**Housing needs and Planning Policy for Gypsy and Travellers:**

**The approach of Devon local authorities**

1. **Introduction**

1.1 The purpose of this report is to highlight good practice from across Devon in meeting the needs of Gypsies and Travellers through collaboration between departments. The report also looks to identify continued challenges that are faced by local authorities and looks to provide some recommendations that would provide a consistent approach across Devon to achieving the aspirations of the governments planning guidance.

1. **Evidence gathering**
   1. This report has been compiled using semi-structured interviews with planning and housing officers of a small number of district councils in Devon and publicly available reports and policies from local authority websites from across England.

**Headlines**

Local Authorities who have engagement processes in place with Gypsy and Travellers have demonstrated the following:

1. Reduction in costs incurred through unauthorised encampments.
2. Produced design and layout guides for sites that Gypsy and Travellers have been consulted on and use.
3. Demonstrated activity that achieves corporate plan aspirations.
4. Developed trusting relationships between residents and local authorities.
5. Showcased and received regional and national recognition for good practice.
6. **National Planning Policy for Traveller sites**

3.1 The Government’s overarching aim is to ensure fair and equal treatment for Travellers, in a way that facilitates the traditional and nomadic way of life of Travellers while respecting the interests of the settled community.

3.2 In order for the government to meet its aims for Traveller sites it suggests local authorities:

1. make their own assessment of need.
2. adopt fair strategy and identification of land for sites.
3. plan for sites over a reasonable timescale.
4. protect the green belt from development
5. promote more private permanent sites
6. that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective
7. for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies
8. to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
9. to reduce tensions between settled and traveller communities in plan-making and planning decisions
10. to enable provision of suitable accommodation from which Travellers can access education, health, welfare and employment infrastructure
11. for local planning authorities to have due regard to the protection of local amenity and local environment [[1]](#footnote-1)
12. **Engagement practices with the Gypsy and Traveller community**

4.1 At the time of writing this report Teignbridge District Council (TDC) and Mid Devon District Council (MDDC) had established Gypsy and Traveller Forums (Teignbridge for 10 years and Mid Devon since April 2018).

4.2 The district councils recognised the desire to care for all Travelling communities. The forums provide districts with a better understanding, not only the housing needs of the communities, but also their health, wellbeing, educational, employment and social needs. Whilst also recognising their commitment to equality and diversity.

4.3 Both TDC and MDDC recognised the need to provide and/or develop educational and training resources to help dispel myths and anxieties often generated through reports in the media.

4.4 TDC created a promotional video about their privately managed site at Haldon, something they were shortlisted for national recognition.

4.5 A sound recording titled *‘Neighbours’* has been used to breakdown myths and stereotypes about Gypsy and Travellers and has been used with Parish Councils.

4.6 Teignbridge in partnership with Roof Top Housing Association in the Midlands have created a documentary titled *‘What does home mean for you?’* sharing national good practice will be aired at Chartered Institute of Housing Conference in June 2018.

4.7 The intelligence gathered through the forum has enabled the districts to make more accurate provisions for the Travelling communities. Officers and elected members have learnt from the communities and trusting relationships are being formed over time, helping the councils to make better informed decisions in the future. This shows how the districts are proactively achieving the aspirations of their corporate plans.

4.8 The forums are chaired and led by the Gypsy and Traveller communities and membership of the group includes, officers from the district council from planning and housing, elected members and occasional attendance from Environmental Health, Benefits and Refuse teams. The Forums are also a means for multi-agency joined up approach to engage with the Travelling community and can be attended by representatives of other organisations e.g. Police, NHS, Fire service and Department of Work and Pensions. A draft copy of terms of reference and the report submitted to the Council’s Cabinet for the Mid Devon District Council Forum are embedded below.

 

4.9 The Gypsy and Travellers own the agenda and agree topics for discussion at each meeting. The next Mid Devon meeting will include presentations on education and wellbeing.

4.10 The forum’s meet 2-3 times a year, and the time of the forum meeting varies to enable attendance throughout the year. Positive relationships between the District Councils and the Gypsy and Traveller communities have been formed. The forum has created a trusting relationship between the Gypsy and Travellers and the District Councils and is valued by both parties. This is particularly due to the consistent attendance of the same officers over the years so that they are recognised and come to be trusted.

4.11 At the first Mid Devon Gypsy and Traveller Forum held at a local community centre, 17 people attended, 4 people were from the Mid Devon Gypsy and Traveller communities, members from the Travelling communities from other areas also attended. 3 elected members with the portfolios for housing and planning have committed to consistent presence at all future meetings. In Teignbridge, on average 50% of the attendees are Gypsy and Travellers and numbers range between 11-32.

4.12 The Gypsy and Travellers from Mid Devon have expressed a sense of loss due to the retirement of a committed officer from the Racial Equality Council. The officer was a trusted person whom they could go to and recognised as championing their views and was highly valued. Whilst it is not the intention of the forum to replace the officer’s role it further demonstrates that the Gypsies and Travellers value trusted relationships.

4.13 Typically, the district councils resource the forum through an officer’s time (estimated at 1 day a week) officer time to attend the meetings and providing a venue for the meeting.

4.14 In Cheltenham on the 5th December Romani Gypsy’s and planning officers from Mid Devon and Teignbridge will be presenting *‘Life as a Romani Gypsy’* to 150 people at a Royal Town Planning Institute South West Conference titled Sustainable Communities and Social Inclusion Seminar. The invitation to present highlights the important message that these local authorities have been proactive in learning more about the housing needs of the Travelling community, championing equality and diversity. Planners and councillors alike have described how they have learnt so much about the culture, lifestyles and preference for travelling over living in bricks and mortar homes through their engagement approach.

**4.15 Checklist to establish a Gypsy and Traveller Forum**

|  |  |  |
| --- | --- | --- |
| 1. | Identify the need and interest amongst officers and elected members for a Gypsy and Traveller Forum. |  |
| 2. | Learn from other local authorities on the processes they have taken and observe a forum meeting in operation. |  |
| 3. | Seek approval from heads of service, leadership team and Cabinet. |  |
| 4. | Provide training for officers and elected members. Mid Devon commissioned training through Plymouth University. |  |
| 5. | Promote the formation of the forum through existing networks, using opportunities such as the biannual count and council websites to raise awareness of meetings. Provide the communication in easy read formats. |  |

4.16 The feedback from the responses to the training provided by Plymouth University commissioned by MDDC shows the impact made.



4.17 TDC have many resources including audio recordings and leaflets on their website to help educate people about the Gypsy and Traveller community.

<https://www.teignbridge.gov.uk/community-and-people/people/gypsies-and-travellers/about-gypsies-and-travellers/>



1. **Gypsy and Travellers Housing needs**

5.1 Through engagement with the Gypsy and Traveller’s, district councils have learnt about the way in which these communities prefer to live their lives and gained insights of their preferred design of permanent sites.

5.2 The districts all use the biannual count as an opportunity to promote the Gypsy and Traveller Forum if one exists and to promote and communicate the offer of support to the Gypsy and Traveller communities, which include invitations for planning applications. Embedded below is the example used by Mid Devon.



5.3 TDC have created a standard letter for Gypsy and Travellers that explains the offer of free pre-application advice which has led to several of the community taking up the offer. This has meant in most cases planning applications are approved. This bucks the trend in many other areas where planning applications from Gypsy and Travellers take much longer to be approved than planning applications from settled communities, creating a health inequality. Not having a permanent site and the associated stress of roadside living, navigating the planning process including objections can cause health problems and result in health inequalities, particularly where a lack of permanent address limits access to services.

5.4 Having a cultural awareness of the Gypsy and Traveller community is key to making suitable and usable living spaces for this population. *‘Cultural and legislative change over the past 50 years means that many Gypsies and Travellers have no real choice about where, and how they live. The lack of suitable sites, poor facilities, and problems accessing health care and other services mean that between an estimated one-half to two-thirds4 live in bricks-and mortar housing. People are often forced to move to conventional housing, and little help and support is on offer to assist people in adjusting to the change. Many of the viewpoints expressed in Shelter’s consultation reflected how alien living in ‘bricks and mortar’ felt.’ (Shelter 2008).*

<http://england.shelter.org.uk/__data/assets/pdf_file/0010/57772/Working_with_housed_Gypsies_and_Travellers.pdf>

5.5 Through engagement opportunities and research we know that Gypsy and Travellers have been able to articulate that they would like to be housed in

semi-rural locations with good transport links. They have strict code on cleanliness and hygiene highlighted by the following:

* Preference to live in caravans rather than in houses as they prefer to keep their living space separate from waste and washing
* Anything (such as a bag) that has been on the floor will never be put on the table
* Animals and livestock are an important part of life and live outside of the home
* When someone dies, their clothes and personal belongings are burnt, or occasionally given or sold to non-Travellers. If possible, the family will then move to another place.

5.6 TDC have drafted an affordable housing supplementary planning document that includes a section on the provision of sites and pitches for the Travelling community. Teignbridge used national publications and consulted with the Gypsy and Traveller Forum. In the appendices the size of permanent pitches was documented at 500m2 and 325m2 for transit pitches which is used as part of their planning guidance. This draft guidance was approved by the Executive in July 2015 but has yet to be fully adopted. <https://www.teignbridge.gov.uk/media/1726/affordable-housing-spd.pdf>

5.7 During the planning of Cranbrook Healthy New Town the Gypsy and Travellers were consulted by East Devon District Council (EDDC), the intelligence from the community was included in the Gypsy and Traveller site design and layout supplementary planning document. [[2]](#footnote-2)

5.8 Headlines from consultations undertaken with Gypsy and Travellers include:

1. Maximum number of pitches per permanent site 6-10
2. Preference to rent their own mobile homes (provided as part of their pitch) with space for their own touring caravans and vehicles, this would help ensure the mobile homes remain well maintained, well insulated and with working utilities.
3. Sites managed by a body with specialist knowledge, either local authority or Registered Providers
4. That transit sites are not provided alongside the permanent pitches or in close proximity. Overwhelmingly this was because:

* Family and friends will stay as guests on permanent sites, transit site will be used by unknown people (who could otherwise stay in holiday parks if they are ‘on holiday’)
* Fear of short-term ‘strangers’ and the impact of their behaviour on adjacent settled, permanent residents (on permanent pitches and the wider community)
* Concern that anti-social behaviour will be blamed on permanent residents
* Fly-tipping etc associated with transient ‘businesses’ who work door-to-door and won’t pay to use recycling centres
* There is also a need to make sure sites include space for a visiting household to pull over

1. **Local Plan Policy**

6.1 The Local Plan in Teignbridge was adopted in May 2014 and identifies a commitment to deliver 70 new Gypsy and Traveller pitches over the lifetime of the Local plan. There are 2 major urban extensions proposed for Teignbridge whereby the plan requests that developers make provisions for Gypsy and Traveller pitches (on or off site). The local plan has led to discussions between the district council and the developers that has helped bring the pitches to fruition. Developers have approached landowners within Teignbridge to identify sites that are suitable for the Gypsy and Traveller community.

6.2 The local plan process includes a needs assessment of Gypsy and Travellers which is co-ordinated by planners, and Teign Housing hold a waiting list register of Gypsy and Travellers wishing to access permanent sites. In Teignbridge it is known that there are 25 Romani gypsy’s that would like a permanent pitch and 12 other Gypsy and Travellers who would like a pitch at the Haldon site. This register is a useful asset as it enables the district council to demonstrate the demand and need for Gypsy and Traveller pitches.

6.3 Teign Housing manage the authorised sites on behalf of TDC. Gypsy and Travellers have a degree of confidence in sharing their telephone contact details with Teign Housing and understand that their data is protected.

6.4 Under current planning policy in MDDC there is a focus on the need for pitches to be delivered within site allocated for development, although planning officers are open to offers from developers to consider sites off allocations if appropriate.

6.5 Other local authorities are looking to update their local plans to include the need to certain ratios of permanent pitches to be provided by developers depending upon the number of houses being built.

1. **National Policy and Housing Needs assessments**
   1. A shortage of permanent and transit Gypsy and Traveller sites continues to be a pressing issue, which results in unauthorised encampments, weakened community cohesion and local authority expenditure on eviction and clearing up illegal sites.[[3]](#footnote-3)

7.2 The Coalition Government put in place a package of financial incentives and other support for local authorities to encourage the appropriate development of Traveller sites. Measures included:

* £60 million, as part of the Affordable Homes Programme, to provide new or refurbished Traveller sites in England.
* A financial incentive to local authorities, through the New Homes Bonus, for the development of authorised Traveller site accommodation.
* Promoting good practice examples of positive engagement between service providers and Gypsies and Travellers.
* Training to support councillors with their leadership role around Traveller site provision, including advice on dealing with the controversy that can sometimes accompany planning applications for Traveller sites.
* The Highways department at DCC have identified sites for negotiated stopping. 3

7.3 Local authorities are mandated to complete a bi-annual count however, this lacks the recording detail necessary to identify the actual needs of the community and only stipulates the counts of known sites being occupied. Additionally, officers are unable to record whether any of the caravans in situ are overcrowded, nor can they record where a site is authorised but has additional units that are unauthorised.

7.4 The Housing Needs assessment only requires the gathering of intelligence from authorised encampments and excludes unauthorised encampments. They are a snapshot in time, need is constantly changing and evolving, and the Housing Needs Assessment and process doesn’t reflect or accommodate this.

7.5 The most recent Housing Needs Assessment was completed by a consultancy firm commissioned by a collaboration of Devon districts. It is perceived that there has been a lack of transparency from the consultancy firm when challenged about the methodology and numbers reported. There is a perception amongst officers that any future housing needs assessment should be done internally and is likely to be better quality, better researched, more accurate and cost less.

7.6 It’s unknown how many Gypsy and Travellers there are living in bricks and mortar in Devon whom would want to live on a permanent site. There isn’t a question on the Devon Home Choices survey to ask if there is a need for pitches.

7.7 There is interest from officers across Devon to have a better way of recording and reporting the number of unauthorised encampments and collating information at a lower cost for the Health Needs Assessment. It’s perceived as something that Devon County Council Gypsy and Traveller Liaison officers and District councils could do together.

1. **Identification of land for Gypsy and Traveller pitches**

8.1 Some district councils are keen to identify any land it owns, and any land owned by DCC that is suitable for the development of either permanent or temporary sites for Gypsy and Traveller communities. There are fundamental challenges being faced by local authorities in identifying and securing sites for Gypsies and Travellers.

8.2 There are several challenges that district councils face when attempting to identify permanent sites even when there are funds available to purchase land, these include:

1. Finding land parcels that are of appropriate size (often they are too big)
2. Land is often auctioned, by the time the District Council can obtain approval from its Cabinet the auction has taken place.
3. Private offers are made by the local authority but when the landowner learns the land is proposed for Gypsy and Traveller development the land is withdrawn
4. Private offers are made to the local authority, but pressure is put upon the landowner by neighbouring residents the land is withdrawn
5. Some of the mortgage lending companies will not offer mortgages to residents near to Gypsy and Traveller sites, this has been challenged nationally. This is important as it can be cited by developers who may look to challenge local plans where Gypsy and Traveller pitches are requested.

8.3 There is nowhere that local authorities can challenge this discrimination or the stigma that surrounds Gypsy and Travellers.

8.4 A High proportion of the Gypsy and Traveller community are living with or caring for someone with a severe disability. Often, they are being housed in substandard accommodation and would prefer to live in their own caravans or in caravans that are upgraded to a liveable standard.

8.5 42% of English Gypsies are affected by a long-term condition, as opposed to 18% of the general population.

• Higher levels of stress, anxiety and depression.

• Considerably higher numbers of smokers in the Gypsy Traveller population.3

1. **Provision of Temporary/Transit pitches**

9.1 The national policies largely support the need and provision of permanent sites for Gypsy and Travellers, although a gap exists in the provision of transit sites.

9.2 Unauthorised encampments demonstrate evidence that there is a need for temporary or permanent sites across Devon. Currently there is no consistency or allocated resource for measuring the number of unauthorised encampments across Devon, nor evidence of the costs incurred by local authorities in the clean-up operations required because of unauthorised encampments.

9.3 An asset-based community development project ran in Leeds 2014-2017 whereby the local authority, police and community groups worked together to make provisions for negotiated stopped places. The evaluation showed a reduction in the number of unauthorised encampments and a reduction in local authority costs of £105,000 per annum on average (and system wide savings of £238,350). [[4]](#footnote-4)

9.4 Often the living conditions of those living on unauthorised encampments is horrendous, examples include lack of sanitation, poor cleaning facilities, lack of provision for clean water.

9.5 MDDC see the identification of temporary stopping places through the negotiated stopping method as a key priority and gap in activity from that documented in the local plan.

9.6 Devon districts often deal with illegal encampments in the summer months as travellers attend festivals or stop off on route to Cornwall. TDC are in discussions with DCC to identify temporary stopping places. This would enable the enforcement officers to move travellers from illegal encampments onto appropriate stopping places for up to 14 days.

9.7 There is a challenge with regards to the number of unauthorised encampments across Devon. Districts don’t have any land that they can offer or signpost travellers to. There have been discussions between DCC and the Districts with DCC land identified. Despite County Councillors backing Highways have often blocked applications for temporary solutions.

9.8 Neighbouring local authorities will contact each other having identified a person or family in need of housing. One district in Devon has reported a significant rise in single males sleeping in cars, caravans and horse boxes because of becoming homeless due to a breakdown in relationships.

9.9 Where temporary sites are identified the local authorities will supply basic amenities these may include a skip, access to showers and toilets. Where basic facilities have been provided on transit sites the clean-up costs of the local authority have been significantly reduced.

9.10 To provide a consistent approach to enforcement across Devon there is a desire to align enforcement policies where possible. Since Gypsies and Travellers do not recognise local authority boundaries it would be advantageous if all the local authorities across Devon were able to adopt a common approach to the housing needs of the Gypsy and Traveller community.

9.11 Plymouth City Council has produced an Unauthorised encampment policy.



1. **Summary**

10.1 Where Gypsy and Traveller forums exist the dialogue can help Councils better understand the housing and other needs of the Travelling community and inform revisions to housing policies. In addition, the Gypsy and Traveller forums have the ability to:

1. Demonstrate activity that achieves corporate plan aspirations.
2. Develop trusting relationships between residents and local authorities.
3. Help inform work leading to the production of design and layout guides for sites that Gypsy and Travellers.
4. Showcase and receive regional and national recognition for good practice.
5. Reduce the costs incurred through unauthorised encampments
6. Provide a safe place for travellers to raise issues and concerns where there is a lack of specific resource/group elsewhere

It’s also possible that the Gypsy and Traveller forums will help enable local authorities:

1. Be more effective in their efforts to tackle and reduce hate crime
2. Better understand the contribution that Gypsies and Travellers make to the local economy.

**Next steps and recommendations**

1. The Devon County Council Gypsy and Traveller Liaison Officer plans to work with the 8 District Councils and Highways to create a consistent approach across Devon for the provision of negotiated stopping places. It is anticipated that this will lead to the development of an unauthorised encampment policy. This piece of work will be led by Sabrina Thomas whose contact details are [sabrina.thomas@devon.gov.uk](mailto:sabrina.thomas@devon.gov.uk) or telephone 07967 397 618
2. Currently none of the Devon local authorities appear to collect data on the number or costs of unauthorised encampments. The work in Leeds demonstrates how through working collaboratively with partners the costs of unauthorised encampments can provide significant savings to the public purse.

**Additional Resources**

<http://www.cih.org/publication-free/display/vpathDCR/templatedata/cih/publication-free/data/Managing_Gypsy_and_Traveller_sites_negotiating_conflict>

**Acknowledgements**

Thanks to Graham Davey and Celia Hadow of Teignbridge District Council and Tristan Peat and Hannah Cameron of Mid Devon District Council for the information they shared on their experiences of running Gypsy and Traveller Forums and the activity that is ongoing to supporting their communities.

**Richard Merrifield**

**Advanced Public Health Practitioner**

**Devon County Council**

**September 2018**

1. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf> [↑](#footnote-ref-1)
2. <http://eastdevon.gov.uk/media/2016282/final-doc-gypsy-and-traveller-site-design-and-layout.pdf> [↑](#footnote-ref-2)
3. <http://www.edf.org.uk/house-of-commons-library-briefing-paper-gypsies-and-travellers/> [↑](#footnote-ref-3)
4. <http://leedsgate.co.uk/sites/default/files/media/document_uploads/Leeds%20GATE%20ABCD%20Negotiated%20Stopping%20Excerpt%20from%20Final%20Report%20%281%29.pdf> [↑](#footnote-ref-4)