

WIRRAL COUNCIL

CABINET

11 SEPTEMBER 2014

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| SUBJECT: | GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT |
| WARD/S AFFECTED: | ALL WARDS |
| REPORT OF: | STRATEGIC DIRECTOR FOR REGENERATION & ENVIRONMENT |
| RESPONSIBLE PORTFOLIO HOLDER: | COUNCILLOR PAT HACKETT - ECONOMY |
| KEY DECISION? | YES |

1.0 EXECUTIVE SUMMARY

- 1.1 The Gypsy and Traveller Accommodation Assessment for Merseyside and West Lancashire was commissioned to provide evidence of the need for specialist accommodation in Wirral.
- 1.2 The Assessment indicates that Wirral has a need for six permanent and four transit pitches for Gypsies and Travellers in the short term (2013/14 – 2018/19) with a further two permanent pitches over the subsequent period to 2032/33. The assessment does not identify a need for Travelling Showpeople yards in Wirral.
- 1.3 The Council should now take steps to identify land to provide for Traveller accommodation based on the findings of the Assessment.
- 1.4 The report recommends that the findings of the Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment are used to inform the content of the Council's emerging Core Strategy Local Plan and subsequent site-specific Local Plan; that the Assessment is approved as a material consideration for use by Planning Committee in the determination of planning applications; and that a further report be submitted to Cabinet when appropriate sites have been identified.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The Government's Planning Policy for Traveller Sites (March 2012), an accompanying document to the National Planning Policy Framework, sets out a requirement to consider the need for accommodation for Gypsies, Travellers and Travelling Showpeople when preparing their Local Plans (for the purposes of this report, references to "travellers" means "gypsies and travellers" and "travelling showpeople" as defined in Annex 1 of the Government's "Planning Policy for Traveller Sites"). Local Plans must identify sufficient land to provide for traveller accommodation based on objectively assessed needs. A number of authorities that have failed to do so have had their Local Plans found unsound.
- 2.2 Paragraphs 8 and 9 of 'Planning Policy for Traveller sites' state that: '*Local planning authorities should set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities*'.
- 2.3 To ensure that the evidence on the needs for traveller sites in the Liverpool City Region was up to date and robust for the purposes of Local Plan preparation and

the consideration of planning applications, six authorities in the city region (Knowsley, Liverpool, Sefton, St Helens, West Lancashire and Wirral) decided to jointly commission an assessment of Traveller needs. Sefton as the lead authority was the commissioning body.

2.4 Following a competitive bidding process, a company which specialises in Traveller Assessments, arc4, was commissioned in March 2013.

3.0 STUDY METHODOLOGY

3.1 In order to meet the requirements of Government guidance, the methodology for this study comprised:

- desktop analysis of existing documents, data and pitch information;
- interviews with Gypsies, Travellers and Travelling Showpeople;
- a key stakeholder on-line questionnaire for professionals who have contact with and knowledge of local Gypsy and Traveller, and Travelling Showpeople communities; and
- discussions with community representatives and representative bodies including Irish Community Care Merseyside and the Showman's Guild of Great Britain (North West Section).

3.2 The primary fieldwork for this study comprised surveys with Gypsies and Travellers and Travelling Showpeople, which was undertaken by Gypsy and Traveller fieldworkers. A total of 111 interviews were carried out across the study area.

4.0 STUDY FINDINGS

Permanent Traveller Pitches

4.1 The assessment of the current need for permanent traveller residential pitches takes account of existing supply and demand in line with the guidance. This took account of the survey work and information from the Local Authorities.

4.2 In terms of supply, the assessment considers:

- total supply on authorised pitches where they exist;
- turnover on existing authorised sites where they exist; and
- vacant pitches on authorised sites where they exist

4.3 In terms of need, the assessment considers:

- the number of existing households currently living on sites which are intending to move in the next five years, either between pitches on the same site, to a site elsewhere or to 'bricks and mortar accommodation' [the term used to describe traditional housing];
- the number of existing households currently living in bricks and mortar accommodation who are intending to move onto a site within the study area or elsewhere within the next five years;
- the number of emerging households (newly forming) in the next five years which are currently living on a pitch or in bricks and mortar accommodation and will need their own pitch on the same site, or will need to move elsewhere in the study area, outside the study area or to bricks and mortar accommodation.

4.4 The assessment then reconciles the total need and the existing supply by summarising;

- total need for pitches; and
- total supply of authorised pitches

Summary of future permanent pitch requirements

4.5 The Table below sets out the identified future pitch requirement for each local authority in the study area, split by five year time periods.

| | Liverpool | Knowsley | Sefton | St Helens | West Lancs | Wirral | Merseyside and West Lancashire |
|---|------------|----------|-----------|-----------|------------|----------|--------------------------------|
| 2013/14 to 2017/18 | 0 | 0 | 4 | 6 | 14 | 6 | 30 |
| 2018/19 to 2022/23 | -4 | 0 | 6 | 1 | 3 | 1 | 7 |
| 2023/24 to 2027/28 | -4 | 0 | 4 | -1 | 3 | 0 | 2 |
| 2028/29 to 2032/33 | -3 | 0 | 1 | 2 | 2 | 1 | 3 |
| Total need 2013/14 to 2032/33 (20 years) | -11 | 0 | 15 | 8 | 22 | 8 | 42 |

4.6 There is a range of requirements across the study area, ranging from an apparent over supply in Liverpool to a need for 22 pitches in West Lancashire. Wirral has the second lowest requirement for permanent Traveller pitches along with St Helens.

4.7 The study did not identify a need in Knowsley for permanent pitches. This is because the Knowsley local authority area does not currently contain any sites designated as accommodation for Gypsies and Travellers and the area experiences very limited and short term unauthorised encampments (only two instances in the period Jan 2011 – June 2013). By comparison Wirral experienced 45.

4.8 The study further recommends that each local authority meets its own needs and that Liverpool closely monitors its Traveller population to see if the predicted demographic changes are borne out.

4.9 There is currently no site for permanent provision in Wirral for Travellers. The Assessment shows a requirement for six pitches over the next five years, with a further two pitches to be delivered in the longer term; one during 2018-2023 and one during 2028-2033. This shows the need to identify land for 8 pitches to meet the needs up to 2033.

Transit Pitches

4.10 Transit sites are authorised and usually in a permanent location but there is a limit on the length of time residents can stay, generally limited to a maximum of 12 weeks. They are often used by Traveller families as they travel from a more permanent base to elsewhere for social or employment purposes. A lack of transit pitches often results in unauthorised encampments. There are currently no transit pitches available in the whole of the Merseyside and the West Lancashire area.

4.11 The two key elements used to determine the need for transit provision were:

- Unauthorised encampment data; and
- Contextual information and views of Gypsy and Traveller Liaison Officers.

4.12 Unauthorised encampment data for a two and a half year period [January 2011 – June 2013] was collated and analysed to give an indication as to the level of activity across the study area. In Wirral’s case although the Borough experienced a high number of unauthorised encampments (45) during this time period, this was due to repeated encampments by one family group, which has been taken into account when determining the need for transit provision in Wirral.

4.13 It is recommended that 22 transit pitches be provided across the study area as a whole. This is broken down for each individual local authority as follows:

| Authority | Five year pitch requirement (single van use) | Total maximum caravans that could be accommodated |
|------------------|---|--|
| Knowsley | 3 | 6 |
| Liverpool | 4 | 8 |
| Sefton | 4 | 8 |
| St Helens | 3 | 6 |
| West Lancashire | 4 | 8 |
| Wirral | 4 | 8 |
| Total | 22 | 44 |

4.14 The identified need for transit pitches indicates a broad spread across the sub-region and a requirement for four pitches in Wirral. For short periods or for family groups it is possible that a pitch could accommodate two caravans. Given the lack of transit sites, this requirement should be met in the first five year period of the assessment [i.e 2013-18]. It is not expected that further transit pitches would be required beyond this period, although this should be monitored.

Travelling Showpeople

4.15 Travelling Showpeople are a community of people who travel specifically in relation to their employment at fairs. They require a permanent base where they can store, maintain and repair their equipment and where they can station their caravans when they are not travelling for their business. The assessment did not identify a need for Travelling Showpeople yards in Wirral.

Other Findings

4.16 The survey work undertaken with the Travelling community looked at a range of issues that went beyond future accommodation requirements. This included questions on the quality of existing accommodation, social issues and barriers and other problems faced by Travellers. The full report contains detailed survey results on the following:

- Ethnicity
- Tenure
- Facilities
- Repairs and Improvements
- Space standards and overcrowding
- Location and safety
- Cost of accommodation and services
- Planned moves and mobility
- Travelling practices and experience

5.0 PLANNING IMPLICATIONS

- 5.1 In March 2012, the Government published both the National Planning Policy Framework and its accompanying 'Planning policy for traveller sites'. These documents replaced all previous national planning policy in respect of Gypsies and Travellers and Travelling Showpeople. 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.
- 5.2 Once targets for traveller provision have been established through a need assessment, such as the GTAA, national policy requires that the local planning authority must:
- include the target in their local plan;
 - identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites (to be considered deliverable, a site has to be available now, offer a suitable location for development now and be achievable with a realistic prospect that development will be delivered on the site within five years and that development of the site is viable);
 - identify a supply of specific, developable sites or broad locations for growth for years six to ten and, where possible, years 11-15 (a developable site is defined as one which is in a suitable location for traveller site development and where there is a reasonable prospect that the site is available and could be viably developed at the point envisaged);
- 5.3 The Council should, therefore, now include the targets for Wirral in the GTAA within the Core Strategy Local Plan and identify a site (or sites) to meet the needs that have been identified.
- 5.4 National policy also requires that criteria should be set to guide the determination of planning applications for Gypsy and Traveller accommodation (even where no need has been identified). Policy CS24 - Gypsies and Travellers - in the Council's Proposed Submission Draft Core Strategy (which was subject to public consultation between December 2012 and February 2013), already sets out criteria for the consideration of proposals for permanent and/or temporary pitches for Gypsies and Travellers and states that sites sufficient to provide an ongoing five-year supply of deliverable sites to meet assessed requirements will be allocated in a site-specific Local Plan, which will be undertaken once the Core Strategy Local Plan is adopted. Further work is therefore required to inform where such allocations could be suitably located.
- 5.5 The preferred approach is for the Council to identify suitable sites for consultation. Sites could be identified through mechanisms such as:
- a review of the Council's existing assets; or
 - by looking at the sites already being considered for other types of housing as part of the Council's Strategic Housing Land Availability Assessment (SHLAA).
- 5.6 The SHLAA methodology (which uses a scoring system measuring factors such as policy, sustainability and physical constraints, viability and availability to place sites into categories based on their availability over time) could, subject to public consultation, be adapted to assess the potential for sites to be used to provide permanent and transit sites for Gypsies and Travellers. Additional considerations,

specific to the requirements of Gypsy and Traveller accommodation, are likely to include:

- The physical requirements of Gypsy and Traveller accommodation, such as provision for the manoeuvring, parking and storage of caravans and other vehicles into and within the site, space for an amenity building for each pitch and availability of utilities;
- The assessment of the viability of Gypsy and Traveller accommodation.

5.7 Sites could be brought forward on the Council's own land or by a Registered Provider, following public consultation; as part of the local plan process; or (unsolicited) through a privately submitted planning application.

5.8 If a planning application for traveller accommodation were submitted prior to the adoption of a site-specific local plan, the GTAA will need to be taken into account in the decision-making process. Planning Inspectors will in particular consider the following issues in determining any appeal against the refusal of planning permission for a traveller site:

- the existing level of local provision and need for sites (the ability to demonstrate an up-to-date five-year supply of deliverable sites, will be a significant material consideration);
- the availability (or lack) of alternative accommodation for the applicants;
- other personal circumstances of the applicant;
- the locally specific criteria used to guide the allocation of sites in the local Development Plan (Submission Draft Core Strategy Policy CS24 refers - there is no policy in the Council's existing Unitary Development Plan);
- site specific impact issues including scale (to not dominate the nearest settled community and avoid placing undue pressure on local infrastructure); sustainability (including access to appropriate health services and education for children); and the safety and amenity of occupants and neighbouring residents; and
- possible environmental damage caused by unauthorised encampment.

5.9 As such, the proactive identification of site(s) to meet the identified needs will need to be addressed to defend the Council against any future risk at appeal.

6.0 CONCLUSIONS

6.1 The study identifies a small need for traveller accommodation within Wirral. Unauthorised encampments may relate to the lack of suitable sites. The Council will be required to identify suitable sites for Travellers, which must also be addressed through the Local Plan process.

6.2 It is recommended that the Gypsy and Traveller Accommodation Assessment is updated on a regular basis to ensure that the number of pitches and plots remain appropriate for the Gypsy and Traveller and Travelling Showpeople population across the study area.

7.0 RELEVANT RISKS

7.1 Local Plans must identify sufficient land to provide for traveller accommodation based on objectively assessed needs. A number of authorities that have failed to

do so have had their Local Plans found unsound or have had decisions on individual planning applications overturned at appeal.

8.0 OTHER OPTIONS CONSIDERED

8.1 No other options have been considered.

9.0 CONSULTATION

9.1 The preparation of the assessment has included consultation with stakeholders, Gypsies, Travellers and Travelling Showpeople, and community representative groups, as set out in Section 3 of this report.

10.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

10.1 There are no issues arising from this report.

11.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

11.1 There are no financial implications arising from this report but insofar as the Assessment forecasts future requirements for a site, there is potential for the need for funding in future years if the private sector or Registered Providers cannot meet this provision. Further reports will therefore need to be prepared as and when the requirements for any additional facilities are specifically identified and developed.

12.0 LEGAL IMPLICATIONS

12.1 There are no legal implications arising from this report.

13.0 EQUALITIES IMPLICATIONS

13.1 The equality impact assessment associated with this report, which can be viewed at <http://www.bit.ly/regenEIA>, concludes that the application of the findings of the GTAA is likely to have potentially positive impacts.

13.2 The impact of Core Strategy Policy CS24 was previously assessed as part of the wider assessment of the Proposed Submission Draft Core Strategy Local Plan, which can be viewed at <http://www.wirral.gov.uk/downloads/5643> (page 3 section 5 refers).

14.0 CARBON REDUCTION IMPLICATIONS

14.1 There are none arising from this report.

15.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

15.1 These are set out in detail Section 5 of this report. The Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment will form an essential part of the evidence base for the Council's emerging Core Strategy Local Plan; will be the starting point for the consideration of future site-specific land allocations; and will be a material consideration in the determination of individual planning applications.

16.0 RECOMMENDATION/S

16.1 That Cabinet recommends to Council that the findings of the Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment are used to inform the content of the Council's emerging Core Strategy Local Plan and subsequent site-specific Local Plan.

16.2 That Cabinet recommends to Council that the Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment be approved as a material consideration for use by Planning Committee in the determination of planning applications.

16.3 That a further report be submitted to Cabinet when appropriate sites have been identified.

17.0 REASON/S FOR RECOMMENDATION/S

17.1 To provide an up-to-date evidence base for the preparation of the Council's Core Strategy Local Plan and to comply with the requirements of national planning policy.

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APPENDICES

Executive Summary of Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment

REFERENCE MATERIAL

Planning Policy for Traveller Sites (March 2012) can be viewed at:
<https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

National Planning Policy Framework (March 2012) can be viewed at:
<http://planningguidance.planningportal.gov.uk/blog/policy/>

Core Strategy for Wirral, Proposed Submission Draft (December 2012):
<http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework/core-strategy-development-plan>

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|--|-------------------|
| Cabinet – Local Development Framework for Wirral – Core Strategy – Publication of Proposed Submission Draft (Minute 92) | 27 September 2012 |
| Delegated Decision - Local Development Framework – Report of Consultation on the Proposed Submission Draft Core Strategy | 20 June 2013 |