also to allow detailed analysis of 'Decision to Leave Notices' on an Essex-wide basis. Rochford Council is therefore recommended to engage, through the Duty to Cooperate, with the other Essex authorities in the future to ensure this work on Transit Sites can be completed. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.
- 6.5 In the short-term the Council should consider the use of short-term toleration or negotiated stopping agreements to deal with any encampments, as opposed to taking forward an infrastructure-based approach.

### Summary of Need to be Addressed

- 6.6 Taking into consideration all of the elements of need that have been assessed, together with the assumptions on the proportion of unknown households that are likely to meet the planning

definition, the table below sets out the likely number of pitches and plots that will need to be addressed either as a result of the GTAA, or through the SHMA or HEDNA.

- 6.7 Total need from Gypsy and Traveller households that meet the planning definition, from unknown households, and from households that do not meet the planning definition is for 19 additional pitches. The table breaks need down by the GTAA and SHMA/HEDNA by taking 10% (the ORS national average) of need from unknown households and adding this to the need from households that meet the planning definition, and by adding the remaining 90% of need from unknown households to the need from households that do not meet the planning definition.

**Figure 7 – Breakdown of need to be addressed for Gypsies and Travellers in Rochford District (2016-2033)**

Status	GTAA	SHMA or HEDNA	TOTAL
Meet Planning Definition (incl. 10% of unknowns)	6 (6+0)	0	<b>6</b>
Not meeting Planning Definition (incl. 90% of unknowns)	0	13 (10+3)	<b>13</b>
<b>TOTAL</b>	<b>6</b>	<b>13</b>	<b>19</b>

## Appendix A – Unknown and Non-Travelling Need

Figure 8 - Additional need for unknown Gypsy and Traveller households in Rochford District (2016-33)

Gypsies and Travellers - Unknown	Pitches
<b>Supply of Plots</b>	
Additional supply from vacant public and private pitches	0
Additional 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
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	1
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
<b>Total Current Need</b>	<b>1</b>
<b>Future Need</b>	
5 year need from older teenage children	0
Households on sites with temporary planning permission	1
In-migration	0
New household formation (Household base 2 and formation rate of 1.50%)	1
<b>Total Future Needs</b>	<b>2</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>3</b>

Figure 9 - Additional need for unknown Gypsy and Traveller households in Rochford District by 5 year periods

Years	0-5	6-10	11-15	16-17	
	2016-21	2021-26	2026-31	2031-33	Total
	2	0	1	0	<b>3</b>

Figure 10 - Additional need for Gypsy and Traveller households in Rochford District that do not meet the Planning Definition (2016-33)

<b>Gypsies and Travellers – Not Meeting Planning Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional 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
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	7
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	1
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>8</b>
<b>Future Need</b>	
5 year need from older teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	2
<i>(Household base 11 and formation rate 1.10%)</i>	
<b>Total Future Needs</b>	<b>2</b>
<b>Net Pitch Total = (Current and Future Need – Total Supply)</b>	<b>10</b>

Figure 12 - Additional need for Gypsy and Traveller households in Rochford District that do not meet the Planning Definition by 5 year periods

<b>Years</b>	<b>0-5</b>	<b>6-10</b>	<b>11-15</b>	<b>16-17</b>	
	<b>2016-21</b>	<b>2021-26</b>	<b>2026-31</b>	<b>2031-33</b>	<b>Total</b>
	8	0	1	1	<b>10</b>

# Appendix B – ORS Technical Note on Household Formation and Growth Rates