

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – WEDNESDAY 18 OCTOBER 2017

Title of report	GYPSY AND TRAVELLER SITE ALLOCATION DPD: UPDATE
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Purpose of report	To provide a summary of the findings from the Leicester and Leicestershire Gypsy, Travellers and Travelling Showpeople Accommodation Assessment and to provide an update on the preparation of the Gypsy and Traveller Site Allocations Development Plan Document (DPD).
Council Priorities	Value for Money Business and Jobs Homes and Communities Green Footprints Challenge
Implications:	
Financial/Staff	There are potential costs to the Council if the possibility of providing a transit site within the district is pursued.
Link to relevant CAT	None

Risk Management	<p>In previous reports, reference has been made to an on-going risk that the submitted North West Leicestershire Local Plan may not be found sound due to the way in which it addresses the accommodation needs of travellers. This followed the interim findings of the Inspector examining the Maldon District Local Development Plan who concluded that it was not sound because the said plan's policy for the provision of travellers' accommodation does not identify accurately the need for pitches and does not identify specific sites to meet the requirement. Subsequently, the Secretary of State advised Maldon District Council that he agreed that the policy for the provision for travellers was not consistent with national policy. However, he concluded that it was not proportionate for the Inspector to find the whole plan unsound because he had not examined the whole plan.</p> <p>While this case is specific to Maldon, it is considered that the risk to the submitted North West Leicestershire Local Plan in relation to this matter is reduced because of the expressed view of the Secretary of State . Further, during the submitted North West Leicestershire Local Plan examination hearing sessions there has been no suggestion that the submitted Local Plan may be found unsound in relation to this matter.</p>
Equalities Impact Screening	A full equality impact assessment has been prepared.
Human Rights	European Convention on Human Rights and the Human Rights Act 1998 art.8 imposes a positive obligation on the state to facilitate the gypsy and traveller way of life.
Transformational Government	Not applicable
Comments of Deputy Head of Paid Service	Report is satisfactory
Comments of Deputy Section 151 Officer	Report is satisfactory
Comments of Deputy Monitoring Officer	Report is satisfactory
Consultees	Local Plan Project Board
Background papers	<p>Minutes and reports of meetings of the Local Plan Advisory Committee dated 27 July 2016, 6 October 2016 and 21 February 2017</p> <p>minutes-1.nwleics.gov.uk/ieListMeetings.aspx?CId=251&Year=0</p>

	<p>Gypsy and Traveller Site Allocations Development Plan Document Consultation Draft</p> <p>www.nwleics.gov.uk/pages/gypsy_and_traveller_site_allocation_consultation</p> <p>National Planning Policy for Traveller Sites www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf</p> <p>Leicestershire, Leicester and Rutland Gypsy and Traveller Needs Assessment Refresh (2013) www.nwleics.gov.uk/files/documents/leicester_leicestershire_and_rutland_gtaa_refresh_may_2013/Leicester%20Leicestershire%20and%20Rutland%20GTAA%20Refresh%20-%20May%202013.pdf</p> <p>North West Leicestershire Local Plan: Publication www.nwleics.gov.uk/files/documents/proposed_publication_local_plan_2016/LocalPlanDocJune2016.pdf</p> <p>Leicester City and Leicestershire and Rutland Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2017) www.nwleics.gov.uk/pages/gypsy_and_traveller_site_allocation_consultation</p>
Recommendations	<p>(I) THAT THE FINDINGS OF THE LEICESTER AND LEICESTERSHIRE GYPSY, TRAVELLER AND TRAVELLING SHOWPEOPLE ACCOMMODATION ASSESSMENT BE NOTED; AND</p> <p>(II) PROGRESS ON THE PREPARATION OF THE GYPSY AND TRAVELLER DEVELOPMENT PLAN DOCUMENT BE NOTED AND;</p> <p>(III) COMMENT ON THE POSSIBILITY OF PROVIDING A TRANSIT SITE WITHIN THE DISTRICT</p>

1.0 BACKGROUND

- 1.1 Members will be aware that the Council's submitted Local Plan sets out the intention to prepare a Gypsy and Traveller Site Allocations Development Plan Document (DPD) as a means of identifying a range of sites to meet the identified need.
- 1.2 Members will also be aware from previous reports to this Committee (27 July 2016, 6 October 2016 and 21 February 2017) that an up to date needs assessment has been commissioned for the Leicester and Leicestershire Housing Market Area (LLHMA) (excluding Hinckley and Bosworth Borough Council who commissioned their own separate

study) to update the pitch targets for gypsies and travellers and the plot targets for travelling showpeople.

1.3 The Leicester and Leicestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) has now been completed. This report provides a summary of the study and its findings.

2.0 THE LEICESTER AND LEICESTERSHIRE GYPSY, TRAVELLER AND TRAVELLING SHOWPEOPLE ACCOMMODATION ASSESSMENT

2.1 The GTAA was undertaken by Opinion Research Services (ORS) who have experience nationwide of undertaking similar studies.

2.2 The study took account of the change in definition of who constitutes a traveller arising from the publication by the government of the revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This change in definition now excludes those who have permanently ceased from travelling for whatever reason.

2.3 The study used a combination of desk based research (e.g. census data, caravan counts) and direct engagement with members of the travelling community through a series of interviews. The fieldwork was undertaken between July and November 2016. In North West Leicestershire 41 interviews were undertaken.

2.4 In view of the change in the definition of who constitutes a Traveller this process needed to identify those of the existing traveller community who, in line with the amended definition, are or are not travellers. The study also identified the potential needs rising from unknown households (e.g. where an interview was not completed), but the view of ORS is that there is insufficient certainty about such figures and so the figures are provided for illustrative purposes only.

2.5 Taking account of current supply and the findings from the interviews, and breaking the future needs down in to 5 year bands as required by the PPTS the following needs were identified for North West Leicestershire. It is these needs which the Council must seek to address. It should be noted that the DPD will cover the period to 2031 - the same plan period as the submitted Local Plan.

Table 1 – Needs arising from known households

	Period				Total to 2031	Total to 2036
	2016-21	2021-26	2026-31	2031-36		
Gypsies and Travellers meeting the amended definition	3	1	1	1	5	6
Travelling Showpeople who meet the amended definition	15	1	2	2	18	20

2.6 The level of need identified is significantly less than that in the previous study in 2013 which identified a need for a total of 68 pitches for gypsies and travellers and 9 travelling showpeople plots. This change is largely attributable to the change in definition.

- 2.7 It should be noted that the change in definition is currently the subject of a Judicial Review. If successful this will change the level of need, potentially incorporating the findings in respect of unknown households, the results of which are summarised below in Table 2

Table 2 - potential needs arising from unknown households.

	Period				Total to 2031	Total to 2036
	2016-21	2021-26	2026-31	2031-36		
Gypsies and Travellers unknown households	6	1	1	2	8	10
Travelling Showpeople unknown households	0	1	1	1	2	3

- 2.8 There is no way to be certain how many of these ‘unknown households’ would meet the revised definition of a Traveller. ORS’ experience elsewhere of surveys undertaken since the change in the definition suggests that about 10% of interviewed gypsy or traveller households and 70% of travelling showpeople households meets the revised definition. Whilst cautioning that these are not official statistics, they are the most comprehensive assessments to date on this matter and so “should be seen as a robust statistical figure”.
- 2.9 Assuming, therefore, that only 10% of the unknown households identified in table 2 meet the revised definition of a Traveller then the additional need for gypsies and travellers could be as little as 1 pitch. For travelling showpeople an additional 2 plots would be required based on a requirement of 70% of unknown households. This would increase the overall need for gypsies or travellers to 7 pitches to 2036 and for travelling showpeople an increase to 22 plots.
- 2.10 The following number of households did not meet the definition of a Traveller as set out in the PPTS.

Table 3 – Households not meeting the definition of a Traveller

	Period				Total to 2031	Total to 2036
	2016-21	2021-26	2026-31	2031-36		
Gypsies and Travellers unknown households	4	1	0	1	5	6
Travelling Showpeople unknown households	0	0	0	0	0	0

- 2.11 In terms of transit provision the ORS study advised that there is a need for additional pitches, based on the previous assessment, caravan counts and data from the Multi Agency Traveller Unit (MATU) at Leicestershire County Council, for 12 in the city and 36 across the remainder of the study area. The consultants suggest that the latter should be spread over 2-3 sites and that based on data the “need is greatest in the North West of the county [and the City]” and that “transit provision should be prioritised in these locations”.

3.0 HOW WILL WE TAKE FORWARD THESE FINDINGS?

- 3.1 The findings of the GTAA will need to be taken in to account in the DPD.
- 3.2 Members will recall that a consultation was undertaken in February 2016 (The Gypsy and Traveller Site Allocations Development Plan Document: Consultation Draft). Amongst other matters this provided an opportunity for individuals, organisations (including parish councils) and stakeholders to suggest sites that may be suitable for allocation. No sites were put forward. A more recent consultation as part of preparing a revised Strategic Housing Land Availability Assessment (SHLAA) also failed to generate any potential sites.
- 3.3 The reports to the 27 July 2016 and 6 October 2016 meeting of this Committee noted that officers had undertaken a district wide search for potential sites. This work is ongoing and in particular is seeking to ensure that any potential sites are deliverable. A report will be taken to a meeting of Council in due course.
- 3.4 In terms of transit provision, whilst the GTAA does not identify a specific requirement for North West Leicestershire, having regard to the available evidence (and the advice set out in the GTAA as referred to above) officers are continuing to explore the potential for the Council to make transit provision in the district. This will potentially incur significant costs to the Council (e.g. possible purchase of land, laying out a site and ongoing running costs) but the provision of a public (as opposed to a private) transit site will enable the police to direct those on unauthorised sites to move to the transit site, so reducing the impact on the settled community and reducing costs to the Council associated with dealing with unauthorised sites.