

<b>REPORT TO:</b>	<b>ENVIRONMENTAL &amp; DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 9</b>
<b>DATE OF MEETING:</b>	<b>25 JANUARY 2024</b>	<b>CATEGORY:</b>
		<b>DELEGATED or RECOMMENDED</b>
<b>REPORT FROM:</b>	<b>STRATEGIC DIRECTOR (SERVICE DELIVERY)</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>STEFFAN SAUNDERS 07971 604326 <a href="mailto:Steffan.saunders@southderbyshire.gov.uk">Steffan.saunders@southderbyshire.gov.uk</a></b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT (2023)</b>	
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE:</b>

## **1.0 Recommendations**

- 1.1 That the Committee notes the content of the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment Report (GTAA) (April 2023) shown in Appendix 1
- 1.2 Authorise the publication of the GTAA on the Councils website once the GTAA has been approved by all councils involved in commissioning it.

## **2.0 Purpose of the Report**

- 2.1 To allow the Committee to note the content of the Derby, Derbyshire, Peak District National Park Authority and East Staffordshire GTAA Report (April 2023) shown in Appendix 1 and to seek authorisation to publish this on the Councils website. This will then be used as evidence to inform Local Plan production.

## **3.0 Executive Summary**

- 3.1 The National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (PPTS) require local planning authorities to make their own assessment of need for Gypsy and Travellers to inform the preparation of local plans and to make planning decisions.
- 3.2 RRR Consultancy Ltd were commissioned to produce a GTAA for Derby, Derbyshire (includes South Derbyshire), Peak District National Park Authority and East Staffordshire in November 2019, a final draft of this report was received in July 2023.

The GTAA has assessed the needs for Gypsy and Travellers, Travelling Showpeople, boat dwellers (i.e. residential moorings) and residential caravans (not for gypsy and travellers) within the District between 2020-2024.

- 3.3 The GTAA has identified the following need (pitch) requirement in South Derbyshire for both the Ethnic and the PPTS definition of Gypsy and Travellers, the exact number will be determined by the definition that the Council chooses to apply.

<b>Period</b>	<b>Need (number of pitches) using the Ethnic definition</b>	<b>Need (number of pitches) using the PPTS definition</b>
2020-25	20	14
2025-30	12	11
2030-35	13	12
2035-40	14	13
<b>2020-40</b>	<b>59</b>	<b>50</b>

- 3.4 The assessment concludes that there is no need for Travelling Showpeople plots within the District.
- 3.5 The assessment determines that South Derbyshire has sufficient potential residential moorings for residential boat dwellers within the District.
- 3.6 The assessment identifies the need for 14 residential caravan pitches within South Derbyshire.

<b>Period</b>	<b>Pitches</b>
2020-25	5
2025-30	3
2030-35	3
2035-40	3
<b>2020-40</b>	<b>14</b>

- 3.7 The GTAA report will be used as evidence to inform the revised Local Plan, which will be subject to further committee approval. At the current time the approach to addressing the needs identified have not been developed and therefore Members are not being asked to consider this aspect further. It is likely that detailed allocations for gypsy and traveller sites would need to be considered within the updating of part 2 of the Local Plan and there will be options to allocate sites for gypsy and traveller accommodation as part of larger sites for bricks and mortar housing.

#### **4.0 Detail**

##### Gypsy and Travellers

- 4.1 The NPPF and PPTS requires local planning authorities to make their own assessment of need for Gypsy and Travellers to inform the preparation of local plans and to make planning decisions.
- 4.2 RRR Consultancy Ltd were commissioned to produce a GTAA for Derby, Derbyshire (includes South Derbyshire), Peak District National Park Authority and East Staffordshire in November 2019. The consultants undertook the following in order to calculate the pitch requirement:
- 1) Review of secondary information and analysis of secondary data (including the Councils record of authorised and unauthorised sites).

- 2) Face to face and telephone surveys with the Gypsy and Traveller community undertaken in January 2022, covering a range of issues related to accommodation and service needs
- 3) An online survey and interviews with key stakeholders providing qualitative data regarding accommodation needs of Gypsy and Travellers.

4.3 The production of the GTAA has taken a considerable length of time. Following its commission, the Covid 19 Pandemic commenced which led to delays in consulting with Gypsy and Traveller households. Further delays have occurred due to the number of commissioning authorities involved who have each had to collect and collate their respective data and review and suggest revisions to the draft reports.

4.4 All consultations with Gypsy and Traveller households during the pandemic were made in a Covid safe manner via telephone, email and face-to-face surveys. It should be noted that the response rate to the Gypsy and Travellers survey within the district is 95%, compared to the other commissioning authorities who achieved a 100% response rate. The consultants do not however, consider that this would affect the outcome or credibility of the assessment as it is still a representative sample.

4.5 The number of unauthorised Gypsy and Traveller sites, feeds into the Gypsy and Traveller need calculation. At the time of producing the GTAA there were no unauthorised pitches within the District.

4.6 The Assessment provides two needs calculations based on two different definitions of 'gypsy and traveller', these are 'ethnic need' and the 'PPTS need'. The Ethnic definition includes the need to calculate a requirement for people who identify as a gypsy or travellers but have ceased to travel and now reside in bricks and mortar. In 2015 the PPTS amended its definition of Gypsy and Travellers to; *"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."* Therefore the PPTS definition excludes those who have ceased to travel permanently from the Gypsy and Traveller needs requirement.

4.7 It will be up to the Council when drafting the Local Plan to determine which definition is the most appropriate to apply. The GTAA recommends that the ethnic definition is adopted as this would ensure that the requirement for gypsy and traveller pitches is met and that the authority is able to demonstrate an understanding of the overall accommodation needs of all households who ethnically identify as a Gypsy or Traveller. There is also recent caselaw that supports provision for this wider definition. The report does, however, also say that the Council could choose to adopt the PPTS 2015 definition, and that the further requirement (to meet the ethnic definition) could be met via windfall planning applications which they recommend could be assessed against a Local Plan criteria-based policy.

4.8 The Assessment has identified the following pitch requirements for gypsy and travellers based on both the Ethnic and PPTS definition.

Period	Need (number of pitches) using the Ethnic definition	Need (number of pitches) using the PPTS definition
2020-25	20	14
2025-30	12	11

2030-35	13	12
2035-40	14	13
<b>2020-40</b>	<b>59</b>	<b>50</b>

The need figure in the initial period (2020 – 2025) is based new family formations expected to arise from within existing family units on existing occupied permanent authorised pitches within the District, family units currently overcrowded (or hidden family members) on pitches seeking residential pitches in the area includes provision for gypsy and travellers that have been identified as living in overcrowded accommodation (hence it's slightly higher than in subsequent years). The assumption is that from 2025 onwards the needs figure is based upon new family formations expected to arise from within existing family units on existing occupied permanent authorised pitches within the District plus a natural population growth rate.

- 4.9 The Ethnic definition also includes an allowance for gypsy and travellers' family units who currently reside in bricks and mortar housing but with a psychological aversion to housed accommodation.
- 4.10 The relatively high requirement for the District (particularly in relation to the other commissioning authorities) is as a result of the Districts historic success in discharging its duty towards the gypsy and travelling community in providing suitable Gypsy and Travellers pitches. The high number of existing authorised pitches (based on the methodology for calculating need above) means that the future requirement in the District will also be high due to the population growth arising from these sites. The District is also considered an attractive place for Gypsy and Travellers to reside, due to its central geographic location providing access to a good road network.
- 4.11 The report recommends that local planning authorities incorporate a criteria-based policy in their local plan. A criteria based policy (such as Policy H22 in the Adopted Part 1 Local Plan) will continue to be included within the emerging Local Plan Part 1 and will be used in the determination of gypsy and traveller planning applications. Allocations of gypsy sites could be considered in the process of a review of part 2 of the plan.
- 4.12 The GTAA, in relation to transit pitches, recommends that local authorities adopt a negotiated stopping policy and suggest that it could be implemented on an individual local authority, across the study area or countywide basis. A negotiated stopping place policy involves Gypsy and Traveller caravans being authorised to stay on either an unauthorised site or moved to 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. It is worth noting in relation to this recommendation that the Council is one on only three of the commissioning authorities who already provide transit pitches within their area.

#### Travelling Showpeople

In terms of Travelling Showpeople, the assessment concludes that there is no need for Travelling Showpeople plots within the District.

#### Residential Boat Dwellers

- 4.13 The assessment identified the need for residential moorings (for residential boat dwellers) within the Study Area, however concluded that South Derbyshire has sufficient potential residential moorings.

## Residential Caravan Dwellers

4.14 Residential caravan dwellers are residents who reside in caravans permanently, usually in Caravan Parks and are separate to Gypsy and Travellers. The term pitch is also used in the context of residential caravan dwellers (and means an area on a site development for a family unit to live).

4.15 The methodology for calculating the need for residential caravan dwellers set out within the assessment was based on the following:

- Number of mobile park homes/sites in the local authority area
- Total number of mobile homes/park homes units in the local authority area
- Number of current and potential vacant pitches
- Level of demand

4.16 It should be noted that the calculation does not include residential caravan pitches that are occupied as second or holiday homes.

4.17 The report states that there are 6 residential caravan sites within the District providing 176 pitches. This led to the assessment identifying the following need for residential caravan dweller pitches within South Derbyshire:

<b>Period</b>	<b>Pitches</b>
2020-25	5
2025-30	3
2030-35	3
2035-40	3
<b>2020-40</b>	<b>14</b>

## **5.0 Financial Implications**

5.1 The study has been carried out within the existing Local Plan budget.

## **6.0 Corporate Implications**

### **Employment Implications**

6.1 There are no employment implications arising directly from this report.

### **Legal Implications**

6.2 The study has been carried out so the Council is compliant with the requirement to plan for the needs of Gypsy and Travellers as set out within the NPPF and PPTS.

### **Corporate Plan Implications**

6.3 The GTAA identifies the future needs of Gypsy and Travellers, Travelling Showpeople, and residential boat and caravan dwellers within the District up to 2040. This is in line with Our People section of the Corporate Plan which states “Working with communities and meeting the future needs of the District”.

## **Risk Impact**

6.4 None identified at this time.

## **7.0 Community Impact**

### **Consultation**

7.1 Preparation of the assessment involved consultations with Gypsy and Travellers, Local Authorities, and other Key Stakeholders.

### **Equality and Diversity Impact**

7.2 Gypsy and Travellers are protected from discrimination by the Equality Act 2010. The GTAA establishes need for Gypsy and Traveller pitches within the District up to 2040. The evidence base document will feed into the emerging Local Plan, which will establish how to meet this need.

### **Social Value Impact**

7.3 The document establishes need for Gypsy and Traveller pitches, Traveling Showpeople and residential boat and caravan dwellers within the District up to 2040. The evidence base document will feed into the emerging Local Plan, which will establish how to meet this need.

### **Environmental Sustainability**

7.4 None.

## **8.0 Conclusions**

8.1 The Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment should be published on the Councils website following Committee approval to be used as future evidence for Local Plan production.

## **9.0 Background Papers**

- Appendix 1: Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment, April 2023.