FINAL REPORT

WEST MIDLANDS REGIONAL HOUSING STRATEGY
WEST MIDLANDS REGIONAL SPATIAL STRATEGY
SHARED EVIDENCE BASE

Gypsies and Travellers

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Glossary

The following abbreviations, words and phrases are used in this report and may need some explanation.

**Amenity building**: On most residential Gypsy and Traveller sites basic plumbing amenities (bath/shower, WC and sink) are provided at the rate of one per **pitch** in small permanent buildings.

**Caravans**: Mobile living vehicles used by Gypsies and Travellers. Also referred to as trailers.

**CJ&POA**: Criminal Justice and Public Order Act 1994. Includes powers for local authorities and police to act against **unauthorised encampments**.

**CRE**: Commission for Racial Equality.

**CURS**: Centre for Urban and Regional Studies at the University of Birmingham.

**DoE**: Department of the Environment – central government department with responsibility for Gypsy sites policy before **ODPM**.

**DPDs**: Development Plan Documents required under the Planning and Compensation Act 2004.

**Encampments**: Land where Gypsies or Travellers reside in vehicles or tents without permission. Unauthorised encampments can occur in a variety of locations (roadside, car parks, parks etc) and constitute trespass.

**GSRG**: Gypsy Sites Refurbishment Grant. A challenge fund available between 2001/2 and 2005/6 providing financial help to refurbish local authority Gypsy sites; since 2003/4 GSRG has been available to provide **transit sites** and in 2005/6 is available to provide **residential sites**.

**Gypsy**: Member of one of the main groups of Gypsies and Travellers in England. Romany Gypsies trace their ethnic origin back to migrations, probably from India, taking place at intervals since before 1500. Gypsies were recognised as an ethnic group in 1989.


**Irish Traveller**: Member of one of the main groups of Gypsies and Travellers in England. Irish Travellers have a distinct indigenous origin in Ireland and have been in England since the mid nineteenth century. They were recognised as an ethnic group in 2000.

**LHAs**: Local housing assessments, that is local assessments of housing need.

**LPAs**: Local Planning Authorities.

**Mobile home**: Legally a ‘caravan’ but not usually capable of being moved by towing.

**ODPM**: Office of the Deputy Prime Minister, the central government department with responsibility for housing, planning and Gypsy site provision.

**Pitch**: Area of land on a Gypsy/Traveller site occupied by one resident family. Sometimes referred to as a plot.
Residential pitch/site: A Gypsy pitch/site intended for long-term or permanent occupation by residents.

RHB: Regional Housing Board.

Roadside: Term used to indicate families on unauthorised encampments, whether literally on the roadside or on other locations such as fields, car parks or other open spaces.

Roma: Members of Gypsy/Traveller ethnic groups in continental Europe.

RPG: Regional Planning Guidance.

RSL: Registered social landlord, mainly housing associations, registered with and regulated by the Housing Corporation.

RSS: Regional Spatial Strategy.

Site: An area of land laid out and used for Gypsy/Traveller caravans. An authorised site will have planning permission. An unauthorised site lacks planning permission.

Sub-Region: Agreed divisions of the Region based on work by Peter Bibby of Sheffield University and consultation with regional Partners. They comprise:

- **North**: East Staffordshire, Newcastle under Lyme, Stafford, Staffordshire Moorlands and Stoke on Trent.
- **Central**: Cannock Chase, Lichfield, South Staffordshire, Tamworth, Telford & Wrekin, North Warwickshire, Nuneaton & Bedworth, Rugby, Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton
- **West**: Herefordshire, Bridgnorth, North Shropshire, Oswestry, Shrewsbury & Atcham and South Shropshire

‘Toleration’: term used to indicate that an unauthorised site or encampment will not be subject to enforcement action or eviction. Decisions to ‘tolerate’ sites or encampments may be reviewed as circumstances change.

Transit pitch/site: A (pitch on a) Gypsy site intended for short-term use while in transit. The site is usually permanent, but there is a limit on the length of time residents can stay.

Unauthorised encampment: Land where Gypsies or Travellers reside in vehicles or tents without permission. Unauthorised encampments can occur in a variety of locations (roadside, car parks, parks etc) and constitute trespass.

Unauthorised development: Establishment of Gypsy sites without planning permission, usually on land owned by those establishing the site. Unauthorised development may involve groundworks for roadways, drainage and hardstandings.
Summary

1. This element of the Study is based on a desk study of national, regional and local policies towards Gypsy and Traveller accommodation; the bi-annual Gypsy Caravan Counts; and a survey of West Midlands local authorities using a short questionnaire designed to collect basic information on numbers of sites and encampments, policies and needs assessments. Twenty three of the 38 West Midlands authorities (including county councils) replied.

2. There is no information on the total number of Gypsies and Travellers in the Region since they are not identified in the Census. Information is available from the Gypsy Caravan Counts. This gives numbers of caravans on council and private authorised sites and on unauthorised sites on specific days in January and July each year since 1979. The Counts exclude Gypsies and Travellers living in houses who probably comprise at least half the total population.

3. In July 2004 1,605 Gypsy caravans were counted in the West Midlands, of which 683 (43%) were on council sites, 504 (31%) were on private sites and 418 (26%) were on unauthorised sites either on Gypsy-owned or other land. Gypsy caravans are most numerous in the Central Sub-Region – 621 in July 2004, but in relation to the distribution of total population across the Region, they are over-represented in the more rural parts of the Region in the South and West Sub-Regions.

4. Analyses of trends over time show caravan numbers in the Region peaked in 1994-1995 and have since fallen slightly. Numbers in July 2004 were 67% higher than in July 1979. Over the same period the number of caravans on council sites have more than doubled, while on private sites they have almost trebled. Numbers of caravans on unauthorised sites peaked in 1991 and 1994, then fell sharply; there has been a slight increase in numbers since the low reached in 2001. This slight recent increase is apparent for caravans on both Gypsy-owned and other land. In July 2004 there were 23% fewer caravans on unauthorised sites than in July 1979. Each Sub-Region shows broadly similar trends over time.

5. There are currently 36 local authority sites in the Region (three are closed), providing 540 pitches – all of which are residential except for six transit pitches on one site in Stoke on Trent. There is no hard information at present on the number of private sites, but there are probably about 110 across the Region providing about 500 pitches. Most are owner-occupied family sites. Unauthorised development of sites by Gypsies and Travellers without planning permission is currently confined to a minority of authorities. In the July 2004 count, Wychavon and Stratford on Avon accounted for 90% of caravans on unauthorised sites on Gypsy-owned land which were not being ‘tolerated’ by the authority.

6. Very few local authorities keep ethnic records which distinguish Gypsies and Travellers in housing. Numbers in, and entering, social housing seem to be low in most areas. Authorities do not anticipate an increase in future. There can be issues for Gypsies and Travellers in settling in housing, suggesting a need for initial tenancy support.

7. Gypsy and Traveller families are on average larger than those of the population as a whole, and it is likely that new family formation will be more rapid. Extended families are important to some Traveller groups. All the main Gypsy and Traveller groups are found in the West Midlands. From figures for primary schools it appears that Gypsies/Roma outnumber Irish Travellers about two to one. Very little information is available on Gypsy and Traveller employment or income, which makes it very hard to comment on affordability of accommodation options.
8. The national policy framework has changed recently with Gypsy and Traveller accommodation issues assuming greater prominence. The emphasis is on mainstreaming site provision as a form of affordable housing within housing and planning strategies. The Housing Act 2004 requires local housing authorities to include Gypsies and Travellers in housing needs assessments and to incorporate identified needs in strategies. A revised ODPM circular on Planning for Gypsy and Traveller Sites is currently subject to consultation; this explains how site provision is to be dealt with in Development Plan Documents. The guidance is stronger now on identifying locations suitable for Gypsy and Traveller sites; authorities will have to justify not identifying locations. At present most housing strategies in the Region do not refer to Gypsies and Travellers, and planning policies are not location-specific. Thus the new system will require changes across the Region.

9. Assessing need for Gypsy and Traveller accommodation, including sites, is at the heart of the new approach. In the longer term, information will come from Local Housing Assessments. In the interim, the draft guidance suggests that Regional strategies should rely on any existing needs assessments and the Gypsy Caravan Counts.

10. Very few West Midlands authorities have assessed accommodation needs of Gypsies and Travellers quantitatively. The exception is Shropshire where an need for 53 additional residential pitches and for 13 large houses a year has been estimated.

11. Our preliminary estimates of possible need for pitches to 2010 based on numbers of caravans on unauthorised sites and an assessment of need generated by family growth among existing site residents and site waiting lists (using a ratio between need and present pitch availability found elsewhere in needs studies carried out by CURS) are as follows:

   i. Region  715-820 pitches  
   ii. North    75 pitches  
   iii. Central 290-310 pitches  
   iv. West    145-155 pitches  
   v. South    205-275 pitches

12. A significant proportion of the estimated needs reflects a current shortfall in site provision. Most of these pitches would be residential rather than transit. The totals include both private and public/social site provision. Sites should probably vary in size to provide some element of choice.

13. It must be stressed that these calculations are very preliminary.

14. An important role for Regional bodies will be to provide support and guidance to local authorities as they make their assessments of accommodation needs for Gypsies and Travellers so as to increase consistency and validity. There is scope for greater sharing of information and good practice in this area.
1. Introduction

1.1 This Report covers the element relating to Gypsies and Travellers within the Shared Evidence Base for use in developing the Regional Housing Strategy and Regional Spatial Strategy for the West Midlands.

1.2 The policy background to Gypsy and Traveller accommodation provision is changing rapidly, and has not yet totally clarified. Because of this, the element has been designed as a stock-take of:

- National and other research which has implications for the West Midlands in terms of Gypsy and Traveller accommodation needs, needs assessment, preferences and aspirations.

- Current policies towards Gypsies and Travellers at local authority level (all tiers of local government are potentially involved) in terms of development plans, housing and homelessness strategies. Policies towards managing unauthorised encampments are also relevant.

- Numbers of Gypsies and Travellers in the West Midlands by type of accommodation and location, trends since 1979 and particularly over the past decade and (crude) estimates of numbers if trends were to continue.

1.3 Sources of information used are as follows:

- Policy documents (legislation and guidance) from ODPM; regional documents relating to Gypsy and Traveller accommodation issues; reports from elsewhere in the UK about needs assessment and Gypsy and Traveller accommodation needs, demands and preferences.

- The bi-annual Gypsy Caravan Counts collected by local authorities and published by ODPM. The Counts started in January 1979, and the latest available figures are for July 2004. These snapshots distinguish between Gypsy caravans on unauthorised, authorised council, and authorised private sites. The Count system has been reviewed\(^1\) and is currently being changed; all the authorities in the West Midlands Region are participating in the January 2005 pilot for the new system. The Count figures are widely criticised as partial (they obviously exclude Gypsies and Travellers living in houses) and inaccurate (different authorities apply definitions differently; some authorities are better informed and/or more committed to providing full returns; there may be political reasons for making zero or low returns to reduce the level of apparent need). However, the Review of the system concluded that the figures are valuable as the only available source of broadly consistent information on a national basis on numbers of Gypsies and Travellers who are not distinguished in the Census and often not identified in ethnic monitoring schemes. One problem for time-series analysis in the West Midlands at a sub-regional level is local government re-organisation which, in creating Herefordshire Council, split the former Malvern Hills District between Herefordshire (in the West Sub-Region) and Malvern Hills District Council now in Worcestershire (in the South Sub-Region). This is significant because both ‘parts’ of Malvern Hills include Gypsy sites, and because relatively small population numbers and small changes over time mean that boundary change might obscure ‘real’ trends.

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A short questionnaire was sent to all local authorities (including county councils) in the West Midlands to collect basic information about numbers of sites and unauthorised encampments, policies and needs assessments. A prime objective of the survey was to establish what information is currently available in the Region. The questionnaire is included in Appendix A. It was sent (mainly) by e-mail on 22/23 November 2004. Thirteen were addressed to known officers involved in Gypsy/Traveller issues, nineteen to Chief Housing Officers from a list provided by West Midlands Regional Assembly, and six by letter to the ‘Gypsy/Traveller Accommodation Officer’. An e-mail reminder was sent on 10 December 2004. By 18 January 2005, 23 authorities had responded (61%). This is referred to as the ‘LA survey’ below.

1.4 A half-day consultation workshop was held at the University of Birmingham on 27 January 2005 at which the main evidence and draft recommendations from this work were presented. There were 22 participants from a variety of agencies and professional backgrounds. Comments from workshop participants have been incorporated into this Report.

1.5 At this stage, Gypsies and Travellers have not been directly involved and no primary fieldwork has been undertaken. One conclusion in the Report relates to possible future work which might be carried out regionally.

1.6 This Report has two main parts. The first present the evidence: the national policy context (Section 2); regional and local policies (Section 3); estimates of regional Gypsy/Traveller numbers and trends (Section 4); and approaches adopted towards accommodation needs assessment and possible lessons for the West Midlands (Section 5). The second part draws out some implications for the Regional Housing and Spatial Strategies (Section 6) and suggests future possible areas of work (Section 7). Some of the terms used in describing Gypsy and Traveller accommodation and policy are somewhat specialised. The Glossary immediately after the contents page provides definitions.
2. National Policy Context

2.1 The national policy context for Gypsy and Traveller accommodation is developing rapidly at present. Certain areas have clarified, but there are still areas of uncertainty which will probably not be removed until completion of the ODPM’s Gypsy and Traveller Policy Review. The next few years will be transitional while the effects of changes in the Housing, and the Planning and Compensation Acts 2004 are implemented. The current policy position is sketched in below. There are sub-sections on site provision and planning; unauthorised camping; housing; and human rights and race relations.

Site Provision and Planning

2.2 Between 1994 and 2004 national policy on Gypsy site provision and planning placed the emphasis on private provision by Gypsies and Travellers, facilitated through the planning system.

2.3 The duty on county councils and London Boroughs to provide adequate accommodation for Gypsies ‘residing in or resorting to their areas’ (Caravan Sites Act 1968) was repealed by the Criminal Justice and Public Order Act 1994. Most existing local authority Gypsy sites were provided under the Caravan Sites Act duty, with Exchequer subsidy towards the cost of provision. Local authorities still have powers to provide caravan sites, including sites specifically for Gypsies and Travellers, under the Caravan Sites and Control of Development Act 1960 s24. DoE Circular 18/94 (Gypsy Sites Policy and Unauthorised Camping) makes clear that authorities should maintain their existing Gypsy caravan sites, and should continue to consider whether it is appropriate to provide further permanent caravan sites for Gypsies in their areas. Few have planned and provided new sites since 1994 (beyond any in the pipeline at the time of the repeal).

2.4 Planning policy towards site provision was set out in DoE Circular 1/94 Gypsy Sites and Planning which sought to ‘place Gypsies and Travellers on the same footing as others’ in relation to the planning system whilst recognising their special accommodation needs and the desire of many Gypsies and Travellers to develop their own sites. In formulating their development plans, local authorities were encouraged to assess need for Gypsy sites and to discuss accommodation needs with the Gypsies and Travellers themselves (the requirement to include Gypsies and Travellers in housing needs assessments was restated in Planning Policy Guidance Note 3 Housing). Wherever possible, local authorities were urged to identify suitable locations for Gypsy and Traveller sites in plans. Where this was not possible they were to set out clear, realistic criteria for suitable locations as a basis of site provision policies. In practice almost all plans adopted a criteria-based rather than a site-specific approach. The Circular made clear that Gypsy and Traveller sites are not among land uses which are normally appropriate in Green Belts, areas of special scientific interest or areas of open land where development is severely restricted. In such areas, the onus is on the applicant to prove very special circumstances which overcome the harm caused by development by reason of inappropriateness. Because of the significance of Green Belt policy, Planning Policy Guidance Note 2 Green Belts is also relevant; this re-states extracts from Circular 1/94.

2.5 This framework proved ineffective in providing sites. Most applications for the development of private Gypsy sites were unsuccessful. Partly because of the perceived difficulty/impossibility of getting planning consent in the normal way,
very few Gypsies and Travellers submit planning applications before buying and moving onto land. Often the land acquired is in open countryside and/or a Green Belt (where prices are lower) where development would normally be inappropriate. Local planning authorities then become involved in planning enforcement actions making use of the mix of powers given by the Town and Country Planning Act 1990 as amended; the Planning and Compensation Act 2004 added temporary stop notices to possible enforcement tools and ODPM have consulted on how these might be used in connection with the development of unauthorised Gypsy sites. With the possibility of retrospective planning applications, appeals and Public Inquiries, enforcement action can take several years, and has been heavily criticised. The decisions of Planning Inspectors are widely seen as inconsistent. Unauthorised development of sites by Gypsies moving onto land which they have bought has attracted high profile (and often quite sensational) media coverage and reported public outrage.

2.6 Case law relating to enforcement against unauthorised Gypsy sites has developed over the years. Cases have often considered the definition of ‘gypsies’ for planning purposes, and have highlighted the difference and potential confusion between common sense, ‘ethnic’ and ‘lifestyle’ definitions. For planning purposes the main criterion is a ‘nomadic lifestyle’, but this appears to be increasingly under pressure with trends towards greater ‘settlement’ on the part of traditional Gypsy and Traveller families. At the extreme, the Berry case found that it was impossible for a Gypsy to ‘retire’ from a nomadic lifestyle and keep gypsy status for planning purposes. Case law has also been greatly concerned with definitions of ‘very special circumstances’ which might justify a grant of planning permission for otherwise inappropriate development in Green Belts.

2.7 Legislation during 2004 has changed this framework. Very generally, Gypsy sites are to be considered much more explicitly as a specialised form of housing appropriate to Gypsy and Traveller culture and lifestyle and their provision is to be mainstreamed in housing and planning strategies and policies. The approach has been summarised in ODPM’s recently published Five Year Action Plan.

2.8 The Housing Act 2004 s225 places a duty on local housing authorities to include the accommodation needs of Gypsies and Travellers residing in or resorting to their district when undertaking a review of housing needs in their district. Any needs identified must be included within their housing strategy. Guidance on needs assessment will be issued by ODPM in summer 2005.

2.9 Development Plan Documents (DPDs) to be produced by local planning authorities under the Planning and Compensation Act 2004 will set out how the land required to meet the needs and housing strategy will be made available.

2.10 The ODPM Consultation Paper Planning for Gypsy and Traveller Sites is a draft circular to replace Circular 1/94. This proposes a new definition of ‘Gypsy’ for planning purposes which refers to a ‘traditional cultural preference for living in caravans’ as well as a nomadic lifestyle and sets out circumstances in which someone may stop travelling while retaining Gypsy status. The draft revised circular makes clear that DPDs should identify suitable locations for Gypsy and Traveller sites. In addition, to supplement the specific locations, they should set out fair, reasonable, realistic and effective criteria for suitable locations in site provision policies; there is further guidance on acceptable and unacceptable criteria. A local planning authority which ‘exceptionally’ is unable to meet all assessed future needs through specific site

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2 Temporary Stop Notices, a Consultation Package, ODPM, 2004 (available at http://www.odpm.gov.uk/stellent/groups/odpm_planning/documents/page/odpm_plan_033044.hcsp)
3 Wrexham CBC v National Assembly for Wales and Another (Berry), EWCA Civ 835
4 Sustainable Communities: Homes for All, ODPM, January 2005
locations should give in the DPD a reasoned explanation why that has not been possible and why the use of criteria is necessary to ensure adequate provision, and should state the detailed measures it will take to ensure that adequate provision is made during the plan period. This guidance is stronger than that included in Circular 1/94.

2.11 The Consultation Paper also spells out the proposed role of regional bodies in the process. One objective of the draft Circular is: ‘to underline the importance of assessing needs at regional and sub-regional level and for local authorities to develop strategies to ensure that needs are dealt with fairly and effectively’. When the system is fully operational, the planning process will start with local authorities assessing need for Gypsy and Traveller residential pitches as part of the Local Housing Assessment process. A role for Regional Housing Boards is envisaged in ensuring that assessments are carried out in a robust and consistent way across the region. The Regional Housing Strategy should set out the overall need reflected in these assessments ‘in terms of numbers of pitches in each sub-region, the strategy to be adopted for and costs of necessary public site provision and the priority attached to this relative to other housing needs. The associated funding recommendations made to Ministers by RHBs should set out proposed spend on Gypsies and Travellers and a sub-regional split. The pattern of need and funding priorities will need to be reflected in the RSS’ (Annex D, paragraph 2). The common evidence base from local authority assessments and ‘the Regional Housing Board’s regional view will inform the preparation of policies in a draft revision to an RSS concerning the number of pitches required by local planning authority or sub-regional housing market where a joint DPD is to be produced’ (Annex D, paragraph 4).

2.12 The draft Circular recognises that transitional measures will be required until Local Housing Assessments (LHAs) are completed. Paragraph 25 identifies some suggested sources of information which might be used in addition to any information from early stages of LHAs:

- a continuous assessment of incidents of unauthorised encampment
- the numbers and outcomes of planning applications and appeals
- levels of occupancy, plot turnover and waiting lists for public authorised sites
- the status of existing authorised sites including those which are unoccupied, and those subject to temporary or personal planning permissions
- the bi-annual Gypsy Caravan Counts

2.13 With the exception of the last, these sources of information are not publicly available, but may be available through local authority management records.

2.14 The letter from Keith Hill to Chairs of Regional Housing Boards (December 2004) notes in paragraph 7 that ‘we are committed to increasing provision for Gypsies and Traveller, the need for which must be properly covered in authorities’ housing needs assessments and reflected in Regional Housing and Spatial Strategies’. The letter recognises that local authorities are unlikely to be far advanced with needs assessments in time to feed into the next round of Regional Housing Strategies, and suggests that Caravan Count data are used as a starting point.

2.15 Where needs are identified for any form of accommodation for Gypsies and Travellers which requires public subsidy, the letter notes that these should be taken into account in considering recommendations.

2.16 The Keith Hill letter suggests that site provision, which will count as affordable housing, should generally be provided by RSLs funded through the ADP. At present this is not possible. A Statutory Instrument will have to be introduced to amend the Housing Corporation’s permissible purposes to allow them to fund RSLs to provide Gypsy and Traveller sites. Subsidy is now available to local authorities to provide
residential and transit sites through Gypsy Site Refurbishment Grant. This challenge fund was first available in 2001/02 to help local authorities to improve and refurbish Gypsy sites (75% of approved costs). It was initially introduced for three years, but was extended for a further two years to 2005/6. From 2003/4 GSRG was made available for the provision of transit sites and stopping places (100% of approved costs). Bidding guidance for Round 5 of GSRG (2005/06) extends its availability for the first time to the provision of new residential sites (100% of approved costs) as well. There is a sum of £8 million available for all purposes in 2005/06.

2.17 The only guidance available on standards and design for Gypsy and Traveller sites is very out of date. The ODPM Committee report on Gypsy and Traveller Sites recommends that guidance should be updated and the Government have accepted this recommendation.

Unauthorised Camping

2.18 In the absence of sites, and particularly of transit sites or stopping places, a number of Gypsies and Travellers have nowhere legal to stop while travelling. Where they stop on the roadside, on car parks or parks and other land which they do not own, often as trespassers, this is referred to as ‘unauthorised camping’. Unauthorised encampments must effectively be considered as a form of ‘accommodation’ for Gypsies and Travellers, and policies for managing unauthorised encampments as part of the range of Gypsy and Traveller accommodation policies.

2.19 There is no specific legislative duty placed on local authorities to deal with unauthorised encampments. Local authorities can take action on their own land as landowners through civil actions against trespass or can use the Criminal Justice and Public Order 1994 (CJ&POA) to direct campers to leave (s77). If a direction to leave is ignored, the local authority can apply to a Magistrates’ Court for an Order for removal of persons and vehicles under s78 of the CJ&POA. These powers are available to county, unitary and district councils. Local authorities have other powers for dealing with unauthorised encampments on highways land, or on educational land. Bye-laws which specifically prohibit camping/residence are sometimes used. Local authorities, like other landowners can use the common law to recover land from trespassers using ‘reasonable force’ although this is discouraged by good practice guidance.

2.20 The police also have powers granted by s61 of the CJ&PO Act. This gives the Police powers to direct trespassers to leave if reasonable steps have been taken by or on behalf of the occupier to ask them to leave and there are two or more people intending to reside on the land and they are using threatening behaviour and/or have caused damage to the land or property and/or have six or more vehicles including caravans. The Anti-social Behaviour Act 2003 introduced new police powers, now ss62A to 63E of the CJ&PO Act 1994, to remove Gypsies and Travellers from unauthorised encampments with greater speed and to prevent their return over a wider area. This power can only be used if the police have established, through consultation with local authorities, that a suitable pitch is available on an authorised site in the local authority area (a county in two-tier areas). Supplementary Guidance

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5 Department of the Environment, Gypsy Sites Design Guide, 1979
6 House of Commons ODPM Housing, Planning, Local Government and the Regions Committee, Gypsy and Traveller Sites, 2004
7 Government Response to the ODPM Select Committee’s Report on Gypsy and Traveller Sites, Cm6465, January 2005
8 Guidance on Managing Unauthorised Camping, ODPM and Home Office, February 2004
on the operation of these police powers was issued on 7 March 2005\(^9\). Guidance bringing together management of unauthorised encampments and planning enforcement against unauthorised development will be published in hard copy when complete.

2.21 Case law (starting with the judgement in 1995 of Sedley J in *R v Wealden District Council ex parte Wales*) has developed and clarified the courts’ expectations of the welfare enquiries and decision-making processes local authorities should adopt in making evictions under CJ&POA and other powers. The courts expect local authorities to consider the needs and welfare of Gypsies and Travellers when making any decision to evict, whatever powers are used. The courts have also determined that the police should take humanitarian considerations into account when deciding to use s61, but this requirement is likely to be less onerous than that placed on local authorities which have welfare responsibilities. All decisions must comply with human rights legislation. This latter has been thrown into some confusion by a very recent decision of the Court of Appeal\(^10\) which could have an effect on local authorities’ ability to take eviction action.

### Housing

2.22 Many Gypsies and Travellers nationally, probably more than half, live in permanent housing. As noted above, the accommodation needs of Gypsies and Travellers will in future be addressed through mainstream needs assessment and housing strategies. Under homelessness legislation (Housing Act 1996 Part VII) and its associated Code of Guidance, anyone who lives in a caravan and has nowhere legal to put it is homeless. An important issue, where case law seems to be developing, is what constitutes ‘suitable’ accommodation for a Gypsy in discharging homelessness responsibilities – whether this must be a place on a site rather than a house. The courts seem to recognise that some Gypsies and Travellers have ‘a deep cultural aversion to bricks and mortar accommodation’\(^11\) implying that housing may not be ‘suitable’.

### Human Rights and Race Relations

2.23 Human rights and race relations legislation often intersects with Gypsy and Traveller accommodation issues. Under the human rights heading, this most usually involves Article 8: the right to respect for private and family life which includes the home. Case law has established that, while neither eviction action against trespassers nor planning enforcement against Gypsy and Traveller sites is incompatible with the Human Rights Act (HRA), either could potentially breach Article 8 rights if not properly used. Authorities, and other public bodies covered by the HRA, must be able to demonstrate that all eviction and enforcement decisions have taken account of human rights considerations and are ‘proportionate’ in weighing individual harm (in the loss of ‘home’ for the Gypsy or Traveller) against the wider public interest (for example, permitting inappropriate development in a Green Belt). Potential challenge under the HRA means that all decision-making must be fully recorded and evidenced to withstand scrutiny. The human rights of members of the settled community

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9 *Supplement to the Guidance on Managing Unauthorised Camping*, March 2005
11 *Price v Carmarthenshire County Council*, 2003
claiming disruption because of unauthorised sites or encampments are also sometimes referred to.

2.24 Because both Gypsies and Irish Travellers are recognised as ethnic groups for race relations purposes, the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 becomes relevant. In addition to avoiding discrimination, public authorities have a general duty to eliminate unlawful discrimination, and to promote equality of opportunity and good race relations in carrying out their functions. In developing new policies or strategies, public authorities must assess their impact on different racial groups, and they must consult. If the impact is negative and disproportionate to the aim of the policy, the policy must be changed. Once implemented, policies must be monitored for their effect on different racial groups. Authorities must publish the results of monitoring and consultation.

2.25 The Commission for Racial Equality (CRE) has recently taken a much higher profile on Gypsy and Traveller matters, publishing a Strategy12 in which site provision is seen as centrally important. Following anecdotal evidence that many authorities have not yet taken their race relations duties towards Gypsies and Irish Travellers seriously, the CRE is undertaking a scrutiny exercise into local authority compliance with the race equality duty in relation to Gypsies and Travellers. This implies a concern with what local authorities have not done, as well as with any discriminatory policies or procedures.

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3. Regional and Local Policies


3.2. Regional Planning Guidance for the West Midlands RPG 11 published in June 2004 does make specific reference within POLICY CF5: Delivering affordable housing and mixed communities:

‘F. Development plans should ensure that adequate provision is made for suitable sites to accommodate gypsies and travellers. Such provision should reflect the order of demand in the area as indicated by the trends shown by the ODPM annual count and any local information.’

3.3. Policies at local level also seem to be better developed in planning than in housing. The LA survey showed that just over three-quarters of responding authorities (including county councils) had a policy relating to Gypsy and Traveller sites or other accommodation in their local development plan. This compares with a quarter of responding authorities (excluding county councils) which made specific reference to Gypsies and Travellers in their homelessness strategies and only 15% which made specific reference in their housing strategies. In both instances a further third planned to make specific reference in future (a figure which must now increase given the legislative and guidance changes referred to in Section 2 above). Only two responding authorities (Shropshire County Council and Shrewsbury & Atcham) claimed to have a council strategy or policy for Gypsy and Traveller accommodation other than a policy for dealing with unauthorised camping or a development plan policy (Gypsy and Traveller policy in Shropshire is unusually well developed through the Shropshire Housing Officers Group Homelessness Review and the Shropshire Shadow Supporting People Strategy 2003-2004).

Local Planning Policies

3.4. As noted above, most development plans (structure plans, local plans and unitary development plans) have some form of policy relating to Gypsies and Travellers. Examination of twenty development plan policies either provided by respondents to the LA survey or available on the internet reveals some features:

- A minority specifically safeguard existing site provision for continued use. In the cases of Wychavon and Wyre Forest this specifically includes tolerated sites without planning permission (in the former, at the level set by the July 2002 Caravan Counts).

- Some are apparently more positive and encouraging than others – referring to co-operation with other agencies (or Gypsies and Travellers themselves) seeking to provide sites or encouraging site proposals. Others are more neutral, along the lines of having regard to needs and reviewing site provision as necessary.

- None actually identify locations for future site provision, although one (Coventry) commits the authority to identifying a site in future and another (Sandwell) refers to identifying a site if need becomes apparent. One notes that extension of an existing site would be considered prior to establishment of a further site (Bromsgrove).
• All set criteria against which any applications for further sites or site extensions would be assessed. The number of criteria and the ways in which they are expressed differ. Common areas in which criteria are developed are: conditions, facilities and services for site residents; access to the site; location relative to schools, shops and other services; acceptable impact on neighbouring uses and environment; appropriate scale of development; boundary treatment and screening; and conformity with other Plan policies. It is this last criterion which may limit development possibilities in areas covered by the Green Belt or other countryside restraint designations.

• All policies require proven need for further site accommodation before provision would be considered. None of the plans appear to identify outstanding need (some make this explicit, eg Nuneaton & Bedworth and South Staffordshire), but comment that needs will be kept under review. The onus of proving need seems to lie with the applicant seeking to develop a site.

• Most define the ‘client group’ in terms of Gypsies and Travellers residing in or resorting to the district (the wording from the Caravan Sites Act 1968). Some are slightly more restrictive. For example Wyre Forest refers to those residing in or ‘habitually’ resorting to the district, while Wychavon refers to Gypsies residing in or with clear ties to the district.

• Some Local Plans specifically refer to co-operation or consultation with the county council. Few other policies refer to any liaison with other authorities. An exception is Sandwell where liaison with neighbouring authorities is promised in considering need for further accommodation and how that need might best be met.

3.5 Current development plans suggest a broadly reactive approach to site provision. This, and the absence of identification of suitable site locations, suggests that changes will probably have to be made in response to the revised ODPM guidance in the Consultation Paper Planning for Gypsy and Traveller Sites. Estimates for further need are obviously crucial here.

Local Housing/Homelessness Policies

3.6 The analysis of Housing Strategies in the Region carried out in association with the Evidence Base did not identify specific references to Gypsies and Travellers. As noted above, a minority of local housing authorities responding to the LA survey made specific reference to Gypsies and Travellers in their housing and/or homelessness strategies. This is not surprising given national research shows that few authorities, even where unauthorised camping is an issue, specifically refer to Gypsies and Travellers in their homelessness strategies13.

3.7 Gypsies and Travellers are mentioned in housing/homelessness strategies in Stratford on Avon, Malvern Hills, Wychavon, Wyre Forest and Shropshire authorities which have co-operated in a joint Homelessness Review and strategy. Outside Shropshire references either suggest an apparent lack of homelessness demand from Travellers (Stratford on Avon) or an unknown extent of demand because records are not kept. Action points in strategies in Malvern Hills and Wyre Forest relate to improving information on the needs of Gypsies and Travellers (also referred to in Lichfield).

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3.8 In Shropshire, where some needs information is available (see below), there are homelessness strategy action points for improving information and for developing more pro-active policies for homelessness prevention for Gypsies and Travellers along with other Black and Minority Ethnic people and asylum seekers and refugees. The lack of site accommodation in Bridgnorth is identified as requiring monitoring.

**Other Policies**

3.9 The consultative draft for Warwickshire Supporting People Strategy 2005/6 to 2009/10 notes that there is currently no Supporting People-funded support in the county for Travellers. The strategy is supportive of making funds available to this group and will be consulting on how this might be done. The Shropshire Shadow Supporting People Strategy 2003-2004 identified a need for 53 additional Traveller plots and for 13 large properties a year to accommodate young Traveller families choosing to come off the road. Shropshire County Council provide support to residents on their existing sites. An additional amount of 55 units of housing support is estimated to be needed to support any new Traveller sites and to provide tenancy support services to families being re-housed. Walsall have an element within their Supporting People budget for Travellers. (It is not currently known whether Traveller needs are recognised specifically in other Supporting People strategies; Stoke on Trent is known to be carrying out a Supporting People needs assessment including Travellers).

3.10 A further relevant policy area is dealing with unauthorised encampments. Of the 23 authorities (including county councils) which responded to the LA survey, fourteen said that they had a written policy for dealing with unauthorised encampments. A few spontaneously said either that the policy required up-dating or that it was not always followed. In fact, survey answers seem to under-estimate the extent of written policies because there are county-wide policies agreed by county and districts councils in Shropshire, Warwickshire and Worcestershire. Lack of acknowledgement of joint policies by some respondents may reflect lack of awareness on the part of the officer completing the questionnaire and/or a lack of recognition of the supposedly joint policy.

3.11 Only four unauthorised camping policies were provided in response to the LA survey, while two more have been identified from the internet. In line with good practice guidance, all policies refer to the possibility of ‘toleration’ for a period for unproblematic encampments as well as identifying circumstances in which eviction action will be taken.

3.12 While not strictly an area of ‘policy’, the LA survey asked whether the authority was involved in any regional or sub-regional joint working on Gypsy and Traveller issues. Three joint working fora were identified in answers:

- In Shropshire the GLO has worked with the Shropshire Housing Officers Group and Supporting People groups which involve all districts in formulating and implementing strategies which explicitly include Gypsies and Travellers.
- The North Staffordshire Gypsy Liaison Group involves Staffordshire County Council, Newcastle under Lyme and Staffordshire Moorlands as well as others from the voluntary and health sectors.
- In Warwickshire the County Council and districts are co-operating in a county-wide assessment of accommodation needs for Gypsies and Travellers which will also involve Coventry and Solihull.
At present the policy framework for Gypsy and Traveller accommodation matters is not well developed. Regional planning guidance requires local authorities to ensure adequate site provision for Gypsies and Travellers, but current development plans are largely reactive, setting criteria against which applications for site development will be assessed but not identifying locations. Identification of need is critical as a backdrop to the current system, and to the future changes presented in the national policy framework in Section 2. Most references to Gypsies and Travellers in housing and homelessness strategies are to do with identification of needs for a group which is often invisible in standard ethnic records. There are some examples of authorities working together at county level to agree policies to deal with unauthorised encampments, but joint working seems best developed in Shropshire where there is a joint homelessness strategy; joint working is developing in Warwickshire.

Our national research experience of Gypsy and Traveller accommodation policy and issues suggests that the West Midlands is not unusual in any of these respects. That research also suggested other features of Gypsy/Traveller policy which are likely to be true of the West Midlands:

- There is very rarely any form of holistic accommodation policy; planning and housing policies, and policies and procedures for dealing with unauthorised camping are often independent.
- A number of different departments, officers and sections are involved in different aspects of Gypsy and Traveller accommodation. For most, dealing with Gypsies and Travellers is a small part of their job. There is often no single officer with overall responsibility. Officers with the best experience and knowledge of Gypsies and Travellers may be located outside traditional housing and planning arenas in Gypsy Liaison, Traveller Education or environmental health. This often involves different tiers of government as well as different departments.

From this starting point, implementing the changed legislation relating to Gypsy and Traveller accommodation and site provision will be a challenge for local authorities. There is a potential role for regional bodies in co-ordinating and guiding this process. Current joint working appears to be broadly on a county basis while the housing market Sub-Regions cut across these to some extent, particularly in Warwickshire.

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14 For example, Pat Niner, Local Authority Gypsy/Traveller Sites in England, ODPM, 2003
4. Gypsies and Travellers in the West Midlands

4.1 This section seeks to piece together current information on the Gypsy and Traveller population in the West Midlands. There is no simple source of information. No-one knows how many Gypsies and Travellers there are in England or any part of it. Gypsies and Travellers are not identified in the national Census or in most ethnic records. Even where, unusually, a monitoring category is provided, there is the suspicion of under-recording as Gypsies and Travellers may fail to acknowledge their ethnicity for fear of discrimination. The main source of information is the Gypsy Caravan Count (described in paragraph 1.3 above) which provides information about Gypsies and Travellers living in caravans on sites and on the roadside; there is no information on Gypsies and Travellers in housing.

4.2 The section looks first at the current numbers and distribution of Gypsy caravans in the West Midlands. It then examines trends in caravan numbers since 1979. Both sub-sections primarily use Gypsy Caravan Count information. Sub-sections follow on local authority and private Gypsy sites, and on unauthorised camping where Count information is supplemented by information from the LA survey. Finally, the section explores other sources of information.

Current Caravan Numbers and Distribution

4.3 Table 4.1 shows the number of Gypsy caravans in total and for each type of site for the West Midlands Region and for each of the Sub-Regions. Because there are often differences between winter and summer figures, both January and July 2004 are included.

<table>
<thead>
<tr>
<th>Region</th>
<th>January</th>
<th>July</th>
<th>Unauthorised sites</th>
<th>January</th>
<th>July</th>
<th>Council sites</th>
<th>January</th>
<th>July</th>
<th>Private sites</th>
</tr>
</thead>
<tbody>
<tr>
<td>All sites</td>
<td>1,466</td>
<td>1,605</td>
<td>413</td>
<td>418</td>
<td>504</td>
<td>638</td>
<td>683</td>
<td>416</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>195</td>
<td>184</td>
<td>34</td>
<td>21</td>
<td>100</td>
<td>93</td>
<td>61</td>
<td>70</td>
<td></td>
</tr>
<tr>
<td>Central</td>
<td>595</td>
<td>621</td>
<td>145</td>
<td>147</td>
<td>294</td>
<td>243</td>
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<td>West</td>
<td>278</td>
<td>288</td>
<td>168</td>
<td>93</td>
<td>110</td>
<td>116</td>
<td>11</td>
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<td>South</td>
<td>387</td>
<td>512</td>
<td>66</td>
<td>137</td>
<td>224</td>
<td>231</td>
<td>97</td>
<td>124</td>
<td></td>
</tr>
</tbody>
</table>

Source: ODPM Gypsy Caravan Counts

4.4 As can be seen, there were 1,500-1,600 Gypsy caravans counted in the Region at points of time in 2004. Looking at July only, it is clear that the majority of caravans were on authorised sites. Just over four in ten (43%) were on authorised sites owned by councils, and three in ten (31%) were on authorised privately owned sites with planning permission. Only around a quarter (26%) of caravans were on unauthorised sites, either as trespassers or on Gypsy-owned land without planning permission. This distribution of caravans between the different forms of site is broadly similar to the national distribution where figures are 40%, 32% and 28% respectively.

4.5 Table 4.1 shows that the Central and South Sub-Regions have the highest numbers of Gypsy caravans, while West (18%) and North (11%) have much lower numbers. This distribution is rather different from that of the total 2001 Census population. Central Sub-Region has 39% of Gypsy caravans but has 64% of the total population. South has 32% of Gypsy caravans but only 15% of total population. Even though West has only 18% of Gypsy caravans, this is still double its proportionate share of total
population (9%). The North Sub-Region has nearest its ‘share’ of caravans in proportion to total population (11% of caravans and 13% of population). It is apparent that the more rural South and West Sub-Regions have more than double their population-related ‘share’ of Gypsy caravans. While the Central Sub-Region has the largest number of caravans, the local authorities outside the conurbation account for about two-thirds of the total. Thus the distribution of Gypsy caravans in the Region has a disproportionately rural bias.

4.6 Figure 4.1 shows graphically the number of caravans on each different type of site in each Sub-Region. Council sites accommodate the largest number of caravans in each Sub-Region. In North and Central, the number of caravans on authorised private sites exceeds that on unauthorised sites while the reverse is true in South and West. The number of caravans on unauthorised sites is especially low in North. The number of caravans on authorised private sites is particularly high in Central where four authorities Cannock Chase, South Staffordshire, Rugby and Solihull account for 88% of the Sub-Regional total of such caravans.

Figure 4.1 : Number of Gypsy Caravans July 2004 : Type of Site by Sub-Region

4.7 When considering need for accommodation, it is worth looking more closely at the figures for caravans on unauthorised sites. Table 4.2 shows the Sub-Regional breakdown by land ownership and toleration status for July 2004.

<table>
<thead>
<tr>
<th>Sub-Region</th>
<th>Gypsy-owned land</th>
<th>Other land</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Tolerated</td>
<td>Not tolerated</td>
</tr>
<tr>
<td>North</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Central</td>
<td>17</td>
<td>46</td>
</tr>
<tr>
<td>West</td>
<td>0</td>
<td>43</td>
</tr>
<tr>
<td>South</td>
<td>49</td>
<td>83</td>
</tr>
<tr>
<td>West Midlands</td>
<td>66</td>
<td>89</td>
</tr>
</tbody>
</table>

Source : ODPM Gypsy Caravan Counts
The distinctions made in Table 4.2 are significant both for type of enforcement action likely to be involved and for indications of possible implied need for authorised accommodation. Broadly, if enforcement action is to be taken, on Gypsy-owned land planning legislation is likely to be involved, while some form of action against trespass would be used on other land. ‘Tolerated’ sites imply a certain level of stability. While the future of such sites is not necessarily assured (see Local Plan policies for Wychavon and Wyre Forest reported in paragraph 3.4 above), needs of those on tolerated sites may be less urgent than on non-tolerated sites.

Regionally, over a third (37%) of caravans on unauthorised sites in July 2004 were on Gypsy-owned land and 63% on other land. Nationally, the proportion on Gypsy-owned land is rather higher at 44% (largely attributable to high levels of unauthorised site development in Eastern and South East Regions). In the West Midlands, 38% of caravans on unauthorised sites were noted as ‘tolerated’, compared with 27% nationally.

More detailed points from Table 4.2 include:

- At present, unauthorised development of sites on Gypsy-owned land is a feature of the South and Central Sub-Regions.
- Authorities regard just over four-in-ten of caravans on Gypsy-owned land as tolerated, suggesting no intention to take immediate enforcement action. Stratford on Avon, Wychavon and Rugby together account for 45 of the 66 tolerated caravans on Gypsy-owned land (68%).
- About six-in-ten of the caravans on Gypsy-owned land are not classed as tolerated, and may be subject to enforcement action. The LA survey showed that four of the responding authorities were currently taking enforcement action against one or more sites. Again caravans on Gypsy-owned land (not tolerated) are currently concentrated in a small number of authorities. Stratford on Avon and Wychavon together account for almost 90% of such caravans in the Region.
- Caravans on unauthorised sites on non-Gypsy-owned land are found in all Sub-Regions. Numbers are lowest in North and highest in West.
- About a third of caravans on such land are tolerated and two-thirds are not tolerated. Toleration is a feature especially of Herefordshire and Malvern Hills which together account for 84% of tolerated caravans on non-Gypsy-owned land.
- In July 2004, most non-tolerated caravans on non-Gypsy-owned land were in West (Shrewsbury & Atcham and South Shropshire) and Central (especially Nuneaton & Bedworth probably as a consequence of eviction action taken earlier against an unauthorised Gypsy-owned site at Bulkington). In the LA survey, caravan numbers were thought to be unusually high in both South Shropshire and Nuneaton & Bedworth (the respondent in Shrewsbury & Atcham did not know). Numbers were felt to be unusually low in Worcestershire (County Council response) and Birmingham. This category might be expected to be the most mobile in terms of likely incidence at local level.

These figures are referred to again below when crude assessments of possible needs are made in Section 5.

Trends in Caravan Numbers

The graph in Figure 4.2 shows regional trends in total Gypsy caravan numbers between January 1979 when the Count system began and July 2004. The trend line is a three-period running average intended to make overall tendencies clearer over
time. As can be seen, the trend is irregularly upwards to a peak experienced between 1994 and 1995. Since then there has been an irregular fall, with figures broadly stable oscillating around 1,500 since around 2000. The July total caravan figure for 2004 (1,605) is 67% higher than the July 1979 figure (963). Over the same period, total caravan numbers in England rose by 80%, thus the West Midlands total grew at slightly below the national average rate. Between July 1994 and 2004 (the period over which the legislative background has remained unchanged), total caravan numbers in the Region dropped from 1,918 to 1,605 – fall of 16%. The graph shows period to period fluctuations. Interestingly the pattern of seasonal fluctuation seems to vary over the full period: at times summer counts are generally higher than winter counts (for example 1984-86 and 1990-93) while at other times summer counts are generally lower than in winter (for example 1979-81 and 1996-99). It is not clear why this should be.

Caravans on council sites (Figure 4.3) show a slightly different pattern over time. The peak number of 756 is reached later (July 1997), followed by a slight decline, albeit with considerable period to period fluctuation. This reflects the impact of the repeal in 1994 of the duty to provide Gypsy sites and the working through of the remaining site development programme. The July 2004 figure is 682, 117% higher than July 1979 (315). English figures on council sites rose by 141% over the full period. Between July 1994 and July 2004 caravan numbers rose from 597 to 682, an increase of 14%. Regional figures show a seasonal pattern with a tendency to summer ‘lows’ when site residents are away from site travelling during July. This pattern was particularly clear up to about 1990. Since then seasonality is less marked, perhaps suggesting less travelling by site residents.
4.14 The pattern for caravans on authorised **private sites** is different again (Figure 4.4). Effectively there has been a continuing increase in numbers from 1979 with some sign of stability or even slight decline since the peak (544) in January 1998. The July 2004 total (504) is 291% above the July 1979 figure (129). This compares with an increase of 385% in England; again the Region shows less rapid increase than England as a whole. Between July 1994 and July 2004, caravan numbers on private sites rose from 431 to 504, an increase of 17%. Particularly during the 1990s there is a marked seasonality in the Region’s figures with summer ‘lows’ presumably for travelling off-site.
4.15 Numbers of caravans on unauthorised sites show a more complex pattern of change over time (Figure 4.5). Numbers declined during the mid 1980s, then rose quite sharply to twin peaks of 972 in July 1991 and 890 in July 1994. This secondary peak was followed by a sharp decline to a period low of 272 in January 2001. Since then there has been a slight rise again. The July 2004 figure of 418 caravans is 23% less than the July 1979 figure of 546. Over the same period English numbers of caravans on unauthorised sites declined by 8%. Between July 1994 and July 2004, the number of caravans decreased from 890 to 418, a decrease of 53%. Caravan figures are often higher in July than January in the Region (suggesting that it is a travelling destination) although the extent of seasonal fluctuation seems to vary over the period.

4.16 In England as a whole (and particularly in the Eastern and South East Regions), there has been a recent and rapid increase in the number of caravans on unauthorised sites on Gypsy-owned land (the result of Gypsies and Travellers setting up caravan sites on land they have bought without planning permission). While there has been an increase in the West Midlands, it has not been as rapid as nationally – between July 1998 and July 2004 the number of caravans on Gypsy-owned land increased by 148% nationally and 60% regionally. Trends in caravan numbers in the West Midlands on unauthorised sites since 1998 (when the figures became available) according to land ownership are shown in Figure 4.6. As can be seen, numbers of caravans on Gypsy-owned land have increased rather erratically since 1998, probably as the result of planning permissions and evictions on individual sites (which would most likely have the effect of transferring caravans to authorised private site (planning permission) or unauthorised on non-Gypsy-owned land (eviction) categories). Caravans on non-Gypsy-owned land have also increased in number slightly since 2001.
4.17 Count figures can be used further to look at trends over time at sub-regional level.

Sub-Regional Trends in Caravan Numbers

4.18 As noted above, time-series analysis at the level of Sub-Regions is complicated by local government re-organisation and the creation of Herefordshire. It is also arguable that trends since 1994, when the current legislative framework was introduced, are the most meaningful. For this reason analysis is restricted to the period January 1994 to July 2004. For the years prior to the creation of Herefordshire caravan numbers for the former Malvern Hills district have been apportioned between West and South Sub-Regions according to their share post re-organisation for each type of site.

4.19 Graphs are presented in Appendix B to show trends over time in caravan numbers for each Sub-Region for all sites, council sites, authorised private sites and all unauthorised sites. There are obviously differences of detail, but the general shape of curves is surprisingly similar across Sub-Regions. All Sub-Regions show a slight decline in total caravan numbers over the decade, the result of slight increases in numbers on council and authorised private sites which are insufficient to offset the more rapid decline in numbers of caravans on unauthorised sites. Figures B5 and B6 in Appendix B break down caravan numbers on unauthorised sites between Gypsy-owned and other land for the period July 1998 to July 2004. These show all Sub-Regions have similar trends for caravans on land not owned by Gypsies, while the growth in numbers on Gypsy-owned land is concentrated in Central and South Sub-Regions.
Local Authority Gypsy Sites

4.20 In January each year local authorities are asked to make a return to ODPM about local authority Gypsy caravan sites in their area. Thirty six sites are listed in the January 2004 count, three of which were closed. Two of the closed sites are in Herefordshire (one, Romany Close has been awarded £300,000 in the second distribution of Round 4 of the Gypsy Site Refurbishment Grant for works for re-opening it) and one in Shrewsbury & Atcham. The map at Figure 4.7 (next page) shows the location of the open sites on a base of the Region showing built-up areas and major roads (motorways and trunk roads). This shows the location of many sites on the periphery of built-up areas. It also shows some apparently quite isolated rural sites. The map also highlights the very small provision within the Region of transit pitches (that is pitches designed to accommodate Gypsies and Travellers for a short stay; most pitches are ‘residential’, designed for an indefinite stay).

4.21 Appendix C summarises site provision by local authority area. Among other things it shows that there are no council Gypsy sites in eleven of the 33 council areas in the Region. Lack of provision is particularly a feature of the Staffordshire and Warwickshire districts in the Central Sub-Region. Sub-Regional figures are: North 3 sites/68 pitches; Central 10 sites/211 pitches; West 9 sites/94 pitches; and South 11 sites/169 pitches.

4.22 Together, the open council sites in the Region provide around 540 pitches – all are residential except just six transit pitches at the Linehouses site in Stoke-on-Trent. The average size of site is around 16 pitches. Sites in North and Central Sub-Regions are larger than this average at 23 and 21 pitches respectively; sites in South and West are smaller than average at 15 and 10 pitches respectively. Broadly more rural sites are smaller than more urban ones.

4.23 The LA survey asked about plans for sites. Responses covered 23 sites (70%). There are plans to refurbish at least six sites. Plans may involve slight additional pitch numbers in three instances, providing an additional three residential and two transit pitches. No plans to reduce the number of pitches, including through site closure, were reported. Two authorities (Shropshire County Council and Nuneaton & Bedworth) reported that they were planning to provide an additional site (number of pitches unknown at this stage).

4.24 The LA survey also asked about site ownership and management arrangements. Twenty five sites (76%) are owned and managed by the same local authority (twelve by county councils, seven by unitary authorities, four by metropolitan councils and two by district councils). Of the remainder, two sites are managed by LSVT housing associations (in Bromsgrove and Newcastle-under-Lyme). One site (Wolverhampton) is managed by the Gypsy Council. One (in North Warwickshire) is currently managed by Westgate Managed Services, a private firm specialising in site management; this arrangement is to be re-considered. The remaining four sites in Coventry, Nuneaton & Bedworth, South Shropshire and Stoke-on-Trent are managed at least partly by individual Travellers, sometimes on a lease.

4.25 There is no information available about the quality and condition of local authority sites in the Region. Analysis of Gypsy Site Refurbishment Grant awards (see Appendix D) shows that the West Midlands has received slightly more GSRG than its ‘share’ of national sites or pitches would indicate. It also shows that distribution between authorities has been patchy with proportionately more grant going to West and, particularly, South than to Central and North Sub-Regions. Not all site refurbishment is funded by GSRG as illustrated by the decision of Walsall to spend £500,000 on its site.
We have no information on site waiting lists in the Region, although participants at the consultation workshop confirmed that they exist for many if not all sites. A further issue on local authority sites can be availability of housing benefit. Almost all site residents receive housing benefit. There are anomalies within the system which mean that licence fees on county council sites are referred to the Rent Officer who may set the ‘reference rent’ for benefit purposes far below the ‘economic rent’. This affects site income. The issue was raised and commented on by the ODPM Committee looking at Gypsy and Traveller sites\textsuperscript{15}, but the Government’s response\textsuperscript{16}

\textsuperscript{15} House of Commons ODPM Housing, Planning, Local Government and the Regions Committee, \textit{Gypsy and Traveller Sites}, 2004
\textsuperscript{16} Government Response to the ODPM Select Committee’s Report on Gypsy and Traveller Sites, Cm6465, January 2005, pages 9-10
suggests that there will be no rapid resolution. Because of the importance of housing benefit, benefits staff can usefully be involved in site management discussions.

Private Gypsy Sites

4.27 At present the Count does not ask for details of the number or location of private Gypsy sites (but will if changes being piloted are introduced nationally). We tried to remedy this through the LA survey which asked for the number of private authorised sites, and the number of pitches. It also asked respondents to distinguish, if possible, between owner-occupied family sites and others which might have pitches available on a more commercial basis. Responses from twenty authorities (excluding county councils) show private authorised sites in twelve authorities. The number of such sites ranged from one only to 20 in Wychavon. Altogether the twelve authorities had 59 sites providing 252 pitches. The Gypsy Caravan Count for July 2004 shows that responding authorities had between them around 270 caravans on authorised private sites, while non-responding authorities had around 230. Rounding up the number of sites and pitches across the Region pro rata suggests a possible total of 110 private authorised sites and about 480 pitches.

4.28 From responding authorities it is apparent that most sites and pitches are owner-occupied by Gypsy/Traveller families. Just four ‘commercial’ sites were identified providing a total of 24 pitches. This figure cannot be safely applied because some of the authorities with highest site/pitch numbers were unable to distinguish between family and commercial sites. However, it is probably safe to assume that most private authorised sites in the Region are providing accommodation for the families who own them, perhaps plus some transit use by friends and relatives who visit. Few private sites seem to be providing pitches for rent to Gypsies or Travellers not related to the site owner.

4.29 About a fifth of authorities responding to the survey said that the number of private sites and/or pitches had increased over the past five years (the remainder said the number had been static). A third of all responding authorities expected the number of private Gypsy/Traveller sites in their area to increase over the next five years. Expectations of growth were highest in South Sub-Region (Worcestershire) and to a lesser extent in Central and West. No responding authority in the North expected an increase.

4.30 Unauthorised development of sites without planning permission is an expression of demand for further private Gypsy/Traveller sites. As noted above (Table 4.2 and paragraph 4.8 et seq), the Gypsy Caravan Count identifies a number of unauthorised developments on Gypsy-owned land in the Region. The LA survey asked questions about unauthorised developments, but the answers add little to the Count information. The issue was most apparent in Wychavon and Stratford on Avon. Perhaps surprisingly given the high press profile given to unauthorised site development, only three responding authorities (South Staffordshire, North Warwickshire and Wychavon) said that its extent had increased in the past five years. Six responding authorities (South Shropshire, South Staffordshire, North Warwickshire, Stratford on Avon, Redditch and Wychavon) expected the number of unauthorised site developments to increase over the next five years. With the exception of South Shropshire and Redditch these are all authorities already experiencing unauthorised site development.

4.31 Thus experience of unauthorised development is quite concentrated at the moment although more authorities fear they will experience it in future. Three ‘softer’ features of unauthorised development can be noted:
• Gypsies and Travellers involved in purchasing land and setting up sites without planning permission may sometimes have no prior links with the area in which they settle. This was true in the well-known Cottenham case in Cambridgeshire and may also be true locally (personal communication with Worcestershire Gypsy Liaison Officer and agreement by consultation workshop participants). This makes any demand/need from this source hard or impossible to predict.

• Concentration of the phenomenon in particular areas may be due to spreading information by word of mouth within a particular community or family, and family members identifying pieces of land locally for others (a factor apparent in another area where CURS has carried out research not yet published). This suggests that concentrations can be expected to grow further.

• Gypsies and Travellers who buy land and establish sites often do not want to live on a local authority site – in much the same way as a household seeking a house to buy would rarely consider a council house. This was apparent in other CURS research (not yet published) where residents of unauthorised sites were very satisfied with their site, wanted to remain there and were not interested in pitches on local authority sites or housing.

Unauthorised Camping

4.32 Unauthorised camping (that is, on unauthorised sites not owned by Gypsies) can arise from different causes – which are not fully understood. One element is Gypsies and Travellers who still engage in a nomadic lifestyle linked to their occupation. They will want to stay in an area long enough to take advantage of the work opportunities (for example, carpet or furniture selling, tarmac or other groundwork, tree work or gardening, scrap or rubbish clearance). Others will be passing through the area on their travels, still others may be visiting family or friends locally. Because there is so little authorised transit accommodation, stopping in an area often leads to unauthorised encampments. However, our work elsewhere suggests that another element comprises Gypsies and Travellers who are looking for a residential site but are unable to get a pitch. Their ‘travelling’ may be the consequence of eviction policies as much a lifestyle choice. Another element which appears to be significant in some parts of the Region is long-term ‘tolerated’ encampments which may almost be ‘sites’ albeit without planning permission.

4.33 Information on unauthorised camping and caravan numbers was reported above. The LA survey tried to establish whether the most recent figures were typical and what changes respondents anticipated in numbers.

4.34 The majority of responding authorities had no tolerated unauthorised encampments in the July 2004 Count; this was unusually low in only one instance. For the authorities with the highest numbers of caravans on tolerated unauthorised encampments (Malvern Hills and Wychavon) figures were typical and were expected to remain broadly similar over the next five years. Warwick also had relatively high numbers (nine caravans), but this was said to be unusually high and was expected to decrease again over the next five years. All authorities with no or very few caravans on tolerated unauthorised encampments at the July Count expected this to continue in future.

4.35 Only three district authorities which responded to the LA survey recorded more than ten caravans on non-tolerated unauthorised encampments on land not owned by Gypsies in July 2004. These were South Shropshire, Shrewsbury & Atcham and Nuneaton & Bedworth. All reported these figures as unusually high (one did not know) and expected them to decrease in future (or did not know). Interestingly, three responding authorities thought their July 2004 figures unusually low – Birmingham,
Sandwell and Stoke on Trent – two expected figures to remain the same in future, one did not know. This suggests perhaps a shift in unauthorised camping from urban to rural locations. Only Wychavon and Dudley among responding authorities expected the numbers of caravans on unauthorised encampments to increase over the next five years.

4.36 The Counts give a snapshot impression only for unauthorised encampments. The LA survey sought to establish how many authorities keep a log of encampments which might be used to provide more useful ‘flow’ data. Table 4.3 shows the number and percentage of responding authorities which keep a log which could show different items of information.

<table>
<thead>
<tr>
<th>Item of information</th>
<th>Number of LAs</th>
<th>Percentage of LAs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location of encampment</td>
<td>19</td>
<td>83</td>
</tr>
<tr>
<td>Number of caravans</td>
<td>19</td>
<td>83</td>
</tr>
<tr>
<td>Start date of encampment</td>
<td>16</td>
<td>70</td>
</tr>
<tr>
<td>End date of encampment</td>
<td>15</td>
<td>65</td>
</tr>
<tr>
<td>Families/groups involved</td>
<td>9</td>
<td>39</td>
</tr>
<tr>
<td>Reason for being in the area</td>
<td>9</td>
<td>39</td>
</tr>
<tr>
<td>Action taken in respect of encampment</td>
<td>17</td>
<td>74</td>
</tr>
</tbody>
</table>

Source: CURS LA survey

4.37 This shows that logged information on encampments is common, but not universal at present. Start and end dates are useful to identify the duration of an encampment, and also potentially to build up a picture of how groups move around; such information is less frequently available than the location and number of caravans. Information on families/groups involved can be useful in increasing understanding of encampment patterns (for example distinguishing between the different forms of unauthorised encampment identified in 4.31 above), but is much less frequently available.

4.38 A potential role for the Regional Housing Board would be to encourage and co-ordinate the creation of a data-base of unauthorised encampments with common, agreed information recorded which would allow the regional picture to become clearer.

Gypsies and Travellers in Housing

4.39 No-one knows how many Gypsies and Travellers live in housing. The figure of ‘at least half’ is sometimes quoted, but its source is obscure. Little is known about social housing, still less about private sector housing.

4.40 The LA survey asked respondents to estimate how many Gypsies and Travellers live in social rented housing in their area. Seven out of 20 respondents were unable to make an estimate. Of those that did, seven estimated fewer than 10 families; five estimated between 10 and 100 families (North Shropshire, South Staffordshire, Stratford on Avon, Wyre Forest and Dudley); one estimated between 100 and 500 families (Wychavon) and one over 500 families (Sandwell). It is also known that many Travellers live in social housing in Wolverhampton (did not respond to LA survey).

4.41 Only one authority (North Warwickshire) said that they identified Gypsies and Travellers in ethnic record keeping and monitoring of applications and allocations, and they had only just started to keep records. In this context, it is not surprising that fourteen of the responding local housing authorities were unable to estimate how many Gypsies and Travellers are currently registered for housing. Those making an
estimate included Shrewsbury & Atcham (three applicants), Nuneaton & Bedworth (twelve applicants), Stratford on Avon (fifteen applicants) and Wyre Forest (50 applicants). Thirteen were unable to estimate how many Gypsies and Travellers had been housed in the year 2003/04. Of those who made an estimate, the most significant were Shrewsbury & Atcham (two allocations), Nuneaton & Bedworth (three allocations), Wyre Forest (five allocations) and Stratford on Avon (20 allocations). The respondent in Stratford commented that Gypsies and Travellers who applied often receive priority because of the extent of their needs and thus are housed relatively quickly unless they need very large properties. Two authorities (South Staffordshire and Wychavon) thought that the number of Gypsies and Travellers moving into social rented housing had increased over the past five years – others either did not know or said numbers had remained broadly the same. No-one expected numbers moving into social rented housing to either increase or decrease over the next five years.

4.42 Thus there is great uncertainty about numbers of Gypsies and Travellers in, applying for and allocated social rented housing. Where estimates can be made, the indications are that numbers are quite small in most areas and perhaps unlikely to make a major contribution to needs for affordable housing at present rates.

4.43 Having said that, there may be other issues relating to Gypsies and Travellers and housing:

- While total numbers moving into housing are apparently small, some Gypsies and Travellers may need large accommodation because of family size, or accommodation suitable for elderly people or those in poor health. Thus need for specific sizes or forms of housing may be relatively more significant where there are in short supply.

- The transition from living in a caravan on a site or, especially, on the roadside can be very stressful where families are unused to dealing with the bureaucracies of dealing with a tenancy or claiming housing benefit, or with budgeting to pay household bills. Tenancy support may be needed to make the transition smoother.

- The transition can sometimes be made harder by discrimination and harassment from neighbours. There may be genuine lifestyle differences to cause friction, but stereotype, ignorance and fear are also relevant. Participants at the consultation from Rooftop Housing Group emphasised the importance of community development work with Gypsies and Travellers and other tenants prior to, as well as after, a letting to a Gypsy or Traveller in order to achieve sustainable lettings and communities.

- While there is little hard evidence, anecdote suggests that Gypsies and Travellers may sometimes move quite rapidly between houses or leave accommodation to return to a site. Moving into a house may be a life cycle event to give greater stability while children are in school or while particular health needs persist. Families may return to caravan-living; children of housed Gypsies and Travellers may want to experience a travelling lifestyle. Thus a move to a house is not necessarily one-way and final.

- Where Gypsies and Travellers have moved into housing because they cannot find a pitch on a residential site they represent a latent demand for site places which may only partly be reflected in site waiting lists. the creation of more attractive sites could stimulate demand from previously housed Travellers. At present this is unpredictable.

4.44 These factors mean that it will be important to review the findings from research on Gypsies and Travellers in housing currently being undertaken in the Region (see Section 5).
While hard information is lacking at regional level about the local Gypsy and Traveller population, certain features can safely be inferred from national characteristics known through other research, including that carried out by CURS. Features with implications for accommodation needs include:

- Family size among Gypsies and Travellers is larger on average than among the settled community. A national survey found an average pitch occupancy on local authority sites (broadly equivalent to a household) of 3.2 persons. In a needs assessment carried out by CURS (not yet published) the average size was 3.8 persons. A small proportion of families are very large with many children, requiring either a large house or a pitch large enough to permit several caravans to allow for culturally appropriate sleeping arrangements. Large families also, of course, fuel growth in the number of new households. Household formation is probably higher than in the population as a whole.

- Especially among Irish Travellers the extended family is important. Some extended families ideally want to live together on sites. This has implications for site size and design since the logic is that numbers can expand as new ‘nuclear’ units form within the extended family. On public sites the presence of an extended family can create allocation issues if a pitch vacancy occurs and there is no family member with priority; outsiders may not want (or be allowed) to take the pitch.

- Gypsy and Traveller communities are complex, with ethnic and family distinctions which can have implications for who will live with whom. Other things being equal, this suggests that a number of small sites can work better than fewer larger ones since smaller sites mean less need to mix potentially incompatible families. All the main Gypsy and Traveller groups are found in the West Midlands (Romany Gypsies, Irish Travellers and New Travellers). An idea of the balance between Gypsies/Roma and Travellers of Irish heritage can be gained from Pupil Learning Annual Schools Census (PLASC) figures released to Parliament (14 December 2004) showing pupil numbers in maintained primary schools in 2004. In the Region, 700 pupils of Gypsy/Roma or Irish heritage were recorded out of 387,640 (0.2%). Approximately a third (240) were of Irish heritage and two-thirds (460) were Gypsy/Roma. There were near equal number of each group in the conurbation and Stoke on Trent, while Gypsy/Roma far out-numbered Travellers of Irish heritage in all other areas. New Travellers live particularly in the west of the Region in Shropshire and Herefordshire.

- There is research to suggest that Gypsy and Traveller attitudes to education are changing and that Gypsy and Traveller parents are now much keener that their children should receive education to fit them for the modern world. The need for stability to enable children to go to school is a force towards greater settlement, and a reason often given for seeking permission to develop a family site. There is still an issue in retaining Gypsy and Traveller children in secondary schooling. The PLASC figures of school registrations quoted above show that, while secondary school numbers for all pupils represented 98% of primary school registrations, for Gypsy/Roma pupils and Travellers of Irish heritage the

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17 Pat Niner, *Local Authority Gypsy/Traveller Sites in England*, ODPM, 2003, page 113
18 See for example, Colm Power, *Room to Roam*, AGIY, 2004
proportion was only 39% - a difference unlikely to be accounted for by different age distributions.

- It is especially hard to get information on Gypsy and Traveller employment patterns and income. The indications are that self-employment is still predominant with occupations including dealing, scrap and rubbish clearance, building work, ground and tree work. Some occupations require storage or other work which means that some Gypsy and Traveller sites have mixed residential and work use. Difficulty in assessing Gypsy and Traveller income and asset levels means that it is very hard or impossible to gauge affordability of accommodation. The indications are that income levels vary widely from relative affluence to poverty.

- A recent major study of Gypsy and Traveller health\(^{20}\) concluded that Gypsy and Traveller health status was worse than that of the settled community. Again ill health can be a factor encouraging greater settlement in order to access doctors and hospitals. The research also showed, however, that ‘enforced’ settlement had an adverse impact on health – Gypsies and Travellers like to have choice in lifestyle, travelling as much or as little as they want. There are indications that living in caravans or mobile homes is perceived to leave the travelling option open, even if the family or individual rarely travels. This suggests a continuing demand for caravan and site living at present.

\(^{20}\) Glenys Parry, Patrice Van Cleemput & others, *The Health Status of Gypsies & Travellers in England*, The University of Sheffield, 2004
5. **Accommodation Needs and Aspirations**

5.1 Assessment of accommodation needs of Gypsies and Travellers, including site provision, is central to the Government’s policies described in Section 2. This section looks at the present position in relation to needs assessments across the Region as revealed by the LA survey; it then looks at what needs the Caravan Counts indicate. The following sub-section looks briefly at what other research has shown about accommodation needs and aspirations.

### Current Needs Assessments

5.2 The only authorities responding to the LA survey who said they had carried out a formal estimate of accommodation needs over the past five years were Shropshire County Council and Coventry. No details were given of the outcomes. Stoke on Trent noted that Travellers had been included in Supported Housing Needs mapping carried out during 2004. While not included in survey responses, Rooftop Housing Group in Wychavon have carried out a needs assessment and follow-up work by Bob Blackaby Associates on Traveller needs and aspirations in housing.

5.3 Many more authorities plan to carry out assessments. All authorities in Warwickshire are working together on a needs assessment involving the completion of a pro-forma on all known sites/locations. Warwickshire authorities are commissioning Bob Blackaby Associates to carry out a BME housing needs assessment which will include Gypsies and Travellers. Outside Warwickshire Dudley, South Shropshire, South Staffordshire, Worcestershire County Council, Wychavon and Wyre Forest all plan to carry out needs assessments and may commission consultants to do the work. Worcestershire see site waiting lists and family growth of site residents as the most significant indications of need. Many sources of information are expected to be used in the planned assessments including Caravan Counts; site and housing waiting lists; demographic analysis; planning applications; and consultation with Gypsies and Travellers and others.

5.4 The only information known to us from needs assessments is that for Shropshire which identified a need for 53 additional Gypsy and Traveller plots and 13 large houses a year for families wishing to settle. At present the county has 46 council pitches and 78 pitches on authorised private sites (information from the LA survey). The additional pitch requirement therefore represents about 43% of total current pitches and 115% of current council pitches.

5.5 The Rooftop assessments in Wychavon did not provide quantitative assessments of need, but are valuable for stakeholder perceptions and especially for Gypsy and Traveller opinions and aspirations. Strategic conclusions from the research have been set down by Rooftop Housing Group and are included here in Appendix E.

### Estimates of Accommodation Need from the Counts

5.6 *Planning for Gypsy and Traveller Sites* recommends that Regional bodies use Caravan Count information to assess needs in the period before local housing assessments are

21 Graeme Hopkinson, Maurice Ingram & Benita Wishart, *Where’s the Real Choice? What are the accommodation needs of Travellers in Wychavon?*, EPHA, 2000
made. The Counts have been used in Section 4 to describe current numbers of Gypsy caravans, their distribution across the Region, and trends in numbers since 1979. There are two potential ways in which Count information might be used to estimate needs:

- To identify the number of caravans on unauthorised sites, taking this as an indication of need for authorised site places.
- To extend trend information to project possible future caravan numbers.

Table 4.2 above showed the breakdown of caravans on unauthorised sites in July 2004 between Sub-Regions, land ownership and ‘toleration’ status. For needs, these figures crudely suggest:

- A ‘need’ for authorised places for around 420 Gypsy/Traveller caravans across the Region. This represents a current ‘backlog’ of authorised caravan places.
- About four-tenths (c170) of this total ‘need’ might be interpreted as demand for private sites since the caravans are on Gypsy-owned land. This is exclusively in the Central and South Sub-Regions at present.
- About six-tenths (c250) of this total ‘need’ comes from caravans on land not owned by Gypsies. Some of these will be ‘in transit’ and might potentially be accommodated on transit sites or authorised stopping places. However, work carried out by CURS in other parts of the country (not yet published) suggests that a significant proportion of families on unauthorised encampments really want to live on a residential site of their own or owned by the local authority or housing, but are unable to find a place. The actual proportion can only be established through local research, but a 50:50 split is assumed here in order to make calculations (that is, it is assumed that half will need transit accommodation and half a pitch on a residential site). ‘Need’ from unauthorised camping is more evenly distributed at Sub-Regional level, but lowest in North.
- Toleration policies are obviously very important when translating the figures into ‘need’ leading to further site requirements. If current toleration is assumed to continue, this has the effect of reducing apparent ‘need’ to around 90 caravan places on private sites (all in Central and South from unauthorised sites on Gypsy-owned land). The effect of removing tolerated encampments on land not owned by Gypsies is to reduce ‘need’ to around 170 caravan places – perhaps 85 for residential and 85 for transit sites; the greatest reduction occurs in South.

Count information is based on caravans. Site requirements must be calculated in terms of pitches. Many families have more than one caravan for their use. Very roughly, for the sake of simple calculations, we have assumed that each pitch contains on average 1.5 caravans\(^\text{22}\) (caravan estimates are therefore multiplied by 0.67 to give estimated pitches). Table 5.1 shows estimates of pitches required purely to accommodate caravans currently on unauthorised sites at regional and sub-regional level. Figures have been rounded to the nearest 5 which means that figures no not always sum to the regional total. The lower figure excludes caravans on tolerated sites from the estimate.

\(^{22}\) A consultation workshop participant from Wychavon commented that Gypsies and Travellers in that area tend to have more than 1.5 caravans on a pitch. If this is widespread, these calculations will tend to over-state the number of pitches required (but perhaps under-state their size).
Table 5.1: Estimates of Pitch Requirements on the Basis of Caravans on Unauthorised Sites

<table>
<thead>
<tr>
<th>Area</th>
<th>Residential pitches</th>
<th>Transit pitches</th>
<th>Total pitches</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>5</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Central</td>
<td>55-75</td>
<td>25</td>
<td>80-100</td>
</tr>
<tr>
<td>West</td>
<td>25-30</td>
<td>25-30</td>
<td>50-60</td>
</tr>
<tr>
<td>South</td>
<td>30-85</td>
<td>5-20</td>
<td>35-105</td>
</tr>
<tr>
<td>West Midlands</td>
<td>120-190</td>
<td>60-90</td>
<td>175-280</td>
</tr>
</tbody>
</table>

Source: Gypsy Caravan Counts and CURS calculations

5.9 In practice, trend patterns from the Count do not provide very helpful guides to the future in the West Midlands. Graphs showing trends are included in Figures 4.2 to 4.5 above. As noted in Section 4, trends have varied over the period for which figures are available. For example, caravan numbers on both council and private sites show an increase over the whole period 1979 to 2004, but in both cases figures since around 2000 show greater stability or even a slight decline. Any trend projection using the whole period would project a future increase, while one using only the most recent figures would project stability or decline. Numbers of caravans on unauthorised sites have declined sharply since the mid 1990s, but seem to show signs of a slight increase since around 2000 both on Gypsy-owned and other land. This latter trend, if it continues, suggests a slowly growing need for places on authorised sites which presumably is not being met by planning permissions for private sites and pitch vacancies on council sites. Since 2000, unauthorised caravan numbers have risen by around 25 a year across the Region. Slight growth over this period has been apparent in all Sub-Regions. Taken at face value, this suggests a need for a modest growth of perhaps 15-20 pitches a year, as well as the backlog suggested by absolute levels on unauthorised sites.

Other Approaches to Assessing Needs

5.10 The Shropshire figures quoted in paragraph 5.4 suggest that the Counts underestimate need for Gypsy and Traveller pitches in the West Midlands. This corresponds to CURS experience elsewhere (not yet published) where the main elements of need for site accommodation come from site waiting lists and family growth of existing site residents which were not revealed in the Counts on unauthorised sites. In that work, waiting list and family growth over the next five years (removing double counting wherever possible) represented about 70% of all existing authorised pitches on local authority and private sites. It is not possible to apply this proportion safely in the West Midlands because the total number of authorised pitches is not known here. The number of local authority pitches is known and could be used as the base for calculations. In the CURS research waiting list and family growth (from all residential sites, public and private) represented about 90% of current pitches on local authority sites. In that area, private sites are relatively less important than in the West Midlands. Taking account of the latter point suggests that, in the West Midlands, a rough calculation for additional need for residential pitches over the next five years (to 2010), not reflected in unauthorised sites, might be made by doubling the number of existing local authority pitches. There is some support for this as a rule of thumb:

- The Shropshire need figures (5.4) represented 115% of current council pitches.
- It is understood that site waiting lists in Worcestershire almost equal the total number of pitches there (personal communication).

5.11 Assuming a need equivalent to twice the current council pitch provision gives figures as follows:
North  65 additional pitches  
Central  210 additional pitches  
West    95 additional pitches  
South   170 additional pitches  
Region  540 additional pitches  

5.12 Making estimates which imply a large increase in pitches on the basis of such slender evidence may be both suspect and contentious. While the likely scale of increase may be debateable, we would certainly expect local assessments to greatly increase the minimum estimate of need on the basis of the Counts set out above, and this is built into our ‘estimates’ in Section 6.

Qualitative Aspects of Need

5.13 Needs assessments must encompass qualitative as well as quantitative elements. The following points come from our work elsewhere in the country\(^{23}\). While there is no hard evidence that they apply in the West Midlands, the likelihood is that they will.

- There are indications that many Gypsies and Travellers want to lead a more settled lifestyle than previously. There are positive and negative reasons behind this. Some want to be more settled to enable children to go to school regularly or to allow family members to access health facilities. Some prefer the easier life and better amenities of a site or housing. However, others would prefer to continue travelling but find it impossible to find safe stopping places where they are permitted to stay longer than a few hours. The trend to settlement does not mean that Gypsies and Travellers will no longer travel, but may do so from a base in spring and summer to visit family or traditional fairs or for holidays rather than on a continuous basis. The trend to settlement is also not synonymous with a move to housing since some prefer caravans or mobile homes on residential sites.

- Gypsies and Travellers are often very critical of the locations of some local authority sites, near to motorways or major roads, or industrial areas, dumps or sewage works. These views were noted by the ODPM Committee in its report\(^{24}\). Some sites are also isolated from schools, shops and other services. Identifying locations for sites which are accessible, well located for services and also acceptable to the settled community will be a considerable challenge which is not fully covered by the draft guidance Planning for Gypsy and Traveller Sites referred to in Section 2.

- Gypsies and Travellers are also sometimes critical of the quality of local authority sites and their facilities. Space, both in the pitch and amenity building, seems to be very important. Quality of management and compatible residents are also prized – some families prefer to stay on the roadside rather than move to a site where they would not get on with other residents.

- The ideal site for most Gypsies and Travellers appears to be a privately-owned family site, large enough to accommodate friends and relatives as visitors and/or to accommodate family growth as children marry. The main perceived barrier to this dream is planning permission; there is no information on how many families might be able to afford to develop such a site which would

\(^{23}\) Pat Niner, Local Authority Gypsy/Traveller Sites in England, ODPM, 2003 and needs assessments studies in three other areas not yet published

\(^{24}\) House of Commons ODPM Housing, Planning, Local Government and the Regions Committee, Gypsy and Traveller Sites, 2004
obviously depend on land prices which in turn would depend on its planning status. There appears to be little demand for pitches on sites owned by another non-related Gypsy or Traveller. Local authority sites are preferred by those who do not want or could not afford their own site, but can also be the least favoured option for others who aspire to their own site. Having to mix with other uncongenial families is often give as a reason for not wanting a local authority site.

- At present site provision is insufficient to permit many Gypsies and Travellers to exercise choice. Some may be unwilling to leave a site where they are dissatisfied because there is nowhere else to go; some may move into housing as the lesser evil rather than as a positive choice. This could have implications for needs assessments. Site provision may generate its own demand; aspirations may change as people see what is possible.

5.14 These points suggest the need to ensure provision of a range of sites of different tenure and size. Although need/demand is relatively small in absolute terms, it is likely to be diverse. Ideally, policies should be flexible and sensitive enough to permit this variety.
6. Implications for West Midlands Strategies

6.1 This section identifies the main implications of this Report for West Midlands Regional Housing and Spatial Strategies. It also presents the findings of the LA survey on the preferred role to be played at regional level in relation to Gypsy and Traveller accommodation issues.

Regional Strategies

6.2 The developing planning and housing framework clearly places a new role and responsibility on Regional Housing and Planning bodies in respect of the accommodation needs of Gypsies and Travellers. To summarise from Section 2, the needs of Gypsies and Travellers must be explicitly incorporated in Regional Housing and Spatial Strategies. An assessment of pitches needed at regional and sub-regional level is required. Where public subsidy is required, Gypsy and Traveller needs should be considered in regional recommendations on funding. In order to achieve this, Gypsies and Travellers and their needs must be an element in the common evidence base. In the longer term, an important source of the evidence will feed up from local authorities from their local housing assessments. In the interim, the Gypsy Caravan Counts might be taken as an indication. There is a regional role in ensuring consistency and robustness in local housing assessments.

6.3 Table 6.1 brings together the estimates of need set out in Section 5. This distinguished between needs calculated on the basis of caravans enumerated on unauthorised sites in the July 2004, and needs for additional residential pitches for family growth and waiting lists over the next five years. The lower figures for unauthorised site need exclude need generated from ‘tolerated’ caravans – implicitly they assume that these can remain in future, or at least that similar numbers will be tolerated in future.

<table>
<thead>
<tr>
<th>Table 6.1 : An Estimate of Need for Additional Pitches by Sub-Region : to 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>From unauthorised sites</td>
</tr>
<tr>
<td>--------------------------</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>North</td>
</tr>
<tr>
<td>Central</td>
</tr>
<tr>
<td>West</td>
</tr>
<tr>
<td>South</td>
</tr>
<tr>
<td>Region</td>
</tr>
</tbody>
</table>

Source: CURS estimates

6.4 It must be stressed that these estimates include a number of arbitrary and possibly contentious assumptions. Factors which might mean that they over-estimate need are:

- The multiplier applied for estimating family growth and demand from site waiting lists might be too high. There is no way of establishing this in the absence of detailed local research.
- More Gypsies and Travellers than anticipated move into housing, either reducing demand or freeing existing site pitches.
- The 1.5 caravan per pitch assumption applied to convert enumerated caravans on unauthorised sites to pitches required could be too low. A higher average
number of caravans per pitch would reduce the apparent pitch requirement. Again only local research can establish this.

- The calculations include double counting either between the two elements of the calculations or because waiting lists inflate need because Gypsies and Travellers apply in different areas. We have tried hard to avoid internal double counting in the logic of the approach. Geographical double counting is extremely hard to identify and certainly there is no way of doing so at present.

6.5 There are also factors which might mean the figures in Table 6.1 are an underestimate:

- The Count information on which the calculations relating to unauthorised sites are based is likely to under- rather than over-estimate the number of caravans at present.
- More Gypsies and Travellers than anticipated might seek to move from housing to sites, perhaps encouraged by evidence that sites are to be provided.
- The multiplier applied for estimating family growth and demand from site waiting lists might be too low. The Shropshire figures quoted in Section 5 are higher than those applied here. As noted above, there is no way of establishing this at present.
- Further Gypsies and Travellers could move into the Region from elsewhere to develop sites without planning permission.

6.6 Bearing these factors in mind, we think that the figures in Table 6.1 provide as good an indication as is currently possible of the likely order of magnitude of need for additional pitches for Gypsies and Travellers in the Region to 2010, and the general location of that need at sub-regional level. Much of these figures represents the current backlog of authorised site places and a similar increase cannot be anticipated after 2010 (provided that the required pitches are provided over the period). There will, however, be a continuing growth in demand from new family formation. The likely scale of this cannot be assessed now.

6.7 There are two further points: the possible split between transit and residential pitch demand, and site tenure.

6.8 Table 5.1 distinguished between need for transit and residential pitches stemming from caravans on unauthorised sites. This was based on the assumption that all those on Gypsy-owned land were looking for residential pitches as were half of those on unauthorised encampments on other land. On this basis between 60 and 90 transit pitches are required. The transit site requirement above takes no account of the need to build in a vacancy rate to accommodate movement and site management in transit provision. Calculations of need for ‘transient’ accommodation made in the Republic of Ireland\textsuperscript{25} suggested pitch requirements about four times the number of families deemed to need it. This would place an upper limit on transit pitch requirements in the West Midlands between 240 and 360 although careful site location and management might well substantially reduce the apparent requirement. This does not affect the conclusion that the majority of pitches required in the Region are for long-stay residential use – some 655 to 730 pitches to 2010.

6.9 In terms of the possible split between public and private provision there is little evidence available. Since much of the assumed need comes from local authority site waiting lists and family growth it can safely be said that a proportion of families represented in the estimates want public provision. Others, however, are seeking

private sites. It is not possible at this stage to make any convincing split of the figures, however both public and private sites are needed. For the latter the key is planning permission.

6.10 Thus it seems that the Regional strategies need, if possible, to build in minimum estimates of need, but to be sufficiently flexible to incorporate higher needs as better assessments are made.

6.11 Other ‘softer’ implications include:

- There should be a variety of sites in terms of tenure and size. In general, smaller sites seem preferable to larger ones (that is under about 15 pitches).
- There is likely to be a continuing demand for housing from Gypsies and Travellers. There are no indications that this will increase greatly above current levels, especially if site provision becomes a reality. Need for larger houses to accommodate large families could be significant given supply constraints. Gypsies and Travellers may need initial tenancy support to help them settle. Sensitive allocation policies and perhaps community development work are needed to avoid isolating Gypsies and Travellers in estates with potentially hostile neighbours and to minimise disruption because of lifestyle differences which can mean the presence of numbers of vehicles and visitors.
- Support needs indicate the need to integrate housing strategies with Supporting People strategies. A regional lead on this might be helpful.

Possible Regional Roles

6.12 The LA survey asked respondents to say what role could most usefully be played at regional level in relation to Gypsy and Traveller accommodation issues. The most frequently mentioned roles were:

- Providing guidance, training and good practice, especially in needs assessment to ensure consistency in needs assessments and meeting requirements.
- Collating and updating a common information base and acting as an information exchange. This might include information on needs and on sites. One respondent suggested that information might be centrally collected on pitch vacancies, working towards a pitch letting service.
- Actually carrying out research at regional level into accommodation needs to get an understanding of what is needed and where. Liaison with Gypsy and Traveller communities at regional level might contribute to this. One respondent thought that the Region might consider Model Standards for site development to take account of lifestyle and employment practices.
- Generally ensuring a holistic approach to the location, financing and sharing of sites to accommodate Gypsy and Traveller needs.
- Encouraging networks to form for Gypsy Liaison officers and encourage closer liaison between planners and others. The need for a network of practitioners in this area was also identified by participants at the consultation workshop.

6.13 Thus some respondents envisaged an active research role for the Region, while others suggested that the role should be one of co-ordination and advice. Answers suggest a felt need for better liaison and consistency within the Region and, perhaps, better co-ordination of Gypsy and Traveller matters into the mainstream.
An important potential role for regional bodies identified above and in the national policy framework is in guiding and co-ordinating the assessment of accommodation needs.
7. Proposals for Future Work

7.1 We were asked to consider whether there are other areas of work where CURS research or involvement might help at regional level. The two suggestions below could be worked up into firm proposals if required.

7.2 First, we could provide a service to regional local authorities to advise and share information on how best to carry out local needs assessments. The aim would be to ensure consistency between authorities, and robust and valid results. At present ODPM guidance on needs assessment is awaited and it is not appropriate to anticipate methods in advance. However, we have experience of carrying out assessments using a model very close to approaches used in mainstream housing needs assessment modified for the particular client group. We have run a successful workshop for local authority personnel on assessment methods (due to be repeated in February). Such a service might develop:

- It could receive and consider local assessments as they are made so as to build up and update an information base of needs across the region.
- It could work towards collating information on unauthorised encampments across the Region to increase current understanding of travel patterns among more mobile Gypsies and Travellers. Obviously this would involve discussion with local authorities about current information availability and further opportunities. Any data protection issues would have to be resolved.
- Information could be collated and updated on site provision across the Region, thus monitoring progress against plan targets and against identified needs.

7.3 Second, we could carry out primary research with Gypsies and Travellers across the Region to assist in needs assessment. This would be part consultation and part survey of perceived needs, views of current accommodation and accommodation aspirations. We have developed a series of questionnaires which combine quantitative and qualitative information collection which could be used as a starting point.

7.4 Of the two alternatives, we think the greatest value lies in the first. It is our view that needs assessments are best carried out at a local rather than a regional level, by local authorities or groups of authorities working together. Much of the basic information necessary should be available to local site managers; local authority personnel have the local knowledge and links needed to carry out a study. In addition, consultation with Gypsies and Travellers provides a starting point for future relations which should prove valuable for local authorities as strategies and plans develop and are implemented.
Appendix A—Local Authority Questionnaire
This survey is part of the work CURS is carrying out to establish an Evidence Base for use in jointly developing the West Midlands Regional Housing Strategy and Regional Spatial Strategy for Housing. It relates to sites and other accommodation for Gypsies and Travellers. The questionnaire is being sent to all local authorities in the Region, including County Councils.

Please complete the questionnaire and return it in the envelope provided by 9 December 2004.

If you have any queries please contact:

Pat Niner
0121 404 5024 or P.M.Niner@bham.ac.uk

<table>
<thead>
<tr>
<th>Local authority</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact name</td>
<td></td>
</tr>
<tr>
<td>Telephone number</td>
<td></td>
</tr>
<tr>
<td>E-mail address</td>
<td></td>
</tr>
</tbody>
</table>
LOCAL AUTHORITY GYPSY/TRAVELLER SITES

‘Local authority Gypsy/Traveller sites’ are those operated by local authorities to accommodate Gypsies/Travellers. This includes sites owned and managed by local authorities, and local authority owned sites managed by a non-local authority body or individual so long as the authority retains control of site management (critically of rent setting and lettings).

A ‘transit/emergency’ site or pitch is one provided for temporary stays, where the normal length of stay is limited by the terms of the licence. A ‘residential’ site or pitch is one without such limitation, designed for permanent occupation.

Q1. The table on the next page sets out existing local authority site provision as shown by ODPM records for 6 January 2004. Please:

a) Make any amendments necessary to figures for available pitches

b) Identify which authority/organisation owns and manages each site

c) Tick boxes to show any plans for each site which will produce changes over the next 5 years. If plans will result in a gain or loss of pitches, please note the number of pitches to be gained or lost.

d) If any other changes are planned for these sites, please give details here:

Q2. Are there any plans to provide additional local authority Gypsy/Traveller sites over the next 5 years?

Yes [ ]

No [ ]

IF YES
Please give details in the box below.

<table>
<thead>
<tr>
<th>Location</th>
<th>Number of pitches proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
1. LOCAL AUTHORITY GYPSY/TRAVELLER SITES

<table>
<thead>
<tr>
<th>Site</th>
<th>Pitches</th>
<th>Owner</th>
<th>Manager</th>
<th>Plans for site over next 5 years</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Residential</td>
<td>Transit</td>
<td></td>
<td>Closure</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
AUTHORISED PRIVATE GYPSY/TRAVELLER SITES

Authorised private Gypsy/Traveller sites include all sites with planning consent catering specifically for Gypsy/Travellers. This includes sites provided by Gypsy/Travellers for their own occupation, sites provided by Registered Social Landlords or other individuals or organisations, and sites owned by the local authority but leased to a non-local authority organisation or individual.

Q3. Are there any authorised private Gypsy/Traveller sites in your area?

Yes □ Answer Q4

No □ Go to Q6

IF YES

Q4. How many sites and pitches are there? If possible, please give separate figures for owner-occupied (or family-owned) sites and 'commercial' sites where pitches are let rather than owned.

<table>
<thead>
<tr>
<th></th>
<th>Number of sites</th>
<th>Number of pitches</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total authorised private sites</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner-occupied</td>
<td></td>
<td></td>
</tr>
<tr>
<td>‘Commercial’</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Q5. Has the number of authorised private sites and/or pitches changed over the past five years?

<table>
<thead>
<tr>
<th></th>
<th>Sites</th>
<th>Pitches</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased over the past 5 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remained static</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decreased over the past 5 years</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

ALL

Q6. Do you expect the number of authorised private Gypsy/Traveller sites in your area to increase over the next 5 years?

Yes □

No □
PRIVATE GYPSY/TRAVELLER SITES DEVELOPED WITHOUT PLANNING CONSENT

This section relates to sites owned by Gypsies and Travellers who have bought and developed land without planning consent. Please do not include unauthorised encampments.

Q7. Are there any unauthorised Gypsy/Traveller sites in your area?

Yes  Yes  Answer Q8

No  No  Go to Q10

IF YES

Q8  How many sites are there? How many pitches (or families) are there? How many of these sites and pitches are subject to some form of enforcement action?

<table>
<thead>
<tr>
<th>Number of sites</th>
<th>Number of pitches</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total unauthorised private sites without planning consent</td>
<td></td>
</tr>
<tr>
<td>Sites subject to enforcement action</td>
<td></td>
</tr>
</tbody>
</table>

Q9. Has the number of unauthorised private sites and/or pitches changed over the past five years?

<table>
<thead>
<tr>
<th>Sites</th>
<th>Pitches</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased over the past 5 years</td>
<td></td>
</tr>
<tr>
<td>Remained static</td>
<td></td>
</tr>
<tr>
<td>Decreased over the past 5 years</td>
<td></td>
</tr>
</tbody>
</table>

ALL

Q10. Do you expect the number of unauthorised private Gypsy/Traveller sites developed without planning consent in your area to increase over the next 5 years?

Yes  Yes

No  No
UNAUTHORISED CAMPING

Unauthorised camping involves Gypsies and Travellers residing in caravans or other vehicles on land which they do not own. They will normally be there as trespassers.

The number of caravans on unauthorised encampments (on land not owned by Gypsies) in your area revealed by the ODPM Count of Gypsy Caravans for 19 July 2004 was:

<table>
<thead>
<tr>
<th>Number of caravans</th>
<th>Tolerated</th>
<th>Not tolerated</th>
</tr>
</thead>
</table>

Tolerated encampments
Q11. Was the total for caravans on tolerated unauthorised encampments on this 'snapshot' day broadly typical of summer 2004, or unusually high or low?

- Broadly typical [ ]
- Unusually high [ ]
- Unusually low [ ]

Q12. Do you expect the number of caravans on tolerated encampments to remain broadly the same, or to increase or decrease over the next 5 years?

- Remain broadly the same [ ]
- Increase [ ]
- Decrease [ ]
- Don't know [ ]

Non-tolerated encampments
Q13. Was the total for caravans on non-tolerated unauthorised encampments on this 'snapshot' day broadly typical of summer 2004, or unusually high or low?

- Broadly typical [ ]
- Unusually high [ ]
- Unusually low [ ]

Q14. How has the scale of unauthorised camping on non-tolerated sites changed over the past 5 years?

- Remained broadly the same [ ]
- Increased [ ]
- Decreased [ ]
Q15. Do you expect the number of caravans on non-tolerated encampments to remain broadly the same, or to increase or decrease over the next 5 years?

- Remain broadly the same
- Increase
- Decrease
- Don’t know

Q16. The Gypsy Caravan Count asks for a snapshot of caravans and families at dates in January and July. Do you keep a log of encampments which could show:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location of encampment</td>
<td></td>
</tr>
<tr>
<td>Number of caravans</td>
<td></td>
</tr>
<tr>
<td>Start date</td>
<td></td>
</tr>
<tr>
<td>End date</td>
<td></td>
</tr>
<tr>
<td>Families/groups involved</td>
<td></td>
</tr>
<tr>
<td>Reason for being in the area</td>
<td></td>
</tr>
<tr>
<td>Action taken in respect of encampment</td>
<td></td>
</tr>
</tbody>
</table>

Q17. Does your authority have a written policy for dealing with unauthorised encampments?

- Yes
- No

**IF YES : PLEASE PROVIDE A COPY**
GYPSIES AND TRAVELLERS IN PERMANENT HOUSING

This section is for local housing authorities only. County Councils please go to Q23

Q18. How many Gypsies and Travellers do you estimate live in social rented housing in your area?

| Over 500 families | 100 – 500 families | 10 – 100 families | Less than 10 families |

Q19. Do you identify Gypsies and Travellers in ethnic records and monitoring of housing applications and/or allocations?

☐ Yes

☐ No

Q20. Please provide as much information as possible (accurate or estimates) in the table below.

| Number of Gypsies and Travellers currently registered for housing | Number of Gypsies and Travellers housed in the last year (2003/4) |

Q21. How has the number of Gypsies and Travellers moving into social rented housing changed over the past 5 years?

☐ Remained broadly the same

☐ Increased

☐ Decreased

☐ Not known

Q22. How do you expect the number of Gypsies and Travellers moving into social rented housing to change over the next 5 years?

☐ Remain broadly the same

☐ Increase

☐ Decrease

☐ Not known
**GYPSIES AND TRAVELLERS AND COUNCIL POLICIES**

Q23. Is there a council strategy or policy for Gypsy/Traveller accommodation? (Other than a policy for dealing with unauthorised camping or a Local Plan)

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

*IF YES: PLEASE PROVIDE A COPY*

Q24. Is there a policy relating to Gypsy/Traveller sites or other accommodation in your Local Plan (Structure Plan or Unitary Development Plan)?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

*IF YES: PLEASE PROVIDE AN EXTRACT OR REFER TO DOCUMENT AVAILABLE ON THE INTERNET*

Q25. Are Gypsies and Travellers specifically referred to in your housing and homelessness strategies? If not, are there plans for them to be specifically referred to when the strategies are revised?

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>Plan to include</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing strategy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homelessness strategy</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*IF YES: PLEASE PROVIDE RELEVANT EXTRACTS OR REFER TO DOCUMENTS AVAILABLE ON THE INTERNET*
ACCOMMODATION NEEDS ASSESSMENT

Q26. Has your authority carried out a formal estimate of the accommodation needs of Gypsies and Travellers over the past 5 years? If not, do you plan to do so?

- Yes [ ] Answer Q27
- Plan to do so [ ] Answer Q27
- No [ ] Go to Q30

Q27. Who carried out/will carry out the assessment?

- Local authority
- Other (please specify)

Q28. What methods were used/will be used in this assessment? Please tick all that apply

<table>
<thead>
<tr>
<th>Method</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gypsy counts</td>
<td>Analysis of site/housing waiting lists</td>
</tr>
<tr>
<td>Demographic analysis</td>
<td>Analysis of planning applications</td>
</tr>
<tr>
<td>Consultation with Gypsy/Travellers</td>
<td>Consultation with other bodies</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
</tr>
</tbody>
</table>

IF NEEDS ASSESSMENT COMPLETED
Q29. Please describe the main findings in terms of accommodation needed OR PROVIDE A COPY OF THE REPORT/SUMMARY OF THE ASSESSMENT
JOINT WORKING

Q30. Is your authority involved in any regional or sub-regional joint working on Gypsy/Traveller accommodation issues?

Yes [ ]

No [ ]

IF YES
Please describe the purpose of the joint working and which authorities are involved

Q31. What role could most usefully be played at Regional level in the West Midlands in relation to Gypsy and Traveller accommodation issues? Please write in

THANK YOU VERY MUCH
Appendix B – Trends in Caravan Numbers by Sub-Region

Figure B1: Total Caravans by Sub-region 1994-2004

Figure B2: Caravans on Local Authority Sites by Sub-region 1994-2004
Figure B5: Caravans on Unauthorised Sites: Gypsy Owned Land by Sub-region: Summer 1998-2004

Figure B6: Caravans on Unauthorised Sites: Non-Gypsy Owned Land by Sub-region: Summer 1998 to 2004
## Appendix C – Local Authority Sites in the West Midlands

<table>
<thead>
<tr>
<th>Local Authority</th>
<th>Number of sites</th>
<th>Number of pitches</th>
<th>Ownership/management</th>
<th>Plans etc</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>North Sub-Region</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stoke-on-Trent</td>
<td>1</td>
<td>33R + 6T</td>
<td>Stoke + individual</td>
<td></td>
</tr>
<tr>
<td>East Staffordshire</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newcastle under Lyme</td>
<td>1</td>
<td>17R</td>
<td>Owned Staffs CC, managed LSVT association</td>
<td></td>
</tr>
<tr>
<td>Stafford</td>
<td>1</td>
<td>12R</td>
<td>Owned and managed by Stafford BC</td>
<td></td>
</tr>
<tr>
<td>Staffordshire Moorlands</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Central Sub-Region</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cannock Chase</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lichfield</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Staffordshire</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tamworth</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telford and Wrekin</td>
<td>2</td>
<td>36R</td>
<td>Owned and managed by Telford &amp; Wrekin</td>
<td>To be refurbished and future management reviewed</td>
</tr>
<tr>
<td>North Warwickshire</td>
<td>1</td>
<td>17R</td>
<td>Owned Warks CC, managed Westgate Managed Services</td>
<td>To be refurbished, possible pitch gain</td>
</tr>
<tr>
<td>Nuneaton &amp; Bedworth</td>
<td>1</td>
<td>21R</td>
<td>Owned Warks CC, managed Traveller individuals</td>
<td></td>
</tr>
<tr>
<td>Rugby</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Birmingham</td>
<td>1</td>
<td>15R</td>
<td>Owned and managed BCC</td>
<td>To be refurbished, pitch gain 1R + 2T</td>
</tr>
<tr>
<td>Coventry</td>
<td>1</td>
<td>31R</td>
<td>Owned CCC, leased to Traveller individual for management</td>
<td>To be refurbished</td>
</tr>
<tr>
<td>Dudley anddwell</td>
<td>1</td>
<td>19R</td>
<td>Owned and managed Dudley</td>
<td></td>
</tr>
<tr>
<td>Solihull</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walsall</td>
<td>1</td>
<td>17R</td>
<td>Owned and managed by Walsall</td>
<td></td>
</tr>
<tr>
<td>Wolverhampton</td>
<td>1</td>
<td>40R</td>
<td>Owned WMBC, managed Gypsy Council</td>
<td></td>
</tr>
<tr>
<td>Local Authority</td>
<td>Number of sites</td>
<td>Number of pitches</td>
<td>Ownership/management</td>
<td>Plans etc</td>
</tr>
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<td>------------------------------</td>
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<td>----------------------------------------------------------</td>
<td>------------------------------------------------</td>
</tr>
<tr>
<td><strong>West Sub-Region</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Herefordshire</td>
<td>5</td>
<td>48R</td>
<td>Owned and managed by Herefordshire</td>
<td>Also 2 sites currently closed</td>
</tr>
<tr>
<td>Bridgnorth</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Shropshire</td>
<td>1</td>
<td>18R</td>
<td>Owned and managed Shropshire CC</td>
<td></td>
</tr>
<tr>
<td>Oswestry</td>
<td>1</td>
<td>13R</td>
<td>Owned and managed Shropshire CC</td>
<td></td>
</tr>
<tr>
<td>Shrewsbury &amp; Atcham</td>
<td>1</td>
<td>5R</td>
<td>Owned and managed Shropshire CC</td>
<td>Also 1 site currently closed</td>
</tr>
<tr>
<td>South Shropshire</td>
<td>1</td>
<td>10R</td>
<td>Owned Shropshire CC, managed Traveller individual</td>
<td></td>
</tr>
<tr>
<td><strong>South Sub-Region</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stratford on Avon</td>
<td>1</td>
<td>30R</td>
<td>Owned and managed by Stratford</td>
<td></td>
</tr>
<tr>
<td>Warwick</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bromsgrove</td>
<td>1</td>
<td>18R</td>
<td>Owned Bromsgrove, managed LSVT association</td>
<td></td>
</tr>
<tr>
<td>Malvern Hills</td>
<td>1</td>
<td>5R</td>
<td>Owned and managed Worcs CC</td>
<td></td>
</tr>
<tr>
<td>Redditch</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Worcester</td>
<td>1</td>
<td>20R</td>
<td>Owned and managed Worcs CC</td>
<td></td>
</tr>
<tr>
<td>Wychavon</td>
<td>5</td>
<td>66R</td>
<td>Owned and managed Worcs CC</td>
<td>Several sites to be refurbished; 2R pitch gain</td>
</tr>
<tr>
<td>Wyre Forest</td>
<td>2</td>
<td>30R</td>
<td>Owned and managed Worcs CC</td>
<td></td>
</tr>
</tbody>
</table>
Appendix D – Gypsy Refurbishment Grant Awards in the West Midlands

The information in this Appendix comes from the ODPM Memorandum submitted to the ODPM Committee on Gypsy and Traveller Sites26, supplemented by the announcement of the second part of the Round 4 bid results to Parliament in December 2004.

Table D1 shows the amount of Gypsy Site Refurbishment Grant (GSRG) awarded in each Round in the West Midlands and England and expresses the Region as a percentage of the national total. Also included in the table is the regional share of local authority sites and pitches in January 2004.

<table>
<thead>
<tr>
<th>Round of GSRG</th>
<th>West Midlands</th>
<th>England</th>
<th>Regional %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 : 2001/02</td>
<td>£327,590</td>
<td>£2,843,977</td>
<td>12</td>
</tr>
<tr>
<td>2 : 2002/03</td>
<td>£169,533</td>
<td>£6,084,466</td>
<td>3</td>
</tr>
<tr>
<td>3 : 2003/04</td>
<td>£1,239,394</td>
<td>£7,188,968</td>
<td>17</td>
</tr>
<tr>
<td>4 : 2004/05</td>
<td>£1,030,216</td>
<td>£7,288,008</td>
<td>14</td>
</tr>
<tr>
<td>Total Rounds 1-4</td>
<td>£2,766,733</td>
<td>£23,405,419</td>
<td>12</td>
</tr>
</tbody>
</table>

Regional share of local authority Gypsy sites January 2004 10
Regional share of local authority Gypsy pitches January 2004 11

Table D2 shows which authorities received GSRG over the four Rounds. Some authorities received awards for several sites over the period.

<table>
<thead>
<tr>
<th>Local authority</th>
<th>Number of Rounds with awards</th>
<th>Total amount</th>
<th>% of Region total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dudley</td>
<td>3</td>
<td>£215,950</td>
<td>8</td>
</tr>
<tr>
<td>Herefordshire</td>
<td>1</td>
<td>£300,000</td>
<td>11</td>
</tr>
<tr>
<td>Shropshire</td>
<td>4</td>
<td>£432,399</td>
<td>16</td>
</tr>
<tr>
<td>Stoke on Trent</td>
<td>1</td>
<td>£18,000</td>
<td>1</td>
</tr>
<tr>
<td>Telford &amp; Wrekin</td>
<td>3</td>
<td>£125,116</td>
<td>5</td>
</tr>
<tr>
<td>Worcestershire</td>
<td>3</td>
<td>£1,675,268</td>
<td>61</td>
</tr>
<tr>
<td>West Midlands</td>
<td>4</td>
<td>£2,766,733</td>
<td>100</td>
</tr>
</tbody>
</table>

The table show:

- The West Midlands Region has attracted slightly more than its ‘share’ of total GSRG over the four Rounds relative to number of sites and pitches.

- Distribution by local authority suggests that awards have been quite patchy. A number of local authorities have not benefited at all. The successful authorities together have 23 sites (not all of which will have benefited) out of Region’s 33.

26 House of Commons ODPM: Housing, Planning, Local Government and the Regions Committee, Gypsy and Traveller Sites, Written Evidence (HC 633-11) 2004, Annex 7 of Memorandum by the Office of the Deputy Prime Minister (GTS 01)
Distribution by Sub-Region is as follows: South has 61%, Central has 13%, West has 27% and N has 1% of total West Midlands awards. This greatly over-represents South’s share of total sites and pitches; West’s share mirrors its proportion of sites and both North and Central under-represent their share. Generally there appears to have been a rural bias in expenditure.
Appendix E – Note from Rooftop Housing Group

Accommodation Needs of Gypsies and Travellers: Strategic recommendations arising from research commissioned by Rooftop Housing Group (Oct 2004)

Introduction

a. This note aims to provide a contribution to the West Midlands Regional Housing Partnership’s work on gypsies and travellers, which forms part of its preparation for a new Regional Housing Strategy.

b. Rooftop Housing Group (RHG) has commissioned two pieces of research into the accommodation needs of gypsies and travellers in the Wychavon district.

c. The note draws out the recommendations that have strategic implications.

The research

a. The first piece of research was carried out by the University of Central England (UCE) and culminated in a report entitled *Where is the Real Choice? What are the Accommodation Needs of travellers in Wychavon*, published in 2000. The second project was conducted by Bob Blackaby Associates and resulted in a report entitled *The Housing Needs of Gypsies and Travellers*, which is due to be published at the end of 2004.

b. The UCE research aimed to answer a number of questions concerning:

   i. Accommodation aspirations
   ii. Accommodation experiences
   iii. Accommodation needs
   iv. Reasons for differences between aspirations and experiences
   v. Accommodation experiences of traveller children.

c. The project involved a postal survey of social housing providers and planning agencies; interviews and written responses from key organisations; interviews with gypsies/travellers who were on public sites, on the waiting list for housing or sites, in housing and on unauthorised encampments together with contributions from community representatives.

d. The Bob Blackaby Associates’ (BBA) research aimed:

   i. To test the conclusions regarding housing that emerged from the study carried out by the UCE
   ii. To determine the specific housing needs of the gypsy and traveller population, including information about needs and preferences for housing of different sizes and types and in different areas and the nature of any support requirements that exist
   iii. To analyse gypsies’ and travellers’ perceptions about the nature of their relationship with people who are not gypsies and travellers and their experience of racial harassment
iv. To analyse the views of gypsies and travellers who are tenants of the housing association about the services they receive from the association

v. To bring together information on the above points and to draw out conclusions and recommendations that would enable the association to tailor its services to the needs of the gypsy/traveller population.

e. This research did not seek to duplicate the earlier study. It had a more particular focus – it concentrated on housing and not site provision – and sought to analyse in greater detail than the earlier study the views and experiences of gypsies and travellers who have moved into the association’s housing.

f. The project involved analysis of data from the Office of the Deputy Prime Minister’s twice yearly count of gypsy caravans; discussions with people with expertise in the area; two social surveys – one with a sample of tenants who considered themselves gypsies or travellers and another with gypsies or travellers who were living in caravans and who were included on the housing register of Wychavon District Council (WDC).

Strategic recommendations arising from the two projects

a. Both research projects made a number of recommendations aimed at the housing association, planning agencies, the government and Housing Corporation. Many recommendations, particularly those in the Bob Blackaby Associates report, concerned day-to-day service improvements.

b. A number, however were of a strategic nature and are therefore relevant to the new West Midlands Regional Housing Strategy. These recommendations are summarised below under the following headings:

i. Site provision
ii. Housing provision
iii. Niche housing and site provision
iv. Monitoring

Site provision

The relevant recommendations are:

a. There is evidence that there is a need for further site provision. It might be appropriate for another site provider to be found in order to encourage competition and choice. It would also allow alternative design processes and management practices to be explored. It should be noted that current legislation restricts the use of Housing Corporation money for this purpose (UCE).

b. Providers should examine new methods of offering travellers a stake in the sites. Perhaps there is a possibility of developing traveller site councils, which are responsible for limited site improvement budgets (UCE).

c. Local planning policies should be more positive and supportive for those travellers (and others) who wish to provide their own sites. This should
involve a move away from the ‘restrictive’ land use criteria used for assessing traveller applications towards identifying suitable locations. It is critical that Local Plan policies are not only clear and enforceable, but are fair and reasonable to all sections of the community.

d. Local plans should identify land that is available for travellers to develop self-provision (UCE).

**Housing provision**

The relevant recommendations are:

a. Travellers should be given real choices and access to a range of accommodation (UCE).

b. Rooftop should discuss with WDC the balance of priorities for new housing investment in the social housing sector with a view to determining whether sufficient priority is given to the provision of new housing in villages, of four bedroom houses and one and two bedroom bungalows. RHG’s forward development programme should then be reviewed in the light of these discussions (BBA).

c. Rooftop should consider whether it could meet the needs of overcrowded households in its properties by building extensions or converting the loft to a bedroom (BBA).

d. Local planning policies should consider the use of ‘Rural Exceptions Policy’ (set out in PPG3). This enables local planning authorities to grant planning permission for land within or adjoining existing villages which would not normally be released for housing in order to provide affordable housing to meet local needs in perpetuity. This could be useful in enabling one or two houses or common pitches to be provided in a location that would not normally be permitted for housing. Use of this mechanism may also be a way of overcoming the current restrictions on provision for travellers in the green belt. It would be necessary that any housing provided under the Rural Exceptions Policy be managed by a housing association to ensure it remained available only for such special needs as set out in Annex B of the guidance (UCE).

**Niche housing and site provision**

The relevant recommendation is:

a. There is a need for niche housing and site development for the elderly travellers. Such housing should comprise bungalows, appropriate pitches (having regards for the health and needs of elderly travellers) and a small number of transit pitches to facilitate family members visiting for short periods. This type of needs group requires support from vibrant community facilities, therefore the positioning is of prime importance. Involving travellers in design and management issues might be a starting point. However, the association might choose to investigate good practice from other parts of the country, or from other ethnic groups (UCE).
Monitoring

The relevant recommendation is:

a. Develop effective monitoring systems for a range of services. Of particular importance, is the development of systems to provide information about allocations, property standards and neighbourhood issues (UCE).

Future action by Rooftop Housing Group

Having commissioned two sets of research in four years, what is Rooftop Housing Group going to do about the issues?

a) Firstly, we will take on board the recommendations specifically addressed to us:

b) Discussions with Wychavon District Council upon future priorities for housing investment
c) Opportunities for extension of existing homes
d) Secondly, we will seek to influence local and regional housing and planning strategies to address the wide recommendations from the studies.
e) Thirdly, we will seek support from WDC, Worcestershire County Council and the Housing Corporation to initiate a small new build scheme exploring effective methods of achieving community cohesion throughout the entire consultation and delivery process. We will publish our experience in delivering the scheme as a contribution to future learning and best practice.

f) The pilot scheme proposal will be two new homes targeting specific existing traveller needs from the local community in the Wychavon district, comprising one 2 bed elderly persons bungalow linked to one 4 bed family house. If possible, the residents of both homes will have a family connection although this is not essential. The small scale reflects support from within the traveller community for their housing needs to be integrated within the wider community rather than being segregated as currently happens with gypsy sites. Experience with the pilot will help to inform future policy upon the provision of affordable housing to meets the needs of predominantly rural communities but should also assist with similar issues in urban locations.