

# London Borough of Merton – Gypsy and Traveller Accommodation Assessment

## Final Report

July 2019

*RRR Consultancy Ltd*







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# Executive Summary

## Introduction

- S1. In August 2018 the London Borough of Merton commissioned *RRR Consultancy Ltd* in association with GL Hearn Ltd to undertake a Gypsy and Traveller Accommodation Needs Assessment Study (GTAA) for the period 2019-2034. The results will be used as an evidence base for policy development in housing and planning and to inform the allocation of resources.
- S2. The requirement to assess the accommodation needs of Gypsies and Travellers and Travelling Showpeople is established through national guidance contained in Planning Policy for Travellers (DCLG, 2015).
- S3. This assessment covers need for caravans insofar as this relates to Gypsies, Travellers, and Travelling Showpeople.
- S4. It is important to note that previous and current guidance documents are useful in helping guide the GTAA process and how local authorities should address the needs of the different Gypsy and Traveller groups. This includes data collection and analysis following practice guidance set out by Communities and Local Government (DCLG) in recent 'Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats' (March 2016), and 'Planning Policy for Traveller Sites' (August 2015).
- S5. To achieve the study aims, the research drew on a number of data sources including:
- Review of secondary information: a review of national and local planning policies and recently undertaken GTAAs, and analysis of secondary data. This included analysis of the most recently published (January 2018) DCLG Traveller Caravan Count to determine trends in the population of Gypsies and Travellers.
  - Telephone interviews with key stakeholders providing qualitative data regarding the accommodation needs of Gypsies, Travellers, and Travelling Showpeople.
  - Extensive face-to-face surveys of Gypsies and Travellers, covering a range of issues related to accommodation and service needs. This key methodology determined an extensive range of data enabling accommodation needs to be determined.

## Policy context

- S6. In August 2015, the Government published its amended planning policy for traveller sites, which replaced the previous guidance and circulars relating to Gypsies and Travellers and
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Travelling Showpeople. The guidance emphasised the need for local authorities to use evidence to plan positively and manage development. Whilst it is clear that the 2015 PPTS excludes those who have ceased to travel permanently as being Gypsies and Travellers (for planning purposes), it does not explicitly state how the new definition should be interpreted in relation to other factors such as whether families travel for economic or work purposes.

- S7. Given differences in defining the Gypsies and Travellers this GTAA provides three needs figures: first, one based on the Draft London Plan's definition, which relates to the 'ethnic identity' of Gypsy and Traveller households; second, based on the PPTS 2015 definition i.e. the accommodation needs of families who have not permanently ceased to travel; and third, based on the interpretation of travelling for work purposes.
- S8. In March 2016, the Department of Communities and Local Government (DCLG) published its draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats. It states that, when considering the need for caravans and houseboats, local authorities will need to include the needs of a variety of residents in differing circumstances including, for example, caravan and houseboat dwelling households and households residing in bricks and mortar dwelling households.
- S9. The local authority planning policies outline the criteria by which the location of new Gypsy and Traveller accommodation should be determined. It is apparent that they consider it important to consider a range of factors including the sustainability of new sites e.g. proximity to local services, and the potential impact on the environment. However, it is likely that any revised local policies would reflect the findings of this GTAA. Current planning policies in relation to Gypsy and Traveller accommodation will be superseded by the new Local Plan policies based on evidence including this GTAA.

## Population Trends

- S10. There is only one permanent residential site in Merton located at Brickfield Road/Weir Road Wimbledon. The site was managed by Merton Priory Homes under a Service Level Agreement following the transfer of council housing stock to the organisation in March 2010 but is now managed by Clarion Housing. The site contains 15 pitches of which 13 were occupied when the household surveys were undertaken in October 2018. The site was opened in 1972 and has been improved twice since its opening, initially in 1996, when Merton Council obtained £500k government grant to install facilities for individual pitches. Further improvements of nearly £190k were made to the site in 2007 and 2008, following two successful bids to the government, with match funding from Thames Valley Housing Association and the Council. Merton has undertaken further work on the site during the past three years including dealing with issues such as fly-tipping and obstructive parking. This involved resurfacing the carriageway, removing rubbish and implementing parking restrictions.
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- S11. There are two major sources of data on Gypsy and Traveller numbers in the study area – the national DCLG Traveller Caravan Count, and local authority data. The DCLG count has significant difficulties with accuracy and reliability. As such, it should only be used to determine general trends – it is the survey undertaken as part of the GTAA which provides more reliable and robust data.
- S12. The number of caravans recorded by the DCLG Counts has usually averaged between 15 and 17 caravans for the last 10 years (the January 2018 Count recorded 15 caravans). The 2011 Census recorded 216 people identifying as Gypsies and Travellers in Merton. Given that in October 2018 there were 13 households residing on the Brickfield Road site means that there may be as many as 78 Gypsy and Traveller households residing in bricks and mortar accommodation in Merton.
- S13. There was a total of 106 unauthorised encampments recorded within Merton between March 2003 and June 2018. The number of unauthorised encampments increased from an average of 3 per annum during the period 2003 to 2010, to an average of 10 per annum during the period 2011 to 2018. The average length of encampment was 8 days consisting of between 1 and 30 vehicles with an average of 6 vehicles.

### **Stakeholder Consultation**

- S14. Consultations with a range of stakeholders provide in-depth qualitative information about the accommodation needs of Gypsies, Travellers, and Showpeople. The aim of the consultation was to obtain both an overall perspective on issues facing these groups, and an understanding of local issues that are specific to the study area.
- S15. The main barriers to provision of both permanent and transit sites were seen to be perceptions of Gypsies and Travellers, public and political opposition, lack of available and affordable land, the planning process and related issues such as the changes to the planning definition, the cost of planning processes, and having knowledge of such processes.
- S16. It was acknowledged that a large proportion of Gypsy and Traveller households may reside in bricks and mortar accommodation although numbers are difficult to estimate as social housing providers tend not to include a Gypsy and Traveller category on ethnic monitoring forms or may be reluctant to share data with external agencies. Some unauthorised encampments may be due to households residing in bricks and mortar accommodation needing to travel due to psychological aversion to residing in a house<sup>1</sup>. All households on the Merton site are registered with a doctor and due to health concerns are in regular

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<sup>1</sup> See Glossary at end of report for definition of 'psychological aversion'

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contact with the health service. Those on unauthorised encampments, however, are less likely to be registered, particularly those who do not have a registered address.

## Surveys of Gypsy and Traveller families

S17. In October 2018 a total of 13 surveys were undertaken by *RRR Consultancy* with Gypsy and Traveller families residing on the Brickfield Road site. Reflecting longevity of tenure, most households had resided on their respective pitches for more than 5 years, although one had lived on site for 5 years or less. The commitment of families to remaining on existing sites is reflected in the fact that all wanted to stay in the area. Satisfaction rates regarding the site was generally neutral residents stating that there are issues regarding health and safety on site, and the need to improve facilities. Whilst enjoying living on the site with family and friends, residents did express concerns about the condition of the site.

## Accommodation need

S18. Accommodation need for the study area was assessed using analysis of primary and secondary data. The accommodation needs calculation steps were based on a model in accordance with both previous and current Practice Guidance issued by the Department of Communities and Local Government (DCLG). It contains seven basic components; five assessing need and two assessing supply, which are applied to each sub-group, based on primary data.

S19. Table S1 summarises accommodation need over the period 2019-34. In relation to Gypsies and Travellers, the main drivers of need are from 'hidden' (or 'concealed' families) and psychological aversion of households living in bricks and mortar accommodation. With the exception of the Draft London Plan (DLP) based need within the first five years, the accommodation need arising over the 15 years is all counterbalanced by additional supply emerging over the 15 years (including vacant pitches and pitches becoming vacant due to mortality). With the exception of the need of 6 based on the DLP definition, there is no additional need for the local authority to address.

S20. There are no known Travelling Showpeople residing in the Merton. As such, there is no need for Travelling Showpeople plots within the Borough.

Period	2019-2024	2024-2029	2029-2034	Total
DLP	6	0	0	6
PPTS	0	0	0	0
Work	0	0	0	0

Source: GTAA 2019

S21. In relation to transit provision, it is also recommended that the local authority has a corporate policy in place to address negotiated stopping places for small scale transient encampments, and that it continues to work with local authorities across the subregion to provide new transit provision.

## Conclusions

S22. As well as quantifying accommodation need, the study also makes recommendations on key issues including:

### *Planning:*

- For Merton Council to develop criteria and processes for determining the suitability of Gypsy and Traveller sites, as indicated above for including in emerging/future Local Plans.
- For the PPTS need to be met by the emerging additional supply on the existing site and for the additional DLP need to be considered over the next 15 year period.
- Implement corporate policy to provide negotiated stopping arrangements to address unauthorised encampments for set periods of time at agreed locations.

### *General:*

- For Merton Council and Clarion Housing to jointly review the management and maintenance of the Brickfield Road site.
  - For the Council to consider applying to the London Mayor's 'Affordable Homes Programme' 2016-21 for funds to improve the Brickfield Road site.
  - The population size and demographics of all two community groups can change rapidly. As such, their accommodation needs should be reviewed every 5 to 7 years.
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# 1. Introduction

## Study context

- 1.1 In August 2018 the London Borough of Merton commissioned *RRR Consultancy Ltd* in association with *GL Hearn Ltd* to undertake a Gypsy and Traveller Accommodation Needs Assessment Study (GTAA) for the period 2019-2034. The results will be used as an evidence base for policy development in housing and planning and to inform the allocation of resources.
- 1.2 The requirement to assess the accommodation needs of Gypsies and Travellers and Travelling Showpeople is established through national guidance contained in Planning Policy for Traveller Sites (DCLG, 2015).
- 1.3 As there are no known Travelling Showpeople in the Merton area<sup>2</sup>, this assessment focuses on the accommodation needs of Gypsies and Travellers.

## Methodological context

- 1.4 To achieve the study aims, the research drew on a number of data sources including:
  - Review of secondary information: a review of national and local planning policies and recently undertaken GTAAs, and analysis of secondary data. This included analysis of the most recently published (January 2018) DCLG Traveller Caravan Count to determine trends in the population of Gypsies and Travellers (see chapters 1, 2 and 3).
  - Consultation with key stakeholders providing qualitative data regarding the accommodation needs of Gypsies and Travellers (see chapter 4).
  - Surveys of Gypsies and Travellers living on site, covering a range of issues related to accommodation and service needs (see chapter 5).
- 1.5 The above provided an extensive range of quantitative and qualitative data enabling a robust and reliable assessment of accommodation needs.

## Geographical context

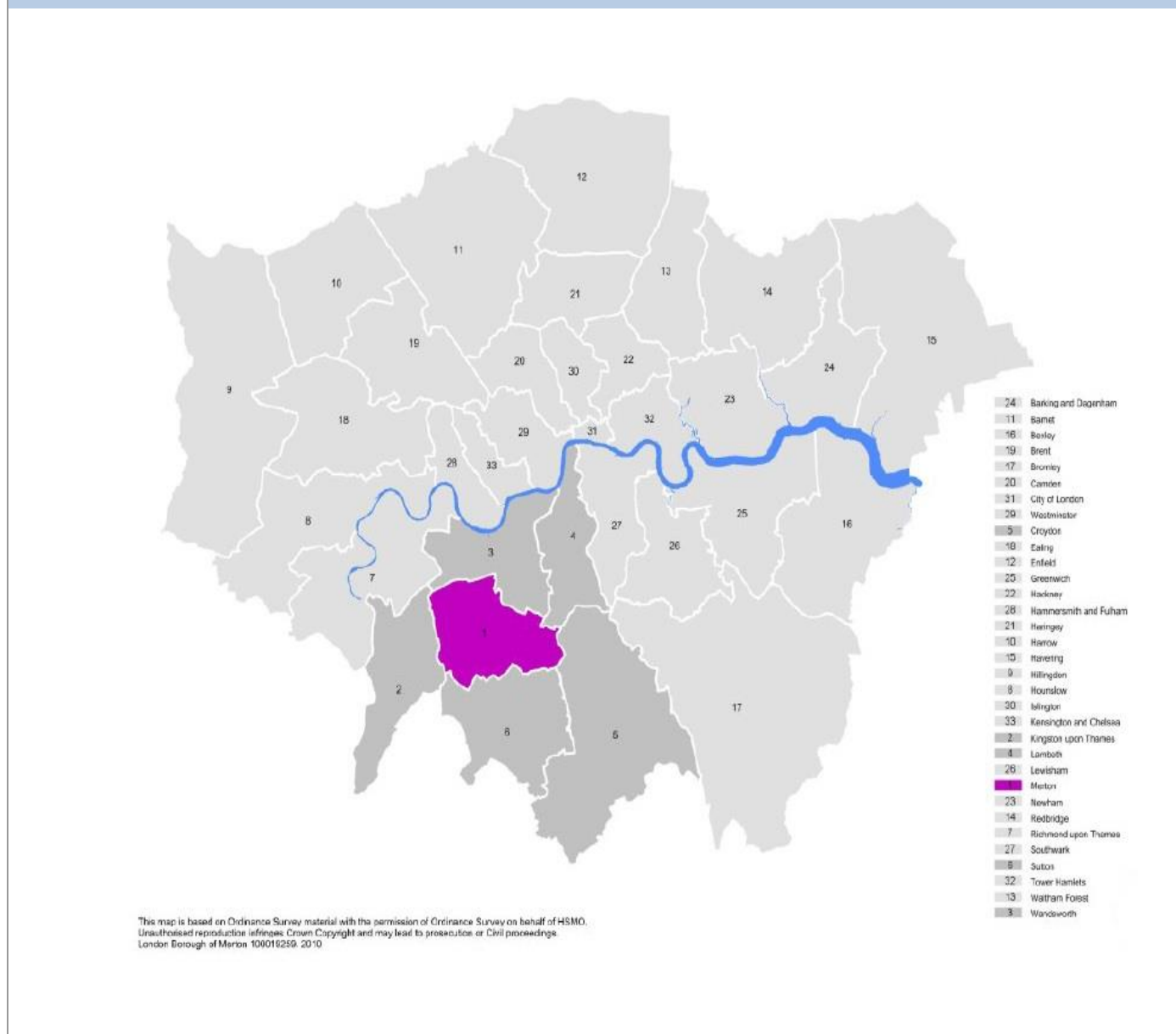
- 1.6 The following is a map of the GTAA study area (shaded in purple) with neighbouring south west London local authorities (shaded dark grey), and other London local authorities (shaded light grey).

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<sup>2</sup> Confirmed through consultation with stakeholders and from analysis on secondary data.

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Figure 1.1 Study Area (with neighbouring local authorities)



Source: Merton Council Core Strategy 2011

## Merton Borough

1.7 The estimated population of the Merton Borough area is 209,000 people (ONS 2018). According to the Council's Core Strategy (2011)<sup>3</sup>, Merton is an outer London borough, situated in south west London, in the heart of the Wandle Valley. It is predominantly residential in character (42% of the area) but with great variations in social mix and density

<sup>3</sup> Merton Council Core Planning Strategy Adopted July 2011

of development from east to west and north to south. Although it is one of the smallest London boroughs with an area of 37 square kilometres, it contains several distinct districts including Colliers Wood, Mitcham, Morden and Wimbledon, and some impressive open spaces including Mitcham and Wimbledon Commons. There are a number of smaller local centres scattered across the borough at Arthur Road, Motspur Park, North Mitcham, Raynes Park and Wimbledon Village that each have their own distinct character.

- 1.8 Due to its location, the borough has always benefited from its proximity and good connections to central London, while also being able to maintain a more suburban feel than neighbouring inner London boroughs. The most urban parts of the borough are located to the north, adjoining the border with Wandsworth. During the late nineteenth and early twentieth centuries London's suburbs expanded around older village settlements at Mitcham, Merton Abbey, Morden and Wimbledon with the growth of the rail network to London. The northern parts of the borough are characterised by tightly packed streets of late Victorian or Edwardian terraced housing around North Mitcham, Colliers Wood, South Wimbledon and Wimbledon Park, and larger detached or semi-detached homes around Wimbledon. 1930's suburbia characterises large parts of the south and east of Merton: lower density semi-detached houses or short terraces with gardens, in tree lined roads with wide grass verges, which merges with neighbouring boroughs of Sutton and Croydon to the south.
- 1.9 Merton's historic environment is an important element of the character, cultural heritage and identity of the borough. There are a high number of Conservation Areas in the western parts of the borough surrounding Wimbledon, and a fairly even distribution of statutorily listed buildings and other heritage sites throughout Merton. This is supplemented by a list of local buildings of historic, architectural or townscape value, historic parks and gardens and scheduled ancient monuments which help to complete the key elements of Merton's historic environment. Merton is one of the greenest boroughs in London, with extensive parks, green and wild spaces that offer recreation, relief, contrast and structure to the borough's built environment. 18% of the borough's area is open space, compared to a 10% London average. A significant part of the borough's open space provision corresponds to Wimbledon and Mitcham Commons, which are extremely valuable for the borough in terms of nature conservation and are a popular leisure attraction for residents and visitors from outside the borough.
- 1.10 The Wandle Valley runs through south London from Croydon to the mouth of the Wandle at the Thames in Wandsworth. It has long been the focus of industrial activity, which peaked in the nineteenth century, and still links modern business and industrial estates at Willow Lane, Morden Road and Durnsford Road with Merton's industrial heritage at Abbey Mills. The river, and the Wandle Trail along its banks, acts as a green corridor for wildlife and offers walking, cycling and other recreational opportunities.
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- 1.11 Though Merton is located in Greater London, one of the most economically dynamic and richest regions in Europe, there is a great diversity and significant differences in the composition of communities throughout the borough. Multiple problems related to poor economic prospects, low educational attainment, poor health and lower incomes are more frequent in eastern wards of the borough such as Figges Marsh, Cricket Green, Pollards Hill, Lavender Fields and St. Helier. These socio-economic problems are compounded by environmental and infrastructure differences; there is more limited access to public transport and open spaces in eastern parts of Merton and the quality of shopping and leisure facilities are also relatively poor compared with western wards. These deprived areas extend into parts of neighbouring boroughs at Croydon, Lambeth and Sutton.
- 1.12 While parts of east Merton suffer from pockets of deprivation and poor public realm, a higher proportion of people in western wards are employed, more are working in higher skilled (and therefore higher earning) professions and educational attainment is also higher in Wimbledon. More of the public realm in western parts of Merton is protected by Conservation Areas due to its historic significance. The Wimbledon district attracts more visitors and commercial interest, in part due to the global recognition of the Wimbledon 'brand' through the All England Lawn Tennis Championships held annually at the grounds near Wimbledon Park.

### **Definition Context**

- 1.13 It is essential to consider definitions relating to the Gypsy and Traveller population. According to Niner<sup>4</sup>, there are three broad groupings of Gypsies and Travellers in England: traditional English (Romany) Gypsies, traditional Irish Travellers, and New Travellers. There are smaller numbers of Welsh Gypsies and Scottish Travellers. Romany Gypsies were first recorded in Britain around the year 1500, having migrated across Europe from an initial point of origin in Northern India.
- 1.14 Gypsies and Irish Travellers have been recognised by the courts to be two distinct ethnic groups, so have the full protection of the Equality Act 2010. The courts made clear that travelling is not a defining characteristic of these groups, but only one among others. This is significant, because the majority of Britain's estimated 300,000 Gypsies and Travellers are thought to live in conventional housing, some by choice, and some because of the severe shortage of sites<sup>5</sup>.
- 1.15 However, in August 2015, the DCLG amended its definition of Gypsies and Travellers, as set out below:

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<sup>4</sup> Pat Niner (2004), *Counting Gypsies & Travellers: A Review of the Gypsy Caravan Count System*, ODPM, February 2004 located at <http://www.communities.gov.uk/documents/housing/pdf/158004.pdf>.

<sup>5</sup> Commission for Racial Equality, *Common Ground Equality, good race relations and sites for Gypsies and Irish Travellers - Report of a CRE inquiry in England and Wales*, (Summary), May 2006, pages 3-4.

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*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

*In determining whether persons are "gypsies and travellers" for the purposes of planning policy, consideration should be given to the following issues amongst other relevant matters:*

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*

1.16 Unlike Gypsies and Travellers, Travelling Showpeople are not considered to be an ethnic minority. Although some Gypsies and Travellers may earn a living as 'travelling showpeople', Travelling Showpeople as a group do not consider themselves to belong to an ethnic minority<sup>6</sup>.

1.17 According to DCLG (August 2015) guidance on planning policy for traveller sites, the definition of Travelling Showpeople is:

*Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.<sup>7</sup>*

1.18 Also, for the purposes of Gypsy and Traveller Accommodation Assessments (GTAA's), Travelling Showpeople are included under the definition of 'Gypsies and Travellers' in accordance with The Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulations 2006, and the draft guidance to local housing authorities on the periodical review of housing needs (March 2016). It recommends that Travelling Showpeople's own needs and requirements should be separately identified in the GTAA<sup>8</sup>. To ensure it is following DCLG guidance, this GTAA adheres to the definition

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<sup>6</sup> DCLG, *Consultation on revised planning guidance in relation to Travelling Showpeople*, January 2007, p. 8

<sup>7</sup> DCLG, *Planning Policy for Traveller Sites*, August 2015.

<sup>8</sup> DCLG, *Planning Policy for Traveller Sites*, August 2015 and DCLG, *Draft Guidance to local housing authorities on the periodical review of housing needs (Caravans and Houseboats)* March 2016.

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of Gypsies, Travellers and Travelling Showpeople as defined by the DCLG 'Planning Policy for Traveller Sites' (August 2015) (see above).

## Summary

- 1.19 Whilst the Housing and Planning Act 2016 removes the requirement for all local authorities to carry out an assessment of the accommodation needs of Gypsies and Travellers, the August 2015 Planning Policy for Traveller Sites (PPTS) reiterates the need for local authorities to evidence the accommodation needs of Gypsies and Travellers and to determine the number, type and location of new provision. The PPTS amended the definition of Gypsies and Travellers for planning purposes.
- 1.20 The purpose of this assessment is to quantify the accommodation needs of Gypsies and Travellers in Merton between 2019 and 2034. This is in terms of permanent pitches (and sites) and transit sites and/or negotiated stopping arrangements for Gypsies and Travellers. The results will be used to inform the allocation of resources and as an evidence base for policy development in housing and planning.
- 1.21 To achieve the study aims, the research drew on several data sources: a review of secondary information; consultation with organisations involved with Gypsy and Traveller and Travelling Showpeople issues, and extensive surveys of Gypsies and Travellers. These provided an extensive range of quantitative and qualitative data enabling a robust and reliable assessment of accommodation needs.
- 1.22 Merton is an outer London borough, situated in south west London, in the heart of the Wandle Valley. It is predominantly residential in character but with variations in social mix and density of development from east to west and north to south. Although it is one of the smallest London boroughs, it contains several distinct districts including Colliers Wood, Mitcham, Morden and Wimbledon, and some impressive open spaces including Mitcham and Wimbledon Commons. Merton is one of the greenest boroughs in London, with extensive parks, green and wild spaces that offer recreation, relief, contrast and structure to the borough's built environment.
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## 2. Policy context

### Introduction

- 2.1 To assess the current policy context, existing documents have been examined to determine what reference is made to Gypsy and Traveller and Travelling Showpeople issues.
- 2.2 The intention is to highlight areas of effective practice in the study area, and examine the extent to which authorities are currently addressing the issue. Furthermore, understanding the current position will be important in the development of future strategies intended to meet accommodation need and housing related support need among Gypsies and Traveller and Travelling Showpeople.

### National Policies

#### *DCLG Planning Policy for Traveller Sites (PPTS) (August 2015)*

- 2.3 In August 2015 the Government published its amended planning policy for traveller sites, which replaced the previous guidance and circulars relating to Gypsies and Travellers and Travelling Showpeople. The guidance emphasised the need for local authorities to use evidence to plan positively and manage development. The PPTS requires local authorities to work with neighbouring local authorities to determine transit and permanent pitch and plot targets. It states that in assembling the evidence base necessary to support their planning approach, local authorities should:
  - effectively engage with both settled and traveller communities
  - co-operate with traveller groups to prepare and maintain an up-to-date understanding of the likely permanent and transit/emergency accommodation needs of their areas
  - and use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions
- 2.4 There are some key differences between the March 2012 and August 2015 versions of the PPTS, including the weight which can be given to any absence of a five-year supply of permanent sites when deciding planning applications for temporary sites, and the weight which can be given to any absence of a five year supply of permanent sites when deciding planning applications for temporary sites<sup>9</sup>.

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<sup>9</sup> House of Commons Library, *Gypsies and Travellers: Planning Provisions*, Briefing Paper 07005, 4 January 2016 p.14.

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- 2.5 One important amendment relates to the change in the definitions of Gypsies, Travellers, and Travelling Showpeople. The August 2015 PPTS changed the definition to exclude households who have permanently ceased to travel – in effect, for planning purposes, PPTS regards such households as members of the settled community. As such, their accommodation needs are not considered as part of Gypsy and Traveller accommodation assessments, and so this is the approach taken in this GTAA.
- 2.6 Whilst it is clear that the 2015 PPTS excludes those who have ceased to travel permanently as being Gypsies and Travellers (for planning purposes), it does not explicitly state how the new definition should be interpreted in relation to other factors such as whether families travel for economic or work purposes.
- 2.7 One interpretation is that ‘a nomadic habit of life’ means travelling for an economic purpose. Previous case law e.g. *R v Shropshire CC ex p Bungay* (1990) and *Hearne v National Assembly for Wales* (1999) has been used to support this point. However, there is nothing within PPTS which indicates that Gypsy or Traveller status (for planning purposes) is solely derived from whether there is any employment-related travelling. Also, such case law precedes the August 2015 definition change and it is believed that there has not yet been any caselaw in relation to the updated definition.
- 2.8 More recent Planning Inspectors’ reports have reached differing conclusions regarding whether the Gypsy and Traveller status (for planning purposes) should be based on patterns of employment-related nomadism. For example, a planning appeal decision regarding a site at Throcking, Hertfordshire, in 2016 concluded the appellant was not a Gypsy and Traveller for planning purposes as there was insufficient evidence “that he is currently a person of a nomadic habit of life”<sup>10</sup> for employment purposes (i.e. he did not meet the August 2015 PPTS definition).
- 2.9 In contrast, some other Planning Inspectors’ reports have appeared to give less weight to the travelling status of Gypsies and Travellers. For example, an appeal decision regarding a site in Suffolk, states that whilst the appellant had permanently ceased to travel, he is nonetheless an ethnic Romany gypsy with protected characteristics under the Equality Act 2010<sup>11</sup>. *RRR Consultancy* is also aware of current and potentially forthcoming legal challenges to the August 2015 PPTS definition. For example, the Community Law Partnership is preparing a legal challenge to the definition on behalf of a Gypsy woman. It is therefore *possible* that applying a strict employment-based interpretation of the August 2015 definition for planning purposes could lead to difficulties, but it is also possible that the

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<sup>10</sup> Appeal Ref: APP/J1915/W/16/3145267 Elmfield Stables, Thirty Acre Farm, Broadfield, Throcking, Hertfordshire, 6 December 2016. SG9 9RD

<sup>11</sup> Appeal Ref: APP/J3530/A/14/2225118, Pine Lodge, Hazels Lane, Hinton, Blythburgh, Suffolk IP17 3RF 1 March 2016.

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legal challenge to PPTS could fail and the employment-based interpretation become more settled.

- 2.10 In the absence of caselaw on the current (2015) PPTS definition, the key conclusion to draw on this matter is that there is no firm, settled understanding of the extent to which nomadism for employment-related purposes is determinative of the planning status of a self-identifying Gypsy and Traveller. As the differing appeal decisions show, the facts of each individual case are very important in reaching a conclusion.
- 2.11 Given the above, our approach is to undertake a methodology which provides three needs figures: first based on accommodation needs of families ethnically identified as Gypsies and Travellers (in line with the Draft London Plan); second based on the needs of families who have not permanently ceased to travel; and third considers the needs only of families who travel in a caravan for work purposes. Using these methods will 'future-proof' the Accommodation Needs Assessment and ensure that the revised definition is applied in both a fair and objective manner. As such, the accommodation needs of Gypsies and Travellers are able to be determined in respect of the current definition that is both robust and reliable and minimises possible future challenges. Different GTAAAs reach differing conclusions on this matter and it is for the Local Authorities to decide individually which approach to take for planning purposes. It is recommended that this be kept under review in the light of evolving appeal decisions and caselaw.

#### *DCLG Draft Guidance on Housing Needs (March 2016)*

- 2.12 In March 2016 DCLG published its draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats. It states that when considering the need for caravans and houseboats local authorities will need to include the needs of a variety of residents in differing circumstances, for example:
- Caravan and houseboat dwelling households:
    - who have no authorised site anywhere on which to reside
    - whose existing site accommodation is overcrowded or unsuitable, but who are unable to obtain larger or more suitable accommodation
    - who contain suppressed households who are unable to set up separate family units and
    - who are unable to access a place on an authorised site, or obtain or afford land to develop on.
  - Bricks and mortar dwelling households:
    - Whose existing accommodation is overcrowded or unsuitable ('unsuitable' in this context can include unsuitability by virtue of a person's cultural preference not to live in bricks-and-mortar accommodation).
-

- 2.13 Importantly, in respect of this report, the draft guidance states that assessments should include, but are not limited to, Romany Gypsies, Irish and Scottish Travellers, New Travellers, and Travelling Showpeople.
- 2.14 The DCLG draft guidance (2016) recognises that the needs of those residing in caravans and houseboats may differ from the rest of the population because of:
- their nomadic or semi-nomadic pattern of life
  - their preference for caravan and houseboat-dwelling
  - movement between bricks-and-mortar housing and caravans or houseboats
  - their presence on unauthorised encampments or developments.
- 2.15 Also, it suggests that as mobility between areas may have implications for carrying out an assessment local authorities will need to consider:
- co-operating across boundaries both in carrying out assessments and delivering solutions
  - the timing of the accommodation needs assessment
  - different data sources
- 2.16 Finally, the DCLG draft guidance (2016) states that in relation to Travelling Showpeople account should be taken of the need for storage and maintenance of equipment as well as accommodation, and that the transient nature should be considered.

### *Housing and Planning Act 2016*

- 2.17 The Housing and Planning Act, which gained Royal Assent on 12 May 2016, omits sections 225 and 226 of the Housing Act 2004, which previously identified ‘gypsies and travellers’ as requiring specific assessment for their accommodation needs when carrying out reviews of housing needs. Instead, the Act amends section 8 of the Housing Act 1985 governing the assessment of accommodation needs to include all people residing in or resorting to the district in caravans or houseboats. However, for planning purposes, as noted above, the DCLG Planning Policy for Traveller Sites (August 2015) still requires local authorities to identify the accommodation needs of Gypsies, Travellers and Travelling Showpeople.

### **Regional and Local Planning Policies**

#### *Merton Council ‘Core Planning Strategy’ (Adopted July 2011)*

- 2.18 Policy CS 10 of the 2011 Local Plan states that existing legally established Gypsy and Traveller accommodation sites will be retained and protected from redevelopment except where the same number of pitches is provided on an alternative site. Proposals for additional, alternative or new Gypsy and Traveller sites will be assessed having regard to the following criteria:
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- a) The provision of on-site landscaping, which seeks to enhance the amenity of the site and which facilitates the integration of the site with the surrounding environment and amenity of occupiers of adjoining land;
- b) Access, proximity to a main road, parking and area to allow turning and manoeuvring;
- c) Proximity to shops, schools, health services and other community facilities;
- d) Provision of appropriate on-site facilities such as children's play facilities;
- e) The suitability of ground conditions, particularly in respect to the potential to flooding;
- f) The need or demand for accommodation provision and the available capacity on existing sites in the borough.

2.19 The above policies will be superseded by the new Local Plan policies based on evidence including this GTAA.

*Merton Council, Research Report on the Accommodation Needs of Gypsies and Travellers in Merton, January 2013*

2.20 In 2011 Merton Council undertook research on the accommodation needs of Gypsies and Travellers residing in the borough. The research findings were published in January 2013 as part of the Council's Housing Strategy. In October 2011 Merton Council established a Research Project Group involving representatives from various local statutory and voluntary services. As well as the 15-pitch site located at Brickfield Road, representatives from the Ambition Group<sup>12</sup> and the Merton & Sutton Travellers Education Service indicated that there was also a sizeable Gypsy and Traveller population living in bricks and mortar accommodation in Merton, particularly in the Mitcham and Pollards Hill area, with some residing in social housing. However, the report also stated that the community is not always visible and are often unwilling to identify themselves as Gypsies and Travellers due to fear of discrimination. Even residents at the Brickfield Road Caravan Site (managed by Merton Priory Holmes) were not willing to engage directly with 'officials'.

2.21 The Research Group organised a consultation event with performances provided by the Ambition Group, and 'headlined' by Jake Bowers, the Editor of the national publication Travellers Times, to act as a draw to maximize attendance to the event. Gypsies and Travellers attending the event were asked to complete a survey. Acknowledging that many local Gypsies and Travellers may reside in bricks and mortar accommodation, the Site Management Team of Merton Priory Homes encouraged community members to attend the

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<sup>12</sup> A local performing arts organisation that promotes the culture of Gypsies and Travellers. It engages around 50 young people and their parents, mostly from the Gypsies and Travellers community, and is the only known local group that is run by members of the community.

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event. The research event was held jointly by Merton Council and the Ambition Group at the Morden Assembly Hall on 7 October 2011 and was widely publicised.

- 2.22 The event engaged 138 people, the majority of which were from the Gypsy and Traveller community. Attendees completed 49 questionnaires of which 36 identified themselves as members of the Gypsy and Traveller community. 19 attendees identified themselves as Merton residents, although only 13 provided verifiable addresses (all residing bricks and mortar accommodation). A representative from the Brickfield Road Caravan Site attended the event, although they did not take part in the research. As such, further consultation was undertaken with Gypsies and Travellers residing on the Brickfield site in December 2012.
- 2.23 Key findings from the report included that most (95%) of respondents believed that residing on a site was essential, very important or important due to cultural reasons, and majority (72%) stated positive reasons for living on a site e.g. freedom to travel, culture and community. However, over a quarter of respondents (28%) from the Gypsy and Traveller community gave positive reasons to living in bricks and mortar housing, which include better facilities and security (although these comments were gleaned from Gypsies and Travellers residing in bricks and mortar accommodation rather than on sites).
- 2.24 The report concluded that there was a need for one additional caravan pitch over the next 10 years at the Brickfield Road Caravan Site, although it stated that this was likely to be met by existing provision, given that a large number of households living on site who stated that they would prefer or consider moving into bricks and mortar housing. As such, the report recommended that the re-letting of vacancies on the Brickfield Road was the most deliverable approach to meet government guidance and, as such, the recommended target for additional Gypsy and Traveller caravan pitches was zero.

#### *Draft New London Plan (August 2018)*

- 2.25 On 13 August 2018 the Mayor of London published a version of the draft Plan that includes minor suggested changes. It suggests that there are around 30,000 Gypsies and Travellers residing in London, and that around 85% of Gypsy and Traveller families in London have been forced to live in housing, or on roadside encampments due to overcrowding, or an unsuitability, or lack of availability of, pitches. Importantly, the Plan rejects the DCLG definition of Gypsies and Travellers as outlined in PPTS August 2015 as leading to under-estimations of accommodation need. Instead, it adopts a new definition based on cultural identity and which includes those Gypsy and Traveller families who have permanently ceased to travel (see below).

Policy H16 of the Plan states that:

- A. Boroughs should plan to meet the identified need for permanent Gypsy and Traveller pitches.
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- B. As of the start of this Plan period, boroughs should use the following definition of 'Gypsies and Travellers' as a basis for assessing need:  
People with a cultural tradition of nomadism, a nomadic habit of life, or living in a caravan, whatever their race or origin, including:
- 1) those who are currently travelling or living in a caravan
  - 2) those who currently live in bricks and mortar dwelling households whose existing accommodation is unsuitable for them by virtue of their cultural preference not to live in bricks and mortar accommodation
  - 3) those who, on grounds of their own or their family's or dependants' educational or health needs or old age, have ceased to travel temporarily or permanently.
- C. Boroughs that have not undertaken needs assessment since 2008 should identify need by either:
- 1) undertake a Gypsy and Traveller accommodation needs assessment within the first two years of this Plan period using the definition for Gypsies and Travellers set out above; or
  - 2) use the figure of need for Gypsy and Traveller accommodation provided in Table 4.5<sup>13</sup>
- D. Boroughs that have undertaken a needs assessment since 2008 should update this based on the definition set out above as part of their Development Plan review process.
- 1) Boroughs should undertake an audit of existing local authority provided Gypsy and Traveller sites and pitches, working with residents occupying these, identifying: areas of overcrowding
  - 2) areas of potential extra capacity within existing sites
  - 3) pitches in need of refurbishment and/ or provision of enhanced infrastructure (including utilities, open space and landscaping).
- E. Boroughs should plan to address issues identified in the audits.
- F. Boroughs should actively plan to protect existing Gypsy and Traveller and Travelling Showpeople or circus people pitch or plot capacity, and this should be taken into account when considering new residential developments to ensure inclusive, balanced and cohesive communities are created  
(London draft Plan, August 2018 p.59)

## **Duty to cooperate and cross-border issues**

2.26 The duty to cooperate was created in the Localism Act 2011. It places a legal duty on local planning authorities, county councils in England, and public bodies to engage

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<sup>13</sup> The draft Plan does not contain a Table 4.5. However, Table 4.4 shows the midpoint 2007-2017 accommodation need figures derived from the 2008 London GTAA. The mid-point figure for Merton is 10 additional pitches.

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constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters.

- 2.27 Local authorities are required to work together to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs for their areas. They should also consider the production of joint development plans to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area.
- 2.28 As part of this assessment consultation in relation to Gypsies, Travellers and Travelling Showpeople was undertaken with adjoining planning and housing authorities. The findings from the consultation are discussed in detail in Chapter 4.

### **Gypsy and Traveller Accommodation Assessments (GTAA's)**

- 2.29 Given the transient nature of Gypsies and Travellers it is important for the GTAA to consider Gypsy and Traveller accommodation need in neighbouring authorities. Also, the travelling patterns of Gypsies and Travellers transcend local authority boundaries. As such, the following section discusses the results of GTAA's recently undertaken by neighbouring and nearby local authorities specifically in relation to accommodation need and travelling patterns.

#### *Croydon Gypsy and Traveller and Accommodation Assessment GTAA, 2013*

- 2.30 The GTAA identified a need of 49 additional permanent pitches, 1 emergency stopping place, and no additional Travelling Showpeople plots across the study area for the period 2013-2033. Croydon currently has one Gypsy and Traveller site located at Lathams Way which contains 19 pitches and is owned by the local authority. According to the GTAA Croydon experiences persistent numbers of unauthorised encampments. However, a large proportion of unauthorised encampments were due to the movements of a small number of families. It tends to be the same Irish Traveller families that are residing on unauthorised encampments in Croydon. These factors combined with evidence derived from stakeholders suggested the need for an emergency stopping place rather than transit sites.

#### *Lambeth Gypsy and Traveller and Accommodation Assessment GTAA, 2014*

- 2.31 There is one public site in Lambeth with permanent planning permission, providing 15 pitches. The site lies on the boundary between Lambeth and Merton Council and runs adjacent to Streatham Vale Park and is home to English Gypsies that comprise three extended families. According to the GTAA the number of unauthorised encampments had been decreasing and there were only a small number of unauthorised encampments annually (9 in 2012). The GTAA identified a need of 11 additional pitches for the period 2013-2030. In relation to transit provision, the GTAA states that there is little evidence to suggest that any major travelling routes exist through Lambeth. Instead, all of the need is for permanent pitches. In relation to Travelling Showpeople, although there was no current
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yard in Lambeth, six months prior to the GTAA the Council received two expressions of interest on behalf of Travelling Showpeople who are looking for land for permanent sites in and around London and the Home Counties area.

*Kingston-on-Thames Gypsy and Traveller Sites DPD, 2012*

- 2.32 A GTAA has not been undertaken in Kingston-on-Thames since the 2008 pan-London GTAA. However, as part of preparing its draft Gypsy and Traveller Development Plan Document (DPD) (2012) the Council gathered evidence regarding the accommodation needs of Gypsies and Travellers. The Borough has a long-established English Gypsy site – Swallow Park at Hook Rise North, Tolworth. The capacity of this site was 15 pitches but, as a result of refurbishment, was increased to 18 during summer 2012. The DPD indicates a need for 7 new pitches for English Gypsies for the period 2012-2027, and 4 pitches for Irish Travellers. The DPD states that historically, the number of unauthorised encampments has been low, suggesting no need for transit provision.

*Richmond-on-Thames Gypsy and Traveller Research, 2016*

- 2.33 There is one existing Traveller site in the borough in Hampton containing 12 pitches which is managed by Richmond Housing Partnership (RHP). The site is wholly occupied by Irish Travellers. The Council undertook research on the accommodation needs of Gypsies and Travellers residing in the Borough in 2013 and 2015. The research concluded that there was no need for additional pitches on the Hampton site, nor any unmet need elsewhere in the borough. In relation to Travelling Showpeople, the research concluded that while there are a number of fairs, circuses and shows held regularly in the borough's open spaces, there is no indication of any need specifically within the Borough for pitches to meet seasonal working needs. The report states that there have been relatively few unauthorised encampments in recent years, nor any applications for private sites which would give an indication that there is no additional need or demand.

*London Borough of Sutton Local Plan (Adopted 2018)*

- 2.34 The borough has two Gypsy and Traveller sites, both on Carshalton Road near Woodmansterne. One site is privately owned and occupied by Irish Travellers, whilst the other is a Council site occupied by both English Gypsies and Irish Travellers. The private site recently intensified its use and so need is generally being met there, although the Council site is significantly overcrowded with multiple families living on one pitch. The Council will meet the immediate need of 9 pitches, and undertake a review of Gypsy and Traveller need and potential sites in the first five years of the plan period to meet any outstanding need over the 15-year period. A site adjacent to the Council site is being allocated to meet this immediate need. According to the Local Plan, although the Borough has periodic unauthorised encampments, it is understood it is the same groups undertaking unauthorised encampments on a number of occasions, and that most groups come for the summer because they are taken on for temporary work.
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*London Borough of Wandsworth Core Strategy (Adopted March 2016)*

- 2.35 The Council has a long-established Gypsy and Traveller site at Trewint Street with 11 residential pitches. As part of the Wandsworth SHMA 2012, a detailed review of the future requirement for Gypsy and Traveller pitches was undertaken including contacting known traveller groups and canvassing travellers resident in the borough on any unmet needs (e.g. overcrowding). The SHMA concluded that taking account of the past turnover of pitches and the relatively settled nature of the site, the 'known' need for pitches was zero. As such, the SHMA identified no current need for additional sites, although need would be kept under review in future annual updates of the SHMA.

**Summary**

- 2.36 DCLG Planning Policy for Traveller Sites (August 2015) emphasises the need for local authorities to use evidence to plan positively and manage development. The Housing and Planning Act 2016 amends section 8 of the Housing Act 1985 governing the assessment of accommodation needs to include all people residing in the district in caravans or houseboats. However, for planning purposes, as noted above, the DCLG Planning Policy for Traveller Sites (August 2015) still requires local authorities to identify the accommodation needs of Gypsies, Travellers and Travelling Showpeople.
- 2.37 In relation to regional planning policy, the draft London Plan (August 2018) estimates that there are around 30,000 Gypsies and Travellers residing in London. It rejects the DCLG (2015) definition of Gypsies and Travellers as outlined in PPTS August 2015 as leading to under-estimations of accommodation need and instead adopts a new definition based on cultural identity.
- 2.38 Merton Council's Policy CS10 of the 2011 Local Plan outlines the criteria by which the location of new Gypsy and Traveller accommodation should be determined. It is apparent that they consider it important to consider a range of factors including the sustainability of new sites e.g. proximity to local services, and the potential impact on the environment. However, it is likely that any revised local policies would reflect the findings of this GTAA. In 2011 the Council undertook research on the accommodation needs of Gypsies and Travellers residing in the Borough which concluded that most believe residing on a site was essential, very important or important due to cultural reasons.
- 2.39 Given the cross-boundary characteristic of Gypsy and Traveller accommodation issues, it is important to consider the findings of GTAAs produced by neighbouring local authorities. GTAAs recently undertaken by neighbouring local authorities suggest that there remains some Gypsy and Traveller accommodation need throughout south west London. However, unauthorised encampments throughout the sub-region may be due to the travelling patterns of relatively few Gypsy and Traveller families.
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## 3. Trends in the population levels

### Introduction

- 3.1 This section examines population levels in the GTAA study area and population trends. The primary source of information for Gypsies and Travellers (including Travelling Showpeople) in England is the MHCLG Traveller Caravan Count. This was introduced in 1979 and places a duty on local authorities in England to undertake a twice-yearly count for the MHCLG on the number of Gypsy and Traveller caravans in their area. The count was intended to estimate the size of the Gypsy and Traveller population for whom provision was to be made and to monitor progress in meeting need.
- 3.2 Although the duty to provide sites was removed in 1994, the need for local authorities to conduct the count has remained. There are, however, several weaknesses with the reliability of the data. For example, across the country counting practices vary between local authorities, and the practice of carrying out the count on a single day ignores the rapidly fluctuating number and distribution of unauthorised encampments. Also, some authorities include Travelling Showpeople in the same figures as Gypsies and Travellers, whilst others distinguish between the different groups and do not include Travelling Showpeople.
- 3.3 Significantly, the count is only of caravans and so Gypsies and Travellers living in bricks and mortar accommodation are excluded. It should also be noted that pitches / households often contain more than one caravan, typically two or three.
- 3.4 However, despite concerns about accuracy, the count is valuable because it provides the only national source of information about numbers and distribution of Gypsy and Traveller caravans. As such, it is useful for identifying trends in the Gypsy and Traveller population, if not determining absolute numbers.
- 3.5 Additional data on unauthorised encampments has been gathered by the study area authorities for the purpose of both assessing need and monitoring the effectiveness of enforcement approaches and providing a good overview of the numbers of unauthorised caravans in the past three years in the study area. This data has been used in conjunction with the MHCLG Traveller Caravan Count figures.
- 3.6 The MHCLG Count includes data concerning both Gypsies and Travellers sites<sup>14</sup>. It distinguishes between caravans on socially rented authorised, private authorised, and unauthorised pitches. Unauthorised sites and pitches are broken down as to whether they are tolerated or not tolerated. The analysis in this chapter includes data from January 2015 to January 2017.

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<sup>14</sup> Data regarding Travelling Showpeople is published separately by the DCLG as 'experimental statistics'.

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## Population

- 3.7 The total Gypsy and Traveller population living in the UK is unknown, with estimates for England ranging from 90,000 and 120,000<sup>15</sup> (1994) to 300,000<sup>16</sup> (2006). There are uncertainties partly because of the number of different definitions that exist, but mainly because of an almost total lack of information about the numbers of Gypsies and Travellers now living in bricks and mortar accommodation. Estimates produced for the MHCLG suggest that at least 50% of the overall Gypsy and Traveller population are now living in permanent housing.
- 3.8 Local authorities in England provide a count of Gypsy and Traveller caravans in January and July each year for the MHCLG. The January 2018 Count (the most recent figures available) indicated a total of 22,946 caravans. Applying an assumed three person per caravan<sup>17</sup> multiplier would give a population of over 68,000.
- 3.9 Again, applying an assumed multiplier of three persons per caravan and doubling this to allow for the numbers of Gypsies and Travellers in housing,<sup>18</sup> gives a total population of around 137,000 for England. However, given the limitations of the data this figure can only be very approximate, and is likely to be a significant underestimate.
- 3.10 For the first time, the national census, undertaken in 2011, included the category of ‘Gypsy or Irish Traveller’ in the question regarding ethnic identity. The 2011 Census suggests there were 216 Gypsies and Travellers living in Merton representing around 0.10% of the usual resident population.<sup>19</sup>

Table 3.1 Gypsy and Traveller Population			
	Population (no.)	G&T Pop (no.)	G&T Pop (%)
Merton	199,693	216	0.10%

Source: NOMIS 2019

- 3.11 It is also possible to determine the Gypsy and Traveller population within the study area by tenure. Derived from 2011 Census data, Table 3.2 shows the tenure of 91 Gypsy and Traveller households. The most common tenure is social rented housing occupied by almost two thirds (64%) of households, followed by a fifth (20%) who own the housing they occupy, and around a sixth (16%) who rent privately. This includes households residing both on sites and in bricks and mortar accommodation.

<sup>15</sup> J. P. Liegeois, (1994) *Romas, Gypsies and Travellers* Strasbourg: Council of Europe. This is equivalent to 0.15% to 0.21% of the total population.

<sup>16</sup> Commission for Racial Equality, *Common Ground Equality, good race relations and sites for Gypsies and Irish Travellers - Report of a CRE inquiry in England and Wales*, (Summary), May 2006, pages 3-4.

<sup>17</sup> Niner, Pat (2003), *Local Authority Gypsy/Traveller Sites in England*, ODPM.

<sup>18</sup> Ibid.

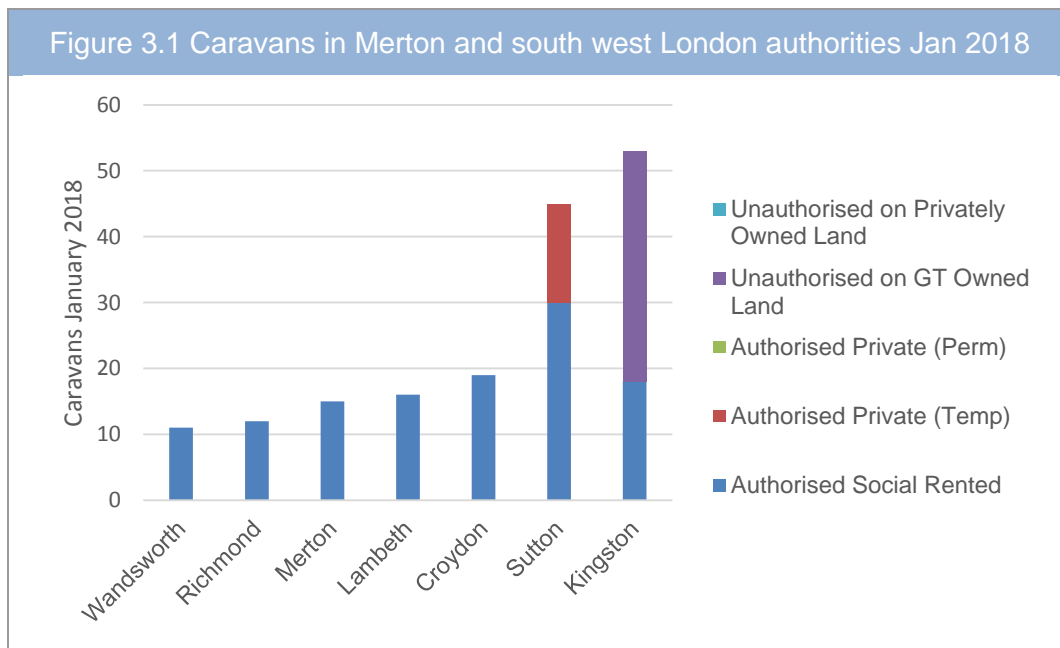
<sup>19</sup> See ONS 2011 Census Table KS201EW Ethnic Group located at: <http://www.ons.gov.uk/>

Table 3.2 Gypsy and Traveller Population by tenure

	Social rented		Owned		Private rented		Total	
	No.	%	No.	%	No.	%	No.	%
Merton	58	64%	18	20%	15	16%	91	100%

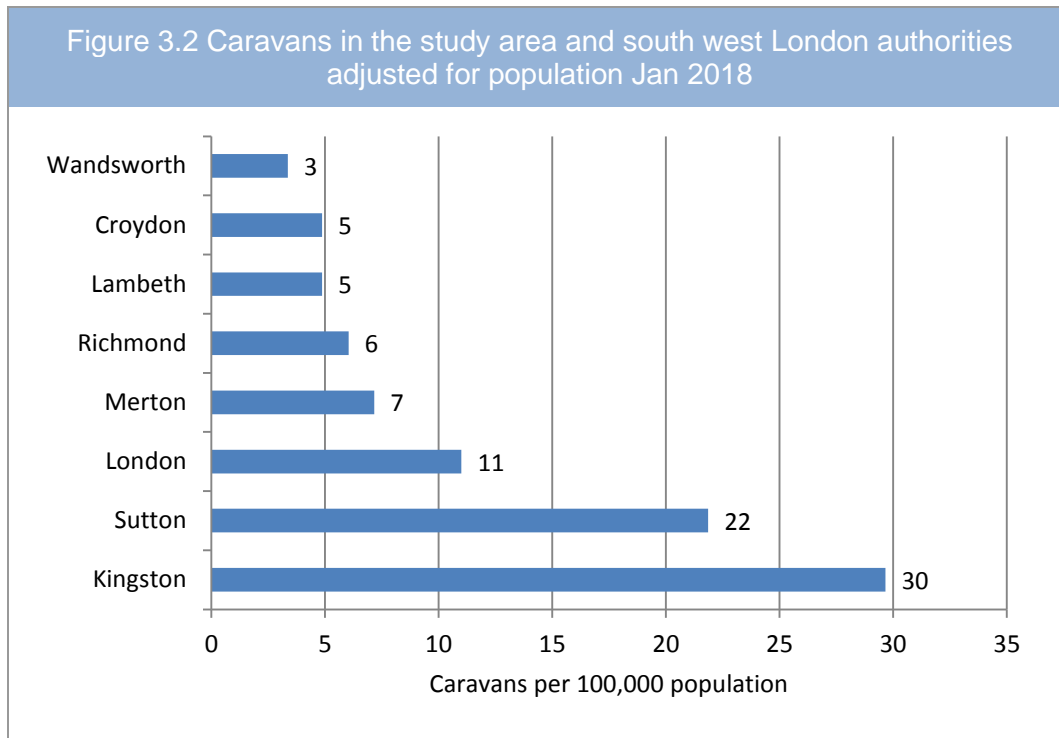
Source: NOMIS 2018

3.12 Figure 3.1 shows Merton's Traveller January 2018 Caravan Count in the context of neighbouring south west London local authorities. There is some variation in the number of caravans in each local authority with fewer than the average of 24 caravans recorded in five of the seven local authorities. Sutton and Kingston-upon-Thames were the exceptions with 45 and 53 caravans recorded respectively. Also, Sutton was the only south west London authority to record caravans residing on privately rented pitches, whilst 35 caravans were recorded on unauthorised pitches in Kingston-upon-Thames. The average number of caravans for the pan-London area in January 2018 was 31.



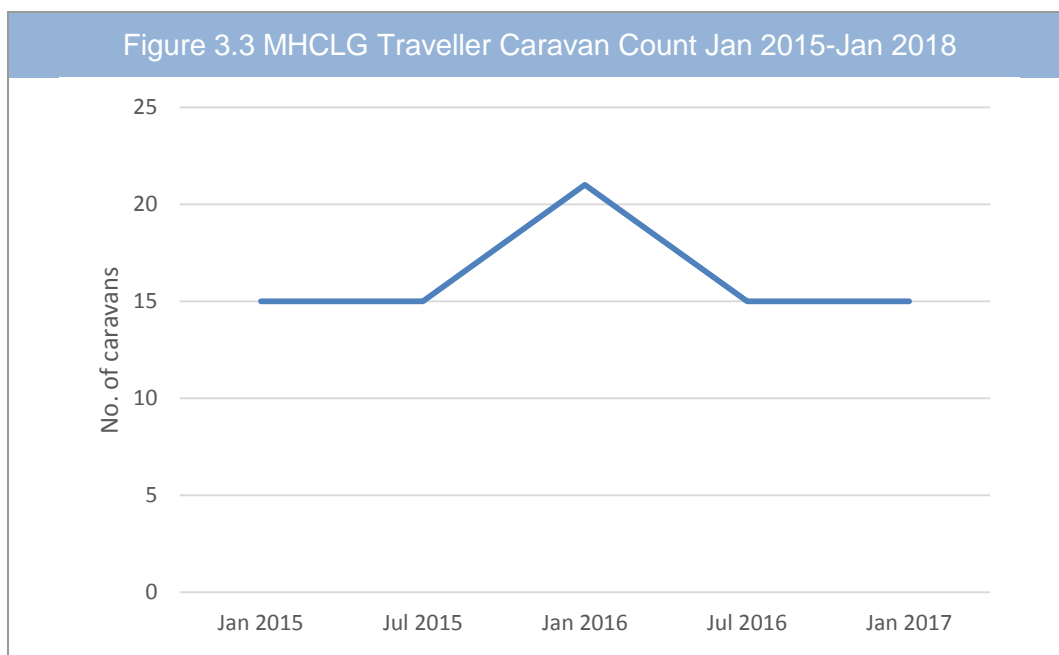
Source: MHCLG Traveller Caravan Count, January 2018

3.13 Figure 3.2 shows that when the population is taken into account the density of caravans varies. Wandsworth (3 caravans per 100,000 population), Croydon (5), Lambeth (5), Richmond (6), and Merton (7) are below the regional average of 11 caravans per 100,000 population. Both Sutton (22 caravans per 100,000 population) and Kingston (30 caravans per 100,000 population) area above the regional average.



Source: MHCLG Traveller Caravan Count, Jul 2017

3.14 Figure 3.3 shows that the total number of caravans recorded in Merton has remained fairly consistent over the period January 2015 to January 2018 with 15 caravans usually recorded on the Brickfield site. The exception was 21 caravans recorded in January 2016 (possibly due to visiting relatives). Analysis of data (not shown) indicates that the number of caravans recorded on authorised pitches between January 2008 and January 2015 ranged between 15 and 17, with none recorded on unauthorised pitches.

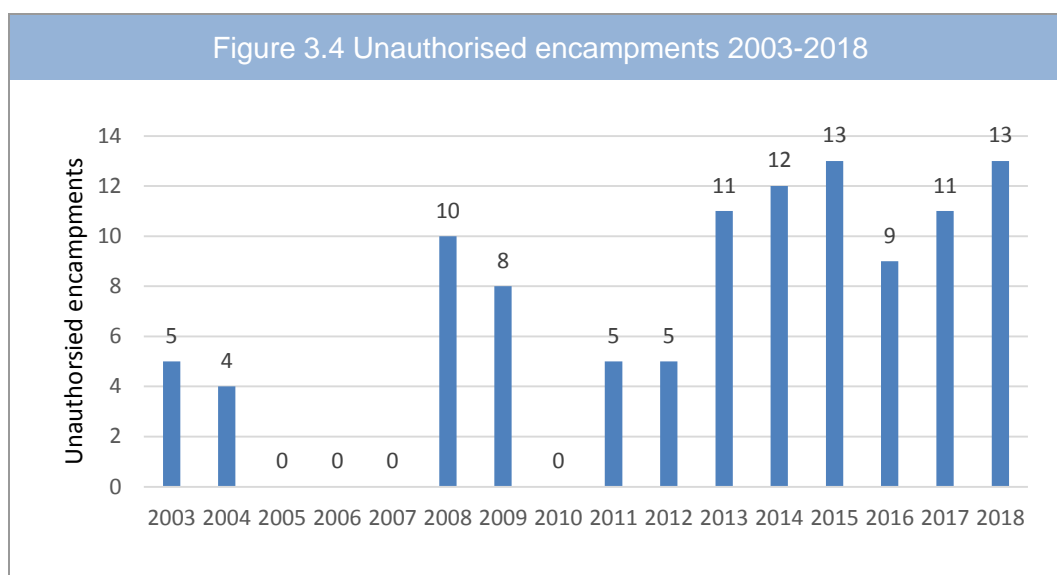


Source: MHCLG Traveller Caravan Count, Jan 2018



## Data on unauthorised encampments

- 3.15 MHCLG data on unauthorised encampments (i.e. caravans residing temporarily on 'sites' without planning permission) is of limited accuracy, although it may indicate general trends. Merton Borough Council keep more detailed records of unauthorised encampments which include unauthorised encampment start and end dates, the number of vehicles involved in the encampment, location, and any actions undertaken.
- 3.16 Figure 3.4 shows that there were 106 unauthorised encampments recorded within Merton between March 2003 and June 2018. The number of unauthorised encampments varied widely during the period 2003 to 2018, with no unauthorised encampments being recorded in 2005, 2006, 2007, or 2010. However, the number of unauthorised encampments increased from an average of 3 per annum during the period 2003 to 2010, to an average of 10 per annum during the period 2011 to 2018. Peak years were 2015 and 2018 (to June), when 13 unauthorised encampments occurred. In 90% of unauthorised encampments, the length of stay was recorded. Excluding an 'outlier' (unusual occurrence) of an unauthorised encampment which lasted 218 days between October 2016 and June 2017, the average length of encampment was 8 days.
- 3.17 The number of vehicles were recorded in 86% of the 106 unauthorised encampments. On average, each unauthorised encampment consisted of 9 vehicles. The location of unauthorised encampments in Merton varied although they were more likely to occur on open spaces and car parks which are accessible to vehicles. In over half of instances (55%), the unauthorised encampment took place on land owned by Merton Council. The identity of families residing on unauthorised encampments was not always known, although on at least 34 of the 106 occasions it involved a single known family. Table 3.2 shows actions taken against unauthorised encampments in Merton between 2003 and 2018. In over two fifths (41%) of occasions the family moved of their own accord, whilst in a third (33%) they were moved on by the police. In a small proportion of cases families were moved on due to court orders (9%), or by bailiffs (4%), or the reason for moving was unknown (13%). To summarise, between 2011 and June 2018 there were on average of 10 unauthorised encampments per annum. Excepting the 'outlier' of the unauthorised encampment which lasted 218 days, the average length of encampment was 8 days. The unauthorised encampments consisted of between 1 and 30 vehicles with an average of 6 vehicles.
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Source: Merton LBC 2018

Table 3.2 Actions taken against unauthorised encampments 2003 to 2018

	Pitches	Caravans
Moved of own accord	43	41%
Moved on by police	35	33%
Court Order	10	9%
Moved by bailiffs	4	4%
Not known.	14	13%
Total	106	100%

Source: Merton LBC 2018

### Permanent residential pitches within the study area

3.18 There is only one permanent residential site in Merton located at Brickfield Road/Weir Road Wimbledon. The site was managed by Merton Priory Homes under a Service Level Agreement following the transfer of council housing stock to the organisation in March 2010 but is now managed by Clarion Housing. They manage the site and carry out the maintenance, although Merton Council are responsible for improvements, the allocation of pitches, and management of the waiting list. The site contains 15 pitches of which 13 were occupied when the household surveys were undertaken in October 2018. The site was opened in 1972 and has been improved twice since its opening, initially in 1996, when Merton Council obtained £500k government grant to install facilities for individual pitches. Further improvements of nearly £190k were made to the site in 2007 and 2008, following two successful bids to the government, with match funding from Thames Valley Housing Association and the council.

### Travelling Showpeople

3.19 Data is also available in the study area from planning data showing provision for Travelling Showpeople. The study area currently contains no plots. The cultural practice of Travelling

Showpeople is to live on a plot in a yard in static caravans or mobile homes, along with smaller caravans used for travelling or inhabited by other family members (for example, adolescent children). Their equipment (including rides, kiosks and stalls) is usually kept on the same plot.

- 3.20 It should consequently be borne in mind that the amount of land needed to live on is greater than for Gypsies and Travellers. For clarity, we refer to Travelling Showpeople 'plots' rather than 'pitches', and 'yards' rather than 'sites' to recognise the differences in design.

### **Summary**

- 3.21 The 2011 Census suggests there were 322 Gypsies and Travellers living in Merton representing around 0.1% of the usual resident population. The 2011 Census records a total of 91 Gypsy and Traveller households residing within Merton, over half of which were residing in social housing. The MHCLG January 2018 Count shows that 24 caravans were recorded at the Brickfield site, slightly below the London average of 31 caravans. Similarly, when population size is considered Merton (7 caravans per 100,000 population) is slightly below the London average (11 caravans per 100,000 population).
- 3.22 According to Merton Council records, 106 unauthorised encampments occurred within the Borough between March 2003 and June 2018. Between 2011 and June 2018 there were on average of 10 unauthorised encampments per annum lasting an average of 8 days and consisting of an average of 6 vehicles. However, around a third of unauthorised encampments were due to one family traveling around south west London. More than half of unauthorised encampments took place on Merton Council owned land with around three fifths being resolved by police or court action.
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## 4. Stakeholder consultation

### Introduction

- 4.1 Consultations with a range of stakeholders were conducted between October 2018 and February 2019 to provide in-depth qualitative information about the accommodation needs of Gypsies, and Travellers. The aim of the consultation was to obtain both an overall perspective on issues facing these groups, and an understanding of local issues that are specific to the study area.
- 4.2 In recognition that Gypsy and Traveller issues transcend geographical boundaries and the need to cooperate in addressing the needs of Gypsies and Travellers, face-to-face, email and telephone consultation was undertaken with stakeholders and representatives from the study area and neighbouring local authorities.
- 4.3 Consultation was undertaken with 8 Merton Council officers from a range of departments including planning, housing, environmental health, community safety, social inclusion, and enforcement. Consultation with representatives from neighbouring authorities was undertaken (including Sutton, Croydon, Kingston, Wandsworth, Richmond and Lambeth). 5 officers from Clarion Housing, the agency which manages the Brickfield Road site, were also consulted. Other agencies consulted included local representatives of the London Metropolitan Police, London Gypsies and Travellers (LGT), The Traveller Movement, Travellers Education Services (TES), and the National Federation of Gypsy Liaison Groups.
- 4.4 Themes raised through the consultations included: the need for additional provisions and facilities; travelling patterns; the availability of land; accessing services; and work taking place to meet the needs of Gypsies and Travellers. This chapter presents brief summaries of the consultation with stakeholders and highlights the main points that were raised. Where relevant, the points raised are considered further in relation to the analysis in Chapter 6.

### Accommodation needs

- 4.5 Stakeholders commented on the main issues regarding the accommodation needs of Gypsies and Travellers in local areas. One stakeholder commented on how there is one local authority owned site in Merton, and no known Travelling Showpeople yards. Some also commented on how the majority of Gypsies and Travellers in the area live in houses – some out of choice and others due to lack of alternatives. It was commented on how living in caravans on a site and close to family is the Gypsy and Traveller preferred way of life, as it is part of their culture, how they live, who they are.
  - 4.6 Some stated that as well as additional accommodation provision, there is need for improvements to the existing provision on sites and help for those living in housing who are struggling to integrate or cope. Stakeholders spoke about how important it is that those
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living in houses and struggling to cope (i.e. with psychological aversion) are included in the needs calculations for pitches. LGT spoke about how 85% of Gypsies and Travelers in London are living in houses and that a high proportion do so due to lack of site provision. According to another stakeholder:

We are only aware of those who have decided to ascribe their children as Gypsies or Travellers when they complete school registration forms. We believe there are many more families of Traveller heritage who live in Merton but for their own reasons chose not to ascribe their children.

- 4.7 Some stakeholders commented on the need for improvements, and health and safety checks, to be undertaken on the Brickfield Road site. These were regarded as being beyond the responsibility of Clarion Housing whom carries out day-to-day maintenance and repairs. Clarion Housing confirmed that the site is in need of being updated. They stated that the condition of the site means it is hard to maintain buildings, drainage and electricity. They are currently reviewing the site with Merton Council, including how it can be improved. LGT suggested that Merton Council could apply for GLA Affordable Homes Funding to help improve the site or develop a new site. However, according to a Council housing officer, Clarion Housing has not reported any issues with site conditions nor the need for further upgrades, although the Council will consider bidding for funds if they are made aware of the need to do so.
- 4.8 A key issue is the growth of family units which is leading to overcrowding and demands for more permanent sites. It was suggested that there is some overcrowding on existing sites due to concealed households and some families 'doubling up' on existing pitches. Also, it was acknowledged that overcrowding prevents younger family members from forming their own household and that a number of adult children residing on existing sites may need separate accommodation within the next 5 years. A stakeholder stated that they know of Gypsy and Traveller households residing in bricks and mortar accommodation who would prefer to reside on a site. Most of the households on the Merton Council waiting list are residing in housing. There are currently 7 Gypsy and Traveller households registered on the Brickfield Road waiting list, with 5 currently residing in houses.
- 4.9 Stakeholders spoke about how there is insufficient space on the Brickfield Road site for the families of adult children to be accommodated. This is because whilst there are more Gypsies and Travellers residing in Merton pitch provision has remained the same over 20 years. Also, some households not eligible to be registered on the local housing waiting list are registering on the Gypsy and Traveller pitch waiting list instead. Stakeholders acknowledged that as well as a shortage of pitches, there is generally a shortage of all types of accommodation throughout Merton and that housing costs are high. According to one stakeholder:

The main accommodation issues facing Gypsies and Travellers are the same as those facing most families on low incomes across the whole of

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London. Changes in housing benefit, a diminished stock of social housing, rising rents and the insecurity of privately rented accommodation along with Merton families being sent out of the area to locations such as Milton Keynes and Durham.

- 4.10 Stakeholders stated that there is a lack of land in south west London on which to develop new sites. One stakeholder from a neighbouring authority stated that they had identified a need for new permanent pitches although they currently have no allocations. It was acknowledged that Gypsies and Travellers may have difficulty in securing planning permission for new sites or extensions to existing sites due to the amount of land designated as Green Belt and changes to Planning Policy for Traveller Sites (PPTS 2015). One neighbouring authority had to address some of its identified need by increasing the number of pitches on its existing sites (both its private and local authority site).
- 4.11 According to some stakeholders the introduction of PPTS 2015 has impacted on the way in which Gypsy and Traveller accommodation needs figures are determined. It was noted that some GTAA's undertaken since the 2015 change in definition tend to provide two needs figures: one based on ethnic identity (same as the DLP definition) and a second based on the 2015 PPTS definition. One stakeholder stated that they intend to adhere to the 'ethnic identity' (DLP) defined accommodation needs figures so as to not contravene the 2010 Equalities Act.
- 4.12 A stakeholder commented on how the allocation of pitches of local authority sites is usually based on the ethnic identity of Gypsies and Travellers. However, planning permission for new sites is determined not by ethnic identity, but whether the household travels in a caravan. They stated that such an approach is contradictory.
- 4.13 The Draft London Plan was published in August 2018. The Draft Plan adopts the ethnic identity definition of Gypsies and Travellers. A stakeholder from a neighbouring authority spoke about how their council's planning policy is based on the ethnic identity of Gypsy and Traveller. The authority regards the London Plan's approach as being more legally defensible than PPTS 2015. Some stakeholders including the LGT have welcomed the new plan and its definition of Gypsies and Travellers.
- 4.14 Some stakeholders commented on how adopting the PPTS 2015 definition can lead to lower accommodation need estimates compared to adopting the ethnic definition. This is particularly the case if the work interpretation of PPTS 2015 is applied i.e. only the accommodation needs of households who travel for work is considered.
- 4.15 Merton Council stakeholders stated that there are considerable differences between the National Planning Policy Framework (2012) and the draft London Plan (August 2018) definitions of Gypsies and Travellers. Planning Inspectors examining the draft London Plan will consider whether its definition is consistent with national policy. Merton Council has
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objected to the draft London Plan approach to Gypsies and Travellers on the basis that the research on which it is based on dates from more than 10 years ago. They stated that it is neither up-to-date nor justified. This is particularly the case as housing assessments have to be undertaken within three years of a Development Plan.

- 4.16 Merton Council believe that Gypsy and Traveller accommodation needs assessments should be undertaken or reviewed by boroughs at each Local Plan review (as it is now a statutory requirement to be reviewed every 5 years). As such, the research used to inform accommodation needs assessments should be as up-to-date as similar housing research. The Council consider that unless research is undertaken across London then research should be undertaken by each borough (or groups of boroughs) and considered in duty to cooperate and statements of common ground. Merton's commissioned 2018 SHMA will include a comparative analysis and scenarios concerning the MHCLG and London Plan definitions which will provide Merton with the basis to provide an informed view on the matter.
- 4.17 It was suggested by some stakeholders that the more restrictive PPTS 2015 definition of Gypsy and Traveller has limited opportunities for additional sites, and that the accommodation needs of all Gypsy and Traveller households who meet the ethnic identity definition should be included in accommodation needs calculations. Organisations, such as the LGT are challenging the PPTS (and related GTAAAs) and spoke about how they are opposed to it very strongly and very concerned as to how it has been used and is open to interpretations.
- 4.18 According to stakeholders some Gypsies and Travellers residing on sites and in housing in London often have limited or no access to touring caravans. This results in households being less able to travel by caravan although they may travel with family or friends who possess touring caravans. This is supported by the experiences of those households living on the Merton site who used to travel when they had access to a tourer. However, they are less able to now as they cannot keep a tourer on site and are unable to afford or justify the cost of keeping a tourer elsewhere. They do travel, but in caravans belonging to friends and family.
- 4.19 Some stakeholders commented on how the PPTS 2015 definition does not consider that some households do not have access to touring caravans. Also, the PPTS 2015 definition means that for planning purposes, households who do not travel are not considered Gypsies or Travellers. As one stakeholder stated: "It is far more complex, and they still require pitches on sites so that they can live together in caravans (including large static style trailers and tourer caravans)".

#### **Transit provision and travelling patterns**

- 4.20 Stakeholders agreed that one key issue which needs to be addressed is unauthorised encampments. It is currently regarded by Merton and neighbouring authorities as a
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problem. It was stated that unauthorised encampments tend to take place around on open spaces or parks. A representative from the police spoke about the importance of dealing with unauthorised encampments on a case by case basis.

4.21 The Council's records of unauthorised encampments between 2003 and 2018 shows that it tends to be mainly three families whom travel onto sites in Merton. These families do so most years and do not require permanent accommodation in Merton. The unauthorised encampments do not involve Travellers from the Brickfield Road site as their caravans are static and site residents do not travel. The unauthorised encampments occur when Travellers are on-route to country-wide festivals and events e.g. the 'Epsom Derby' in Surrey. Some households on unauthorised encampments have accommodation in neighbouring boroughs. Merton Council has a protocol for visiting unauthorised encampments to check accommodation and other needs of households. The families have not expressed a desire to permanently move or locate in Merton.

4.22 Some stakeholders also commented on how some of the unauthorised encampments in London authorities such as Merton are by Gypsy and Traveller families who live in houses in London. They travel in the local area as a means of coping with living in a house (due to lack of available sites). They travel further afield to events and visiting family who live elsewhere, but mainly in and around the London area at other times. According to the Traveller Education Team:

Most of the groups we encounter on visits to illegal encampments already have permanent bases to return to e.g. a plot on a site in the North of England but are travelling in London to work for limited periods of time, or families from Ireland who are travelling to provide their children with experience of their cultural heritage. The Irish families return to Ireland when their children need to go back to school. In the last year we have not been approached by anyone seeking a plot on a local site.

4.23 According to Merton Council stakeholders the research on Gypsy and Traveller accommodation needs undertaken between 2011 and 2013 indicated that the number of illegal encampments in the boroughs within the south west London subregion do not indicate sufficient demand in Merton to support the development of a transit site. Merton Council are unaware of any change in transit needs circumstances since the 2012 study was undertaken.

4.24 Enforcements by Council officers mean that families on unauthorised encampments tend to stay for only a few days. One stated that encampments occur when families are working in the area. Also, it tends to be the same Irish Traveller families whom are residing on unauthorised encampments mainly in Merton, Croydon and Sutton.

4.25 Some stakeholders suggested that fly tipping is the worst element of unauthorised encampments. If fly tipping did not occur then unauthorised encampments might not provoke such adverse reactions or be expensive to clear. Some neighbouring authorities have implemented an injunction policy which makes it an offence to set up unauthorised

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encampments on council land. Croydon Council were granted a permanent injunction policy in October 2018 lasting 3 years, whilst other neighbouring councils who have implemented the injunction are still in the interim stage and reviewing its effectiveness.

- 4.26 Stakeholders commented on how there is a need for a statement of common ground across local authority boundaries, and if possible, across London in tackling unauthorised encampments. It was suggested that the implementation of injunctions by neighbouring authorities may have led to increasing levels of unauthorised encampments in Merton. Merton and Wandsworth councils are respectively considering setting up their own injunction protocols. Whilst some stakeholders support injunctions as a means of dealing with unauthorised encampments, other stakeholders questioned their effectiveness and considered them disproportional and discriminatory. Also, it was recognised that not all unauthorised encampments involve Gypsies and Travellers. The Travellers Education Team stated that “some of the occasions we have been asked to visit encampments we have met itinerant workers from a range of backgrounds who are not of Traveller heritage”.
- 4.27 The LGT are strongly opposed to the use of injunctions and are challenging the injunctions already implemented. They suggest that injunctions do not take into account that unauthorised encampments may occur due to a lack of available sites. The LGT recommend alternative approaches which they regard as being “fairer for all, including being more cost effective to the state and local authorities and a fairer human cost to Gypsies and Travellers”. This includes a London-wide approach which adopts a negotiated stopping policy approach rather than implementing injunctions.
- 4.28 According to some stakeholders, the need to provide transit provision within the local area and surrounding authorities is more urgent than the need to provide permanent provision. They suggested that negotiated stopping places could be made available for around two weeks. This would give families sufficient time to consider alternative accommodation. Some commented on how all that families on unauthorised encampments need is “a safe place to stop, and access to fresh water and sanitation”.

### **Barriers to provision**

- 4.29 The main barriers to delivering new sites were regarded as: the limited availability of appropriate sites; the financial viability of new sites and difficulties in financing new provision; competing and conflicting priority pressures for available sites; and significant need and demand for bricks and mortar accommodation which can be developed at higher densities and accommodate more households compared with pitches.
- 4.30 It was acknowledged by stakeholders that the proposed location of new sites is likely to be a politically sensitive issue. It is possible that potential sites could be identified but that either political or community opposition may thwart the development process. Also, given the current austerity measures and level of pressure that local authorities are put under to provide housing, it was acknowledged that new Gypsy and Traveller sites tend not be
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regarded as a priority. Some commented on how this is made worse by provision for Gypsies and Travellers being a politically contentious issue, so authorities are less inclined to look at addressing it and investing in it.

- 4.31 It was suggested that holding information sessions with elected members and service providers could be used to help inform them of the key issues facing Gypsies and Travellers within the borough. These could also be used to highlight the aims and objectives of the Gypsies and Travellers Accommodation Assessment (GTAA) and aid in the work of agencies when working with Gypsies and Travellers.
- 4.32 It was acknowledged that land within Merton was too expensive for families to buy. Also, the identification of private land as a potential new site is likely to increase its price. As such, it was suggested that land currently owned by the local authority is more likely to be developed for new sites. Nonetheless, one stakeholder stated most of the potential sites identified by a neighbouring local authority were actually on privately owned land.
- 4.33 Also, it was agreed that even if families could afford to buy land the planning process meant it is difficult for them to gain planning permission. An example was given of a family living nearby who had waited 10 or 15 years to gain planning permission for a small private site. However, it was stated that the new planning guidance enabled local authorities to consider granting planning permission to families who had long-term residence on unauthorised developments.

#### **Relationship between Gypsies, Travellers and the settled community**

- 4.34 Stakeholders were asked if they were aware of any particular health, education or any other service issue experienced by the Gypsies and Travellers and Travelling Showpeople currently based in their local area. Generally, stakeholders were not aware of any particular needs, although it was recognised that educational and health needs can be challenging due to the transient nature of traveller culture. Also, it was suggested that a settled base enables children to attend school and access to specialist health facilities – this is frequently a consideration in the determination of planning applications and appeals. According to one stakeholder:

Generally, the Traveller community is well integrated with the settled community. We are aware there is far more intermarriage between the communities in Merton than in Sutton. The majority of the Traveller community in Merton are housed and this means they have to make greater efforts to integrate. The children integrate well in schools. Also the Traveller community in Merton mainly comprises English Gypsies and Roma from Eastern Europe.

- 4.35 It was acknowledged by Merton Council stakeholders there have been some tensions between the Gypsies and Travellers on the Brickfield Road site and the surrounding residential community. There have been complaints and allegations from residents close to
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- the Brickfield Road site regarding intimidation, disturbance, nuisance, and anti-social behaviour such as racing motorbikes and quadbikes, rubbish burning, and loud music. There have also been complaints from residents regarding some unauthorised encampments in Merton leaving large amounts of rubbish behind.
- 4.36 Working with the Brickfield Road site residents in 2016, Merton Council invested in public realm improvements to address a longstanding issue of rubbish dumping at the entrance to the site. The Council also repaved the road as a Homezone to manage car parking and created a green area designed as a 'pocket park'. The council have also added double yellow lines along the road approaching the site (to stop fly tipping and obstructions to the site for the emergency service who previously struggled to access the site). They are currently in the process of setting up refuse collection and recycling bins for each pitch, and removal of excessive waste from the site.
- 4.37 It was suggested that some families living in bricks and mortar accommodation were doing so due to a lack of choice but would prefer to live on sites. Many of the families living in housing would prefer to own their accommodation although most reside in social housing. Merton Council stakeholders are not aware of any problems between Gypsies and Travellers residing in bricks and mortar accommodation and the settled community. Stakeholders including the police suggested that there is an incorrect assumption by the settled community that much crime is usually committed by members of the Gypsy and Traveller community. A representative from the local police stated that whilst some Gypsies and Travellers may commit fly tipping and antisocial behaviour, this is just as likely to be committed by members of the settled community. Also, he suggested that not all Gypsies and Travellers should be 'tarnished with the same brush'.
- 4.38 Some stakeholders spoke about discrimination and bullying experienced by Gypsies and Travellers remaining unchallenged and that agencies such as the police need to reinforce that such behaviour is unacceptable and take measures as they would with all discriminatory and racist conduct. They spoke about how Gypsies and Travellers are not inclined to report discrimination, so more responsibility needs to be taken by elected and official bodies. They also commented on how training and education is the way forward. Some spoke of the need for a designated Gypsy and Traveller liaison officer. They spoke of how such an officer could help develop better relations between communities and act as points of contact between Gypsies and Travellers, and agencies. They spoke of how although the liaison officer would need to be resourced such a role may save money in the longer term by coordinating responses to Gypsy and Traveller issues and reducing duplication of work. The costs of employing a coordinator could be borne by a single local authority or shared across authorities.
- 4.39 Merton Council stakeholders stated that it is important to improve social cohesion between the Gypsy and Traveller and settled communities. For example, using Gypsy and Traveller social events to promote a better understanding of cultural differences and to break down
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social isolation and misunderstandings between the two communities. Others stated that services need to “continue to work on raising awareness and celebrate diversity”.

### **Access to Health/Education/Services**

4.40 Stakeholders agreed that whether living on sites or in bricks and mortar accommodation, Gypsy and Traveller families are less likely to access health, education or other types of services. Families living on unauthorised encampments found it particularly difficult to access all types of services.

4.41 One stakeholder commented on how those on the site in Merton are all registered with a doctor and due to health concerns are in regular contact with the health service. However, households residing on unauthorised encampments are less likely to be registered, particularly those who do not have a permanent address. The 2012 Merton Council Gypsy and Traveller study indicated that older Brickfield Road site residents tend to suffer poor health, at least in part due to residing in colder caravans. According to the Traveller Education Team:

The increase in a paperless approach to gathering and storing information has presented challenges for the community. Whilst most Travellers have a mobile phone few have internet access at home. The complexity of many forms, combined with limited literacy and/or IT skill makes completing them on a mobile phone quite tricky. Most local authority departments and agencies will provide assistance in completing forms. The issue for Travellers is having to go into large public buildings to access the support. In Merton the Traveller community has easy access to health centres. We are not aware of anyone being denied access to health care. If there is any prejudice, it is around prioritising the processing of Traveller applications e.g. children being considered for Education Health and Care Plans (EHCPs).

4.42 It was suggested that younger Gypsy and Traveller families are keener than previous generations to ensure that their children receive a good education. Although the Council has been quite successful in encouraging Gypsy and Traveller children to attend school, there is currently a lack of school places within local areas. Gypsy and Traveller children are more likely to attend primary rather than secondary school. This is particularly the case with boys who may be required to work within the family business once they reach a certain age.

4.43 It was agreed that there could be differing relations between local schools and the Gypsy and Traveller community and some are more supportive of their needs than others. Schools are made aware that those families living in unauthorised encampments may have to

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quickly find new accommodation and that such constant moving may negatively impact on educational opportunities. Although this situation requires understanding by schools they are not always sympathetic. Also, some Gypsy and Traveller children live in one authority but attend school in another.

- 4.44 Every London borough used to have a Traveller Education Service. However, austerity cuts mean that this service has been drastically reduced in many areas. Also, there used to be a library bus which attended Gypsy and Traveller sites but this service no longer exists within the boroughs.
- 4.45 Nonetheless, there is good communication between the Traveller Education Services that remain. Colleagues from neighbouring authorities liaise to ensure that educational support to children is maintained. Gypsy and Traveller families will also liaise with the Traveller Education Services to let them know when and where they are moving, again to ensure that educational support can be maintained.
- 4.46 The Traveller Education Service (TES) provide direct and regular based support to 15 Gypsy and Traveller families residing in bricks and mortar accommodation, and one family residing on site. They monitor all pupils ascribed as Gypsies or Travellers in Merton schools. According to the TES most Gypsy and Traveller children attend either nurseries or primary schools in Merton. The TES reported some recent positive results within the Borough including that all Year 6 Gypsy and Traveller children transitioned to high school. Also, in 2016-2017 seven of eight Gypsy and Traveller children completed full time education, compared with four of six in 2017/18. Of the two Gypsy and Traveller children who did not complete full time education, one was in specialist provision, and other was on Elective Home Education. However, it should be considered that these numbers are based only on families who chose to ascribe themselves as Gypsies and Travellers i.e. there could be many more.

### **Cooperation and joint working**

- 4.47 Stakeholders stated that historically, Merton Council departments and agencies cooperated well on Gypsy and Traveller issues through the following:
- Gypsy and Traveller forum consisting of representatives from the Brickfield Road site and Merton council officers
  - Merton Travellers Education Service
  - Clarion Housing Group and Merton Council periodic management meetings
  - Joint Protocol Agreement between Merton Borough Police and the London Borough of Merton
- 4.48 However, reductions in funding and resourcing mean that the Gypsy and Traveller forum and Merton Travellers Education Service have ceased to operate. The joint protocol
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agreement between the police and Merton Council outlines the policy and operational response to unlawful encampments within the borough. Each case of unauthorised encampment is individually considered on its merits, before a police response is made. The protocol acknowledges the status and rights of Romany Gypsies and Irish Travellers as distinct ethnic groups and the Council's duty under the Race Relations (Amendment) Act (2000) to promote good race relations. As discussed above, the improvements to the Brickfield Road site in 2016 was initiated by liaison between site residents and the Council's Street Management team.

- 4.49 Merton is unique in its collaborative working with quick responses, named officers, and good collaborative ethos. Council officers, the police, Clarion Housing and education representatives emphasised good working relationships. The police commented on how having a named person they trust makes a difference. It is about being able to discuss matters openly and confidentially with one another.
- 4.50 However, some stakeholders also stated that despite areas of good practice there is still need for better collaborative and coordinated working. Merton Council needs to communicate more with agencies and the Gypsy and Traveller community, including those residing on the site. Whilst the Council and Clarion Housing have a good working relationship, they need to work more closely and prioritise improvements to the site and review management arrangements.
- 4.51 In relation to duty to cooperate and cross boundary working, stakeholders spoke about the need for better communication and joint working between local authorities and agencies. It was suggested that, in contrast to other planning issues, there tends to be poorer coordination between local authorities regarding Gypsy and Traveller issues. Also, it was noted that Gypsy and Traveller issues transcend local authority boundaries. For example, the same Gypsy and Traveller households may reside on unauthorised encampments throughout several adjacent local authority areas. A coordinated approach may help reduce costs associated with dealing with such unauthorised encampments.
- 4.52 A stakeholder from a neighbouring authority stated that there is a need for better understanding of Gypsy and Traveller issues which could include undertaking awareness events: "professionals who come into contact with the Gypsy and Traveller community always benefit from training in cultural understanding and awareness to improve cooperation".

## Summary

- 4.53 The consultation with key stakeholders offered important insights into the main issues within the study area. It was generally acknowledged that there is a lack of accommodation provision. According to stakeholders demand for pitches derive from second generation Gypsies and Travellers. There are also households who are not eligible to be registered on the local housing waiting list registering on the Gypsy and Traveller pitch waiting list
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instead. The main barriers to provision of both permanent and transit sites were regarded to be perceptions of Gypsies and Travellers, public and political opposition, lack of available and affordable land, the planning process and related issues such as the changes to the planning definition, the cost of planning processes, and having knowledge of such processes.

- 4.54 It was acknowledged that a large proportion of Gypsy and Traveller households may reside in bricks and mortar accommodation although numbers are difficult to estimate. Some unauthorised encampments may be due to households residing in bricks and mortar accommodation needing to travel. All households on the Merton site are registered with a doctor and due to health concerns are in regular contact with the health service. Those on unauthorised encampments, however, are less likely to be registered, particularly those who do not have a registered address.

## 5. Gypsies and Travellers living on sites

### Introduction

- 5.1 This chapter provides a snapshot of the supply of existing pitches and an analysis of need for current and future pitches across the study area. In doing so, it examines the key findings derived from the consultation with Gypsy and Traveller families.
- 5.2 The consultation was undertaken in October 2018. After identifying the number and location of existing pitches, each pitch was visited. Households were consulted on key issues regarding needs. The combination of two site visits and consultation with the households helped to clarify the status of pitches i.e. which pitches are occupied by Gypsies and Travellers, vacant pitches, overcrowded pitches, pitches occupied by household members with a need for separate accommodation, and hidden households, amongst other needs issues. During the survey period there were no known unauthorised encampments within the borough. As such, no surveys were undertaken with households residing on unauthorised encampments.
- 5.3 Using Census 2011 data it was estimated that there are 78 Gypsy and Traveller households residing in bricks and mortar accommodation within Merton. The methods used in attempting to contact households residing in bricks and mortar accommodation included:
- Asking households residing on sites if they were aware of any relatives or friends residing in bricks and mortar accommodation;
  - Contacting key stakeholders to request help to access Gypsies and Travellers living in bricks and mortar; and
  - Seeking information about the location of households residing in bricks and mortar accommodation through the stakeholder interviews.
- 5.4 However, it was not possible to identify a sufficient sample to determine the accommodation needs of the whole population residing in bricks and mortar accommodation. As such no data was gleaned from consultation with households residing in bricks and mortar accommodation. The accommodation needs of these households is based on calculations set out later in this chapter<sup>20</sup>.

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<sup>20</sup> Please refer to Step 15 of table 5.6 and paragraphs 5.50-5.52

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- 5.5 As such, the first part of this chapter is based on a survey of 13 households<sup>21</sup> living on a 15-pitch local authority site in Merton. At the time of the survey, 2 of the pitches were vacant and being prepared for the next tenants.

### **Population Characteristics**

- 5.6 The onsite survey recorded 33 people including 2 non-Gypsies or Travellers (each in a relationship with a member of the Romany Gypsy Community). The remaining 31 are Romany Gypsies (in accordance with ethnic identity and given full protection under the Equality Act 2010). Interestingly, this compares with figures derived from the 2011 Census which suggests that there are 221 Gypsies and Travellers living in the study area<sup>22</sup>. However, whilst the Census figures are likely to reflect a larger proportion of Gypsies and Travellers living in bricks and mortar accommodation, they may not record all those residing on sites. Unusually, the average size of families residing on the survey sites is 2.15 people compared to the 2011 UK average of 2.4 people per household (Gypsy and Traveller households tend to be larger than the settled community). This is primarily due to the number of older people without school age children residing on the site.
- 5.7 The majority of households on the site (9 of 13 families) were related to one another, and to most households residing on the neighbouring authority site in Croydon. Most households had lived on the site since it was first developed in the 1970s and in some cases were born on the site. There are four generations of the same family residing on the site. The remaining 3 pitches were occupied by 4 unrelated households. All households spoke about the importance of being mutually supportive.
- 5.8 Household size on each pitch varied between 1 person and 5 persons. 4 households were of single occupancy; 3 households contained two people (two couples and a father and son in need of his own pitch); 3 households contained 3 people (one containing an adult child who prefers to stay on site and is in need of his own pitch) and a couple with a young child; and 2 households consist of 4 people. One 4-person household usually consisted of a single person. However, during the survey period it was also occupied by 3 further family members due to a combination of psychological aversion towards living in a house and in response to family issues. This resulted in the household being overcrowded.
- 5.9 In relation to age, 3 households contained 7 children aged under 10 years, whilst 8 persons in 6 households were aged above 60 (including 5 people aged in their 70s).

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<sup>21</sup> The definition of 'household' is used flexibly. The survey assumes that a pitch is occupied by a single household although it acknowledges that this may also include e.g. extended family members or hidden households.

<sup>22</sup> See ONS 2011 Census Table KS201EW Ethnic Group located at: <http://www.ons.gov.uk/>

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Table 5.1 Number of people in household		
	Number	Percentage
1 person	4	31%
2 people	3	23%
3 people	3	23%
4 people	1	8%
5 people	2	15%
Total	13	100%

Source: GTAA 2019

Table 5.2 Age of household members		
	Number	Percentage
0-10 years	7	18%
11-14 years	1	0%
15-19 years	1	0%
20-40 years	10	36%
41-60 years	6	18%
61-70 years	3	11%
71+ years	5	18%
Total	33	100%

Source: GTAA 2019

### Residency characteristics

- 5.10 There are 15 permanent local authority owned pitches on the Brickfield Road site of which 13 were occupied by members of the Gypsy and Traveller community at the time of the consultation and 2 were vacant.

Table 5.3 Tenure		
	Number	Percentage
Rent from an LA/RSL	13	100%
Total	13	100%

Source: GTAA 2019

- 5.11 There are two households on the Brickfield Road site each containing an adult in need of separate accommodation. Both persons in need have strong ties to the site and the local area. One person has two teenage sons and is currently residing with a relative, whilst the other is residing with his father who is ill and in need of support.
- 5.12 Reflecting longevity of tenure, 11 (85%) of the households had lived on their respective pitches for more than 5 years (most of which had lived on the site for over 40 years including some residents who were born on the site). One resident had resided on site for less than 5 years – who had previously lived in housing.

- 5.13 The commitment of families to remaining on existing sites is reflected in the fact that all wanted to stay living together on the site and almost all stated that they did not intend to move in the future. Only 1 respondent stated that they did not know if they wanted to move. They stated that they wanted to live on a site with the same people, but on site in better condition at a more suitable location. All of the residents expressed concerns about the condition and maintenance of the site.
- 5.14 The average rent per pitch is around £100 per week (confirmed by Clarion Housing). Households who do not own a caravan (costing on average around £20,000 plus the cost of a trailer) also have to pay rental costs of about £150 per week. This means that costs are between £400 per month (excluding renting a caravan), and £1,000 per month (including renting a caravan). This compares to social housing rents of between £600 and £800 per month.

### Services and health

- 5.15 All residents felt that they had experienced discrimination due to their cultural identity. They also stated that they had considered it necessary, on occasion, to hide their ethnic identity in order to access services. Some stated that it was 'part of life for us'. However, few households stating that they had experienced discrimination reported it to the relevant authorities. The main reasons for not reporting it included wanting to ignore it or believing that reporting incidences to authorities would be ineffective.

	Number	Percentage
Yes	13	100%
No	0	0%
Total	13	100%

Source: GTAA 2019

- 5.16 In relation to accessing health services, all families were registered with a local doctor. Health issues reported included: problems due to old age, mental health issues, long-term illness (including cancer in at least 3 instances), high blood pressure, asthma and chest complaints, and physical disability. Compared with the settled community, the health status of Gypsies and Travellers tends to be poorer than the general population<sup>23</sup>.

<sup>23</sup> Cemlyn, Sarah, Greenfields, Margaret, Burnett, Sally, Matthews, Zoe and Whitwell, Chris (2009) *Inequalities Experienced by Gypsy and Traveller Communities: A Review*, Equality and Human Rights Commission, London.

## Education and employment

5.17 Education was regarded by households as important. Some respondents commented on how it was important for children and grandchildren to receive an education as they did not have the same opportunity. Some families with pre-school children recognised the importance of early education and planned to send children to a nursery once old enough. In relation to children of school age, all primary aged children were receiving school education.

Table 5.5 School age children in family		
	Number	Percentage
Yes	2	15%
No	11	85%
Total	13	100%

Source: GTAA 2019

5.18 Respondents commented on how traditional employment opportunities for Gypsies and Travellers are now less available and this is why education is becoming more important. Although Gypsy and Traveller children have not traditionally done so, more families are ensuring that children gain qualifications either by attending secondary school or college or undertaking home tutoring. Some families spoke about how well their children were doing in terms of education and how well their grown-up children were doing in term of careers.

5.19 Employment status varied as 6 households were of retirement age although one was working as a carer. The other four households had been involved in the building trade and casual labouring. One resident was the ex-Chair of The Gypsy Council UK. Other careers included university student, IT specialist, building and construction worker, and health care.

## Travelling

5.20 As agreed with Merton Council, this GTAA provides three needs figures: first, based on accommodation needs of families ethnically identified as Gypsies and Travellers (in accordance with the Draft London Plan); second, based on the based on the PPTS (August 2015) definition i.e. families who have not permanently ceased to travel; and third, a figure which considers the accommodation needs only of families who travel in a caravan for work purposes.

5.21 For planning purposes, the revised PPTS (August 2015) definition only includes the accommodation needs of families who have not permanently ceased to travel. Most households residing on the Brickfield Road site have permanently stopped travelling due to age, health and support issues and not having access to touring caravans. No Brickfield

Road site households travel in their own caravan for work purposes although they may travel for cultural reasons, to visit family and friends, or to attend events.

### **Accommodation need**

- 5.22 Families believe there is a need for more permanent sites in the study area, and provision for those who visit or travel through the area. They spoke about being aware of some, although not many, Gypsies and Travellers residing in housing in Merton whom are in need of a pitch. This is because they are only residing in housing due to the lack of pitch provision (including one person who was on the Brickfield site at the time of the site visits). Some residents commented on how older children often have to stay with families longer due to lack of available pitches and the high cost of pitches or alternative accommodation.
- 5.23 Residents stated that whilst there is need for additional pitch provision in the local area, the Brickfield site is unsuitable for expansion. Ideally, residents would prefer to reside on a new site with better facilities and in a more suitable location. They spoke about recently built sites which have modern utility blocks, more spacious pitches, and are located in safer locations.
- 5.24 They stated that there needs to be better provision for visiting family and friends. However, they were unsure about the need for a permanent transit site particularly given that transit sites can be difficult to manage, owners can determine which families can use the sites, and in some instances, families may permanently reside on them.
- 5.25 From consultation with households it was determined that small family sites are ideal. However, respondents stated that there needs to be sufficient space on sites to enable family and friends to visit. They also stated that negotiated stopping agreements may be preferable to permanent transit sites. This would involve the police and local authorities developing a formal agreement with households residing on unauthorised encampments as to where and how long they could stay. Two issues mentioned by families were difficulties in obtaining planning permission for new sites and preconceptions by the settled community about such applications. They spoke about how they feel safer on smaller sites which are also easier to manage and maintain. They commented on how smaller sites tend to be more accepted by the local settled community and leads to better integration.
- 5.26 Almost two thirds (62%) of the households had at some point lived in bricks and mortar accommodation, but all stated that they were unable to cope in a house. They enjoy living together as a community, know one another well, and are mutually supportive. Households commented on how residing in a caravan is important to them even if they do not travel. They stated that residing in a caravan (including static caravans) provides them with a sense of movement and space which connects them to outdoor living, and importantly, to their cultural roots and heritage.
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- 5.27 The survey determined the number of households containing young people aged 18 or over who may require separate accommodation within the next 5 years. This helps to determine the extent of future accommodation needs deriving from existing households. There were no future households in need of a pitch within the next 5 years although two households contained 'hidden' households in the form of adult children requiring a separate pitch (see Step 12 in Table 5.6). A third household contained young people who are saving to buy a house.

### **Requirement for residential pitches 2019-2024<sup>24</sup>**

- 5.28 The need for residential pitches in Merton is assessed according to a 15-step process, based on the model suggested in DCLG (2007) guidance and supplemented by data derived from the survey. The results of this are shown in Table 5.6 below, while the subsequent section contains explanations of the sourcing and calculation of figures for each step.
- 5.29 As discussed in Chapter 2, there are differing interpretations of the PPTS (August 2015) definition. As such, our approach is to undertake a methodology which provides three needs figures: first, based on the Draft London Plan (families ethnically identified as Gypsies and Travellers); second, based on the needs of families who have not permanently ceased to travel; and third, a figure which considers the accommodation needs only of families who travel in a caravan for work purposes.
- 5.30 It is important to note that the calculation of accommodation need does not incorporate data from the site waiting list, as waiting lists may not be a reliable indicator of need. For example, the inclusion of data from the waiting list in the calculation could lead to double counting and the inclusion of people who no longer have accommodation in the area.

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<sup>24</sup> Please note that due to rounding column totals may differ slightly from row totals

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Table 5.6 Estimate of the need for permanent residential site pitches 2019-2024

	DLP	PPTS	Work
1) Current occupied permanent residential site pitches	13	13	13
<i>Current residential supply</i>			
2) Number of unused residential pitches available	2	2	2
3) Number of existing pitches expected to become vacant through mortality 2019-2024	2	2	2
4) Net number of family units on sites expected to leave the District in next 5 years	0	0	0
5) Number of family units on sites expected to move into housing in next 5 years	0	0	0
6) Residential pitches planned to be built or to be brought back into use 2019-2024	0	0	0
7) Less pitches with temporary planning permission	0	0	0
Total Supply	<b>4</b>	<b>4</b>	<b>4</b>
<i>Current residential need: Pitches</i>			
8) Family units (on pitches) seeking residential pitches in the area, 2019-2024, excluding those counted as moving due to overcrowding in step 11	0	0	0
9) Family units on transit pitches requiring residential pitches in the area	0	0	0
10) Family units on unauthorised encampments requiring residential pitches in the area	0	0	0
11) Family units on unauthorised developments requiring residential pitches in the area	0	0	0
12) Family units currently overcrowded (or hidden family members) on pitches seeking residential pitches in the area, excluding those containing an emerging family unit in step 8	2	0	0
13) Net new family units expected to arrive from elsewhere	0	0	0
14) New family formations expected to arise from within existing family units on sites	0	0	0
Total Need	<b>2</b>	<b>0</b>	<b>0</b>
<i>Current residential need: Housing</i>			
15) Family units in housing but with a psychological aversion to housed accommodation	8	4	2
Total Need	<b>10</b>	<b>4</b>	<b>2</b>
<i>Balance of Need and Supply</i>			
Total Additional Pitch Requirement	<b>6</b>	<b>0</b>	<b>0</b>
Annualised Additional Pitch Requirement	1	0	0

Source: GTAA 2019

### Requirement for residential pitches 2019-2024: steps of the calculation

5.31 The calculations depend on base information derived from the GTAA using data corroborated by local authorities in the study area. The key variables used to inform the calculations include:

- The number of Gypsies and Travellers housed in bricks and mortar accommodation
- The number of existing Gypsy and Traveller pitches
- The number of families residing on unauthorised encampments requiring accommodation (and surveyed during the survey period)
- The number of unauthorised developments (during the survey period)
- The number of temporary pitches
- The number of vacant pitches
- The number of planned or potential new pitches
- The number of transit pitches

5.32 The remainder of this chapter describes both the process and results of the Gypsy and Traveller needs calculations.

### **Supply of pitches 2019-2024**

5.33 Supply (steps 1 to 7) steps are the same irrespective of the interpretation of the definition used.

#### ***Step 1: Current occupied permanent site pitches***

5.34 Based on information provided by the Council and corroborated by information from site surveys. There are currently 13 occupied authorised Gypsy and Traveller pitches in Merton.

#### ***Step 2: Number of unused residential pitches available***

5.35 According to the survey data there are currently 2 vacant pitches on the Brickfield Road site.

#### ***Step 3: Number of existing pitches expected to become vacant 2019-2024***

5.36 This is calculated using mortality rates as applied in conventional Housing Needs Assessments. However, the figures for mortality have been increased in accordance with studies of Gypsy and Traveller communities suggesting a life expectancy approximately 10 years lower than that of the general population and to reflect the older age characteristics of the residents on the Brickfield Road site.

#### ***Step 4: Number of family units in site accommodation expressing a desire to leave the study area***

5.37 This was determined by survey data. It was assumed, given that development of sites is likely to occur in the areas surrounding the study areas as well as in the planning area itself (which in the case of this GTAA is the same geographical area), that those currently living on sites expecting to leave the area permanently in the next five years – out of choice (step 4) or due to overcrowding (step 12) – would generally be able to do so. Given the low level of interest in leaving the study area, this resulted in the supply of 0 pitches.

#### ***Step 5: Number of family units in site accommodation expressing a desire to live in housing***

5.38 This was determined by survey data. It was assumed that all those currently living on sites planning to move into housing in the next five years (step 5), or preferring to move into housing from an overcrowded pitch (step 11), would be able to do so.

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5.39 A supply of 0 pitches in the study area were expected from this source, excluding those moving out of the study area, since these are already counted in step 4.

**Step 6: Residential pitches planned to be built or brought back into use, 2019-2024**

5.40 This is determined by local authority data and from an assessment of sites during visits. There are no pitches in the study area that are expected to be built or brought back into use in the study area during the period 2019-2024. These pitches are referred to as 'potential' pitches. This means that the pitches have been granted planning permission but have not yet been developed. This can include pitches which have been partly developed or which were previously occupied but are now vacant and in need of redevelopment.

**Step 7: Pitches with temporary planning permission**

5.41 This is determined by local authority data. It is assumed families living on pitches whose planning permission expires within the period 2019-2024 will still require accommodation within the study area. There are currently 0 pitches with temporary planning permission located in Merton.

**Need for pitches 2019-2024**

5.42 This needs assessment provides three accommodation needs figures: first, based on the Draft London Plan ('DLP' column); second, based on PPTS 2015 ('PPTS' column); and third, including the accommodation needs only of households who travel for work purposes ('work' column).

**Step 8: Family units on pitches seeking residential pitches in the study area 2019-2024**

5.43 This was determined by survey data. These family units reported that they 'needed or were likely' to move to a different home in the next five years, and wanted to stay on an authorised site, or that they were currently seeking accommodation.

5.44 This category of need overlaps with those moving due to overcrowding, counted in step 11, and so any family units which both are overcrowded and seeking accommodation are deducted from this total. This generates a total need of 0 pitches in the study area.

**Step 9: Family units on transit pitches seeking residential pitches in the study area 2019-2024**

5.45 This was determined by survey data. These family units reported that they required permanent pitches within the study area in the next five years. This generates a total need of 0 pitches as there is no transit site in the study area.

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**Step 10: Family units on unauthorised encampments seeking residential pitches in the area**

5.46 Guidance (DCLG 2007) indicates that it should be considered whether alternative accommodation is required for families living on unauthorised encampments. Using survey data, it has been calculated how many families on unauthorised encampments want residential pitches in the study area. Please note that only Gypsies and Travellers requiring permanent accommodation within the study area have been included in this calculation – transiting Gypsies and Travellers are included in separate calculations. No families residing on unauthorised encampments were interviewed during the survey period, so there is no need arising from this source.

**Step 11: Family units on unauthorised developments seeking residential pitches in the area**

5.47 This was determined by survey data. The guidance also indicates that the accommodation needs of families living on unauthorised developments for which planning permission is not expected must be considered. Regularising families living on their land without planning permission would reduce the overall level of need by the number of pitches given planning permission. There is a need of 0 pitches deriving from unauthorised developments in the study area.

**Step 12: Family units on overcrowded pitches seeking residential pitches in the area**

5.48 This was determined by survey data. Households which also contain a newly formed family unit that has not yet left are excluded. This is because it is assumed that once the extra family unit leaves (included in the need figures in step 13) their accommodation will no longer be overcrowded. The calculations suggest that there is a need for 2 additional pitches in the borough to resolve overcrowding over the period 2019-2024 ('DLP' definition), 0 pitches ('PPTS' definition), and 0 pitches ('work' definition).

**Step 13: New family units expected to arrive from elsewhere**

5.49 In the absence of any sustainable data derivable from primary or secondary sources (beyond anecdotal evidence) on the moving intentions of those outside the study area moving into the area, as in the case of those moving out of the area, it is assumed that the inflow of Gypsies and Travellers into the area will be equivalent to the outflow. In addition, inflow equivalent to the outflow of newly forming family units must be considered. Together, these amount to a net inflow of 0 units in the study area.

**Step 14: New family formations expected to arise from within existing family units on sites**

5.50 This was determined by survey data. The number of individuals needing to leave pitches to create new family units was estimated from survey data. Allowing for those planning to

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leave the area, and for estimated rates of marriages to both Gypsies and Travellers and non-Gypsies and Travellers, it is estimated that this will result in the formation of no new households requiring residential pitches during the 2019-2024 period in the study area.

**Step 15: Family units in housing with a psychological aversion to housed accommodation**

- 5.51 It is important to note that including the accommodation needs of an estimated number of households residing in bricks and mortar accommodation but displaying psychological aversion accords with the draft London Plan. It is important to determine the accommodation needs of all Gypsy and Traveller households residing in the borough, and not only those whom were surveyed.
- 5.52 The accommodation need of family units in housing with a psychological aversion was determined firstly by calculating the number of houses occupied by Gypsies and Travellers. For the purpose of this GTAA, as with other *RRR Consultancy* GTAAs, the 2011 Census data has been used to assist in this calculation. It shows that there are 91 Gypsy and Traveller households living in Merton. Considering the 13 households residing on the Brickfield Road site this means that there are potentially 78 Gypsy and Traveller households residing in bricks and mortar accommodation. This figure clearly demonstrates that there are households beyond the 13 residing on the site, and that the only other likely option is that they reside in bricks and mortar. Due to the level of housed Gypsies and Travellers identified in by the Census, it is clear that it provides the most robust and reliable data source for assessing the number of housed. Adopting an alternative method e.g. assuming that there is one household residing in bricks and mortar accommodation for everyone household residing on the site is likely to underestimate accommodation need. Because it was not possible to survey Gypsy and Traveller households residing in bricks and mortar accommodation using Census data.
- 5.53 From previous GTAAs undertaken by *RRR Consultancy Ltd* it is estimated that a minimum of 10% of Gypsies and Travellers residing in bricks and mortar accommodation experience psychological aversion and require accommodating on sites (10%). This leads to an estimated need of 8 pitches in Merton area based on the 'DLP' definition, 4 based on the PPTS 2015 definition, and 2 based on the work interpretation of the PPTS.
- 5.54 The 10% is based on previous GTAAs undertaken by *RRR Consultancy Ltd*, and consultation with stakeholders and households on site. It is clear that there is need from those living in bricks and mortar, but not sufficient evidence that the need based on psychological aversion is any higher than 10%.
- 5.55 The different levels of need from psychological aversion are based on consultation with stakeholders which had resulted in an estimation that about half of households living in the
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area in bricks and mortar no longer travel and therefore do not meet the PPTS definition and that half of them travel for work purposes.

### **Balance of Need and Supply**

5.56 From the above the Total Additional Pitch Requirement is calculated by deducting the supply from the need.

Table 5.7: Summary of Gypsy and Traveller pitch needs 2019-24

	DLP	PPTS	Work
Supply	4	4	4
Need	10	4	2
Difference	6	0	0

Source: GTAA 2019

### **Requirement for residential pitches 2024-2034**

5.57 Considering future need it assumed that those families with psychological aversion will move onto sites within a 5-year period and that all other need identified for the first five years is met within the first five years. As such, only natural population increase, mortality, and movement into and out of the study area need be considered. The base figures regarding the number of pitches on sites at the end of the first 5-year period are shown in Table 5.8 below. Please note that the 2019 base figures include both authorised occupied and vacant pitches, whilst the 2024 base figures assume that any potential pitches have been developed.

Table 5.8 Base figures for pitches as at 2024 assuming all need is met for 2019-2024

	2019 Base	Vacant	Potentials 2019-24	Need 2019-24	2024 Base
DLP	13	2	0	6	21
PPTS	13	2	0	0	15
Work	13	2	0	0	15

Source: GTAA 2019

5.58 In March 2014 Brandon Lewis (Parliamentary Under Secretary of State within the Department for Communities and Local Government) confirmed that the 3% household growth rate does not represent national planning policy. Alternatively, it is suggested that an annual household growth rate of between 1.5% to 2.5% is more appropriate.

5.59 In relation to this accommodation assessment, analysis of the current population indicates that an annual household growth rate of 0.99 % per annum (compound) equating to a 5-year rate of 5.0% is more appropriate. This is based on an analysis of various factors derived from the surveys including current population numbers, the average number of

children per household, and marriage rates. It is assumed that these rates are likely to continue during the period 2029-2034.

- 5.60 It is expected that the need in the first five years is met in the first five years. If this is the case, the following tables show the accommodation need for the periods 2024-2029, and 2029-2034.

Table 5.9 Estimate of the need for residential pitches 2024-2029			
<i>Pitches as at 2024-2029</i>			
	<b>DLP</b>	<b>PPTS</b>	<b>Work</b>
1) Estimated pitches occupied by Gypsies and Travellers	21	15	15
<i>Supply of pitches</i>			
2) Pitches expected to become vacant due to mortality 2024-2029	2	2	2
3) Number of family units on pitches expected to move out of the District	0	0	0
Total Supply	2	2	2
<i>Need for pitches</i>			
4) Family units moving into the District (100% of outflow)	0	0	0
5) Newly forming family units	1	1	1
Total Need	1	1	1
<i>Additional Need</i>			
Total additional pitch requirement, 2024-2029	0	0	0
Annualised additional pitch requirement	0	0	0

Source: GTAA 2019

Table 5.10 Estimate of the need for residential pitches 2029-2034			
<i>Pitches as at 2029-2034</i>			
	<b>DLP</b>	<b>PPTS</b>	<b>Work</b>
1) Estimated pitches occupied by Gypsies and Travellers	21	15	15
<i>Supply of pitches</i>			
2) Pitches expected to become vacant due to mortality 2029-2034	2	2	2
3) Number of family units on pitches expected to move out of the District	0	0	0
Total Supply	2	2	2
<i>Need for pitches</i>			
4) Family units moving into the District (100% of outflow)	0	0	0
5) Newly forming family units	1	1	1
Total Need	1	1	1
<i>Additional Need</i>			
Total additional pitch requirement, 2029-2034	0	0	0
Annualised additional pitch requirement	0	0	0

Source: GTAA 2019

## Requirements for transit pitches / negotiated stopping arrangements: 2019-2034

- 5.61 As noted in Chapter 3 there were a total of 106 unauthorised caravans over the period March 2003 to July 2018. The number of unauthorised encampments increased from an average of 3 per annum during the period 2003 to 2010, to an average of 10 per annum during the period 2011 to 2018. The average length of encampment was 8 days consisting of between 1 and 30 vehicles with an average of 6 vehicles.
- 5.62 It is recommended that Merton Council considers setting up a negotiated stopping places policy. The term 'negotiated stopping' is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent 'built' transit sites but negotiated arrangements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period, with the provision of limited services such as water, waste disposal and toilets. The arrangement is between the local authority and the (temporary) residents.
- 5.63 Agreements could be made with households residing on sites allowing visiting family and friends to stay for agreed periods of time. This could lead to fewer unauthorised encampments which adversely impact on the local community.

### Summary

- 5.64 This chapter has provided both quantitative and qualitative data regarding key characteristics of respondent households residing on Gypsy and Traveller sites. The survey recorded 13 households residing on the Brickfield Road site. Residents on the site tend to be older with few families with children. Most households had resided on site for more than 5 years with only one residing on site for 5 years or under. Residents do not have tourers on site so are unable to travel in caravans. Whilst enjoying living on the site with family and friends, residents had concerns about the condition of the site.
- 5.65 Accommodation need resulting from the calculations in the tables above is as follows:

Table 5.11: Summary of Gypsy and Traveller pitch needs 2019-34				
Period	2019-2024	2024-29	2029-2034	Total
DLP	6	0	0	6
PPTS	0	0	0	0
Work	0	0	0	0

Source: GTAA 2019

- 5.66 As can be seen from the table above, there is no additional accommodation need in relation to the PPTS definition and the work interpretation. All need arising in these categories is expected to be met by the emerging supply within the 15-year period – a need of 4 (PPTS)

and 2 (work interpretation) both addressed by an emerging supply of 4 (irrespective of definition) within first five years, followed by a need of 2 and an emerging supply of 4 over the following 10 years (relating to all three definitions). The only additional need arises is that based on the DLP definition (6 in the first 5 years).

- 5.67 Whilst this GTAA assesses accommodation need for the period 2019-2034, net need arises, and is expected to be met, during the first 5-year period. This is because the accommodation need based on DLP definition is greater than the supply for the period 2019-2024, but not in subsequent years. The current accommodation need arises from concealed households and households experiencing psychological aversion to residing in bricks and mortar accommodation. This need is greater than the supply available. However, the accommodation need for subsequent periods is determined according to a population growth model derived from the current population characteristics of the Brickfield Road site. This results in the accommodation need being less than or equal expected supply for the period 2024-2034. Any accommodation need not met within the first 5-year period will have to be carried over to subsequent periods.
- 5.68 Although need identified for the first five years is expected to be met within the first 5 years, as this need is DLP based and not PPTS, the council are not currently obliged to meet this need. Therefore it is recommended that that the council still considers meeting this need, but over the 15 year period (such as if need is expressed by Gypsies and Travellers coming forward with requests for move onto a pitch on the Brickfield site or for planning permission for a new site).
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## 6. Conclusions on the evidence

- 6.1 This final chapter draws conclusions from the evidence. It then makes a series of recommendations relating to meeting the identified need for new pitches, facilities, and recording and monitoring processes.
- 6.2 The chapter begins by presenting an overview of the policy changes, followed by review of the needs and facilitating the needs of Gypsy and Traveller sites and Travelling Showpeople, and then concludes with key recommendations.

### Policy Changes

- 6.3 As noted in Chapter 1, in 2012 the Coalition Government brought about new statutory guidance regarding Gypsy and Traveller accommodation. This built on earlier commitments to strengthen measures to ensure fair and equal treatment for Gypsies and Travellers in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.
- 6.4 The new planning policy gave councils the freedom and responsibility to determine the right level of Gypsy and Traveller site and Travelling Showpeople plot provision in their area, in consultation with local communities and based on sound evidence such as GTAAs, while ensuring fairness in the planning system. It sat within a broader package of reforms such as the abolition of the previous government's Regional Strategies and the return of planning powers to councils and communities.
- 6.5 In August 2015 the DCLG published 'Planning Policy for Traveller Sites' (including Travelling Showpeople yards). It states that for the purposes of planning policy "gypsies and travellers" means:

*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

- 6.6 In determining whether persons are "Gypsies and Travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:
- a) whether they previously led a nomadic habit of life
  - b) the reasons for ceasing their nomadic habit of life
  - c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.
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6.7 On 13 August 2018 the Mayor of London published a version of the draft Plan that includes minor suggested changes. It suggests that there are around 30,000 Gypsies and Travellers residing in London, and that around 85% of Gypsy and Traveller families in London have been forced to live in housing, or on roadside encampments due to overcrowding, or an unsuitability, or lack of availability of, pitches. Importantly, the Plan rejects the DCLG definition of Gypsies and Travellers as outlined in PPTS August 2015 as leading to under-estimations of accommodation need. Instead, it adopts a new definition based on cultural identity and which includes those Gypsy and Traveller families who have permanently ceased to travel (see below).

6.8 Policy H16 of the draft Plan states that:

- A. Boroughs should plan to meet the identified need for permanent Gypsy and Traveller pitches.
- B. As of the start of this Plan period, boroughs should use the following definition of 'Gypsies and Travellers' as a basis for assessing need:  
People with a cultural tradition of nomadism, a nomadic habit of life, or living in a caravan, whatever their race or origin, including:
  - 1) those who are currently travelling or living in a caravan
  - 2) those who currently live in bricks and mortar dwelling households whose existing accommodation is unsuitable for them by virtue of their cultural preference not to live in bricks and mortar accommodation
  - 3) those who, on grounds of their own or their family's or dependants' educational or health needs or old age, have ceased to travel temporarily or permanently.
- C. Boroughs that have not undertaken needs assessment since 2008 should identify need by either:
  - 1) undertake undertaking a Gypsy and Traveller accommodation needs assessment within the first two years of this Plan period using the definition for Gypsies and Travellers set out above; or
  - 2) use the figure of need for Gypsy and Traveller accommodation provided in Table 4.5<sup>25</sup>
- D. Boroughs that have undertaken a needs assessment since 2008 should update this based on the definition set out above as part of their Development Plan review process.
- E. Boroughs should undertake an audit of existing local authority provided Gypsy and Traveller sites and pitches, working with residents occupying these, identifying:
  - 1) areas of overcrowding
  - 2) areas of potential extra capacity within existing sites

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<sup>25</sup> The draft Plan does not contain a Table 4.5. However, Table 4.4 shows the midpoint 2007-2017 accommodation need figures derived from the 2008 London GTAA. The mid-point figure for Merton is 10 additional pitches.

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- 3) pitches in need of refurbishment and/ or provision of enhanced infrastructure (including utilities, open space and landscaping).

Boroughs should plan to address issues identified in the audits.

- F. Boroughs should actively plan to protect existing Gypsy and Traveller and Travelling Showpeople or circus people pitch or plot capacity, and this should be taken into account when considering new residential developments to ensure inclusive, balanced and cohesive communities are created

(London draft Plan, August 2018 p.59)

- 6.9 The accommodation needs calculations undertaken as part of this GTAA were based on analysis of both secondary data and primary surveys with Gypsies and Travellers. There are no known Showpeople living on a yard or in need of accommodation in the Merton Council area, so this GTAA focuses on the needs of Gypsies and Travellers.
- 6.10 In March 2016 the then Department of Communities and Local Government (DCLG) published its draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats. It states that when considering the need for caravans and houseboats local authorities will need to include the needs of a variety of residents in differing circumstances including, for example caravan and houseboat dwelling households and households residing in bricks and mortar dwelling households.
- 6.11 The Housing and Planning Act, which gained Royal Assent on 12 May 2016, deletes sections 225 and 226 of the Housing Act 2004, which previously identified 'gypsies and travellers' as requiring specific assessment for their accommodation needs when carrying out reviews of housing needs. Instead, the Act amends section 8 of the Housing Act 1985 governing the assessment of accommodation needs to include all people residing in or resorting to the district in caravans or houseboats. However, for planning purposes, as noted above, the DCLG Planning Policy for Traveller Sites (August 2015) still requires local authorities to identify the accommodation needs of Gypsies, Travellers and Travelling Showpeople.

### **Accommodation need**

- 6.12 As discussed above and in previous chapters there are differing approaches to who constitutes a Gypsy and Traveller in planning perms. As such, Table 6.1 provides three needs figures: first, one based on DLP identity definition; second based on the needs of families who have *not* permanently ceased to travel (i.e. based on the PPTS 2015 definition), and the third based on the travelling for work purposes interpretation of the PPTS 2015.
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- 6.13 As there are no known Travelling Showpeople in the area nor any who have registered an interest in moving into the area, there is no need for Travelling Showpeople plots. Table 6.1 summarises the results from Chapter 5:

Period	2019-2024	2024-2029	2029-2034	Total
DLP	6	0	0	6
PPTS	0	0	0	0
Work	0	0	0	0

Source: GTAA 2019

- 6.14 In relation to Gypsies and Travellers, the main drivers of need are from 'hidden' (or 'concealed' families and psychological aversion of households living in bricks and mortar accommodation. With the exception of the DLP based need within the first five years, the accommodation need arising over the 15 years is all counterbalanced by additional supply emerging over the 15 years (including vacant pitches and pitches becoming vacant due to mortality). With the exception of the need of 6 based on DLP definition, there is no additional need for the local authority to address.

### Facilitating new provision

- 6.15 A key issue remains the facilitation of new sites. Over the last 50 years all provision within the study area consisted of the existing local authority owned site. Most households on the Brickfield Road site stated that they would prefer to reside on small family sites.
- 6.16 Nationally, it is difficult to determine the extent to which new sites provided in the last 10 years are privately or publically owned as there are no national records. The January 2018 DCLG Count shows that around a third of Gypsy and Traveller caravans were residing on social rented sites, whilst the remaining two thirds were residing on privately owned sites. Interestingly, this compares with the January 2010 DCLG Count which indicated that just under half of Gypsy and Traveller caravans were residing on social rented sites, whilst the remaining half were residing on privately owned sites. This suggests either that the provision of new social rented pitches has not kept pace with demand and/or that Gypsy and Traveller households prefer to reside on privately owned sites.
- 6.17 Each DCLG Count provides details of all new local authority and Private Registered Provider sites opened since 1934 (although 38 sites are undated). In total, 28 local authority and Private Registered Provider sites have opened since 2010. The 28 new sites provide a total of 282 permanent pitches and 33 transit pitches able to accommodate 517 caravans.
- 6.18 Some Gypsy and Traveller sites are owned or managed by housing associations. Although DCLG data does not distinguish between local authority and housing association

owed/managed social rented sites, the January 2017 Count indicates that there are a total of 268 local authority sites or schemes owned and/or managed by local authorities or private registered providers.

- 6.19 Although the Homes and Communities Agency (HCA) (now 'Homes England') allocated £3m for the provision of new and improved sites within the 'East and South East' area for the period 2011-15, none of this funding was allocated to the study area. Also, the HCA's 2015-18 Affordable Homes Programme (AHP) which included funds for new sites or pitches is now closed.
- 6.20 Analysis of the most recent HCA figures (September 2016) indicate that 2 new sites were funded by the AHP including a new site of 22 pitches in Darlington, and a new site of 22 pitches in Harlow. However, at £2.4m the combined funding for the 2 new sites represents only a small proportion of the total AHP funding of the £527m already allocated for new affordable homes. Given the above, it may be difficult for study area local authorities to gain central government funding for new sites.
- 6.21 As with other accommodation needs assessments undertaken by *RRR Consultancy Ltd*, this assessment concludes that most Gypsy and Traveller families would prefer to reside on privately-owned family-sized sites, and that those who are unable to purchase land would still prefer to live on small sites.
- 6.22 The difference between potential local public and private provision is due to several factors. One factor is that, as acknowledged by stakeholders (see Chapter 4), the development process including the acquisition of land is too expensive for most Gypsy and Traveller families, and the perceived complexity of the planning process can also a potential barrier. Another factor is that there has been a lack of finance for the development of publically owned sites for a number of years. Given current financial constraints on public expenditure, it is unlikely that this situation will change significantly in coming years.
- 6.23 This GTAA recommends that the local authority support and guide potential site developers through the planning application process from beginning to end. This could include contacting households who have previously displayed an interest in developing a new site but have not progressed to the planning application stage.
- 6.24 The local authority could consider helping to meet the needs of households unable to afford to own a site by renting or leasing small parcels of local authority owned land to them and assisting with planning applications and site development. Occupying families could be granted the option to wholly purchase the site at a later date.
- 6.25 The local authority could also consider sites developed on a cooperative basis, shared ownership, or small sites owned by a local authority, but rented to an extended Gypsy or Traveller family for their own use. These options might involve the families carrying out
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physical development of the site (self-build) with the land owner providing the land on affordable terms. Local councils might develop such initiatives or in partnership with Registered Providers. Local authorities could jointly examine their Strategic Housing Land Availability Assessments (SHLAAs) or Housing and Economic Land Availability Assessments (HELAAAs) to identify suitable locations.

6.26 For example, Bristol City Council (2009) considered various options for facilitating new sites including: only purchasing land for self-build projects; purchasing land and providing infrastructure such as drains and electricity supply and/or making finance available for materials; providing pre-built pitches which are available to buy using shared- or part-ownership options<sup>26</sup>.

- Another example is South Somerset District Council which has been exploring, in consultation with local travellers, ideas such as: site acquisition funds; loans for private site provision through Community Development Financial Institutions; and joint ventures with members of the Gypsy and Traveller community<sup>27</sup>.
- As most of the need stems from psychological aversion to living in bricks and mortar, the council should also consider working with those living in houses and seeing how they can best help counteract this aversion, and review how and where they house Gypsies and Travellers into housing. Whilst looking into additional pitches (either through private or local authority provision), the council and other organisations need to review the type of housing and the needs of those living in bricks and mortar in order to minimise the psychological aversion and isolation.

## Managing Gypsy and Traveller sites

6.27 The Joseph Rowntree Foundation (JRF) (2016) undertook research on managing and delivering Gypsy and Traveller sites. Its case studies identified a variety of management approaches including:

1. Local authority owned and managed.
2. Arm's Length Management Organisation<sup>28</sup> (ALMO) or national housing association managed.
3. Local housing association managed.

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<sup>26</sup> For discussion of the benefits of community land trusts in relation to Gypsies and Travellers see: <http://www.gypsy-traveller.org/where-you-live-2/community-land-trusts/>

<sup>27</sup> *A Big or Divided Society?* Interim Recommendations and Report of the Panel Review into the Impact of the Localism Bill and Coalition Government Policy on Gypsies and Travellers.

<sup>28</sup> A not-for-profit company that provides housing services on behalf of a local authority.

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6.28 Within the above three management approaches there are further typologies:

- a. A non-Gypsy/Traveller direct employee visits the site to undertake any management duties required.
- b. A Gypsy/Traveller direct employee who is non-resident on any of the sites visits them to undertake any management duties required.
- c. A Gypsy/Traveller site resident is employed by the organisation to undertake some management duties on that site and possibly other nearby sites. Site residents may refer to this role as a 'warden'.
- d. Multi-agency unit managed – normally this is led by a county council in an area and includes police, health and education officers in the team.
- e. Housing association proactively building and managing sites in an area.
- f. Private Gypsy/Traveller organisation managing sites on a lease agreement.
- g. Private Gypsy/Traveller managing sites acquired from council divesting stock.

6.29 Importantly, the report states that sites were most likely be developed and better managed where a 'grasp the nettle' culture had been adopted i.e. where officers, politicians and Gypsies and Travellers were engaged in attempting to meet ongoing need for site provision (p.17). The report concludes by making 12 key recommendations to housing bodies, local authorities and government agencies:

- Recognise that site provision is the key to resolving continuous unauthorised encampments in an area.
  - Where sites are not already in existence, consider 'negotiated stopping', rather than eviction, as a more resource-efficient and humane approach to unauthorised encampments.
  - Understand unauthorised encampments and lack of permanent sites as housing issues reflecting unmet accommodation needs.
  - Have robust Gypsy and Traveller Accommodation Assessment data based on open channels of communication with residents.
  - Identify sites in Local Plans and consult with Gypsies, Travellers and other residents on location of sites.
  - Encourage elected members to play a key role in leading local debates on managing and delivering sites, supported through training and by national political leadership.
  - Recognise a duty to promote equality in this area and challenge discriminatory discourse about Gypsies and Travellers as part of this.
  - Plan for a mixture of tenure, size and location for new Gypsy and Traveller sites, as with general housing stock.
  - Bring in Gypsy and Traveller accommodation alongside other social housing, in terms of policies, administration and standards of management.
  - Recognise that a well-run site will not cost money in the long term (income can cover costs) but capital funding is needed initially to support delivery.
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- See information sharing as key to good management: inefficiencies occur when lines of accountability between departments and agencies are blurred.
- Pay careful consideration to future management and ownership issues when undertaking reviews of local authority sites.

### **The location of new provision**

- 6.30 The accommodation need within the first 5 years will be met by the two currently vacant pitches on the site and the two pitches as they become vacant through mortality. The remaining accommodation need based on the DLP could be met by Gypsies and Travellers applying for planning permission for private sites and pitches, or by the local authority, notwithstanding constraints such as a lack of adjacent land, expanding the capacity of the current site. Revisions to the site would enable it to accommodate some of the identified need although this would require the council undertaking a technical feasibility study. As the council allocate pitches based on a waiting list, it is recommended that the local authority encourages households who may have accommodation need to ensure that they are registered on the waiting list and that the council have up-to-date contact details.
- 6.31 Another option is for the Council to lease small parcels of local authority owned land to households for them to develop their own sites with the option of purchasing the land in the long-term. Stakeholder and Gypsy and Traveller household comments suggested that smaller sites are preferred by Gypsy and Traveller households due to better management and maintenance of sites and feeling safer. Ongoing monitoring of site provision and vacancies should be undertaken by the local authority alongside discussions with Gypsies and Travellers, to ensure that any additional need that may arise is identified. The precise location (along with design and facilities) will need to be drawn up in consultation with Gypsies and Travellers to ensure that any extra provision meets their needs.
- 6.32 Ensuring that new sites are located in a safe environment is important although the impact of land costs on determining feasibility must also be considered. The settled community neighbouring the sites should also be involved in any consultation from an early stage. There may be scope for expanding existing sites to meet some arising need. However, in relation to Gypsies and Travellers, the preference is for smaller sites which tend to be easier to manage.
- 6.33 In terms of identifying broad locations for new permanent sites, there are a number of factors which could be considered including:

#### *Costs*

- How do land costs impact on feasibility i.e. is it affordable?
  - Implementation of services – is it possible for the new site to connect to nearby mains services e.g. electricity, gas, water or sewerage?
  - Can good drainage be ensured on the new provision?
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### *Social*

- Does the proposed location of the new provision lie within a reasonable distance of school catchment areas?
- Sustainability – is the proposed location close to existing bus routes?
- Proximity of social and leisure services – is the proposed location close to leisure facilities such as sports centres, cinemas etc. or welfare services such as health and social services etc.

### *Availability*

- Who owns the land and are they willing to sell / rent?
- Is access easy or will easements across other land be needed both for residents and services/utilities?
- Are utilities close enough to service the provision at realistic prices?

### *Deliverability*

- Does the proposed location meet existing general planning policy in terms of residential use, for example in relation to flooding and the historic environment)?
- Can the owner sell the land easily and quickly?
- Can utilities connect to the proposed provision?
- Can highways connect to the proposed provision?

6.34 Considering the evidence gathered throughout the GTAA, it is likely that the key factors determining new provision in the study area are:

- The affordability of land suitable for the development of new sites and the cost of development
- The need to ensure that new provision are within reasonable travelling distance of social, welfare and cultural services
- The need to carefully consider the proximity of new provisions to existing provisions i.e. whether social tensions might arise if new provisions are located too close to existing provisions
- The sustainability of new provisions i.e. ensuring that they do not detrimentally impact on the local environment and do not place undue pressure on the local infrastructure

6.35 It is important that new provisions are located close to amenities such as shops, schools and health facilities and have good transport links. DCLG (2015) guidance suggests that local planning authorities should strictly limit new Gypsy and Traveller site development in the open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

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6.36 It also states that when considering applications, local planning authorities should attach weight to the following matters:

- a. effective use of previously developed (brownfield), untidy or derelict land
- b. sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c. promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d. not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

6.37 In some instances it may be necessary for the identified need to be met outside of the local authority where it arises, and local planning authorities should work together under the Duty to Co-operate where this is the case.

### **The size of new provision**

6.38 DCLG (2008) guidance states that there is no one-size-fits-all measurement of a pitch as, in the case of the settled community, this depends on the size of individual families and their particular needs. However, they do suggest that as a general guide, it is possible to specify that an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan, (or two trailers, drying space for clothes, a lockable shed for bicycles, wheelchair storage etc.), parking space for two vehicles and a small garden area.

6.39 A small family site may provide around 4 pitches (although the actual number of pitches would be determined by the size of the household). Rather than borders being demarcated by fences, some small family sites are 'open plan' i.e. without borders. This affords flexibility in terms of the location and size of pitches. The site would require a shared utility block of sufficient size for the whole family. It would also require space for static caravans, touring caravans, drying space for clothes, a lockable shed for storage, and shared parking spaces.

6.40 Based on previous and current DCLG guidance, it can be determined that a pitch of approximately 325 square metres would take into account all minimum separation distance guidance between caravans and pitch boundaries as stipulated in guidance and safety regulations for caravan development. A pitch size of at least 500 square metres would comfortably accommodate the following on-pitch facilities:

- Hard standing for a touring caravan (enabling households to travel)
  - Hard standing for a static caravan (including double static trailers)
-

- 2 car parking spaces
- 1 amenity block
- Hard standing for storage shed and drying
- Garden/amenity area

6.41 If granting permission on an open plan basis, permission should be given on a pitch by pitch equivalent basis to the above. For example, an existing pitch which has enough space to accommodate a chalet structure, 2 touring caravans and 1 – 2 static caravans along with 4 parking spaces, 2 blocks etc., could be counted as 2 pitches even if based on an open plan basis on one structured pitch. However, this would need to be recorded for future monitoring.

### **Transit provision**

6.42 We recommend that the local authority sets up a negotiated stopping places policy. The term 'negotiated stopping' is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent 'built' transit sites but negotiated arrangements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period, with the provision of limited services such as water, waste disposal and toilets to be made accessible for the duration of the stay. This could include portable provisions such as waste disposal facilities provided for an agreed period of time. The arrangement is between the local authority and the (temporary) residents. This could lead to fewer unauthorised encampments which adversely impact on the local community.

### **Summary**

6.43 There is an overall accommodation need in Merton over the next fifteen years for 6 (DLP definition) or 0 (PPTS 2015 definition) residential pitches. It is recommended that Merton Council has a corporate policy in place to address negotiated stopping places for small scale transient encampments, and that it works with neighbouring authorities to determine the location and size of new transit provision.

6.44 The policy process that follows on from this research will also need to consider how the identified needs relating to Gypsies and Travellers, can be supported through the provision through vacant pitches on the site and support through the planning process through those in need.

6.45 As well as quantifying accommodation need, the study also makes recommendations on key issues including:

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*Planning policy:*

- For Merton Council to develop criteria and processes for determining the suitability of Gypsy and Traveller sites, as indicated above for including in emerging/future Local Plans.
- For the PPTS need (including work interpretation) to be met by the emerging additional supply on the existing site and for the additional DLP need to be considered over the next 15 year period.
- Implement corporate policy to provide negotiated stopping arrangements to address unauthorised encampments for set periods of time at agreed locations.

*General:*

- For Merton Council and Clarion Housing to jointly review the management and maintenance of the Brickfield Road site.
  - For the Council to consider applying to the London Mayor's 'Affordable Homes Programme' 2016-21 for funds to improve the Brickfield Road site.
  - The population size and demographics of all two community groups can change rapidly. As such, their accommodation needs should be reviewed every 5 to 7 years.
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# Glossary

**Amenity block**

A small permanent building on a pitch with bath/shower, WC, sink and (in some larger ones) space to eat and relax. Also known as an amenity shed or amenity block.

**Authorised site**

A site with planning permission for use as a Gypsy and Traveller site. It can be privately owned (often by a Gypsy or Traveller), leased or socially rented (owned by a council or registered provider).

**Average**

The term 'average' when used in this report is taken to be a mean value unless otherwise stated.

**Bedroom standard**

The bedroom standard is based on that which was used by the General Household Survey to determine the number of bedrooms required by families. For this study, a modified version of the bedroom standard was applied to Gypsies and Travellers living on sites to take into account that caravans or mobile homes may contain both bedroom and living spaces used for sleeping. The number of spaces for each accommodation unit is divided by two to provide an equivalent number of bedrooms. Accommodation needs were then determined by comparing the number (and age) of family members with the number of bedroom spaces available.

**Bricks and mortar accommodation**

Permanent housing of the settled community, as distinguished from sites.

**Caravan**

Defined by Section 29 (1) of the Caravan Sites and Control of Development Act 1960 a caravan as:

"... any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted."

**Concealed household**

A household or family unit that currently lives within another household or family unit but has a preference to live independently and is unable to access appropriate accommodation (on sites or in housing).

**Doubling up**

More than one family unit sharing a single pitch.

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### **Emergency stopping places**

Emergency stopping places are pieces of land in temporary use as authorised short-term (less than 28 days) stopping places for all travelling communities. They may not require planning permission if they are in use for fewer than 28 days in a year. The requirements for emergency stopping places reflect the fact that the site will only be used for a proportion of the year and that individual households will normally only stay on the site for a few days.

### **Family Owner Occupied Gypsy Site**

Family sites are seen as the ideal by many Gypsies and Travellers in England. They are also often seen as unattainable. There are two major obstacles: money/affordability and getting the necessary planning permission and site licence. While the former is clearly a real barrier to many less well-off Gypsies and Travellers, getting planning permission for use of land as a Gypsy caravan site (and a 'site' in this context could be a single caravan) is currently a major constraint on realising aspirations among those who could afford to buy and develop a family site.

### **Family unit**

The definition of 'family unit' is used flexibly. The survey assumes that a pitch is occupied by a single household or family unit although it acknowledges that this may also include e.g. extended family members or hidden households.

### **Gypsy**

Member of one of the main groups of Gypsies and Travellers in Britain. In this report it is used to describe English (Romany) Gypsies, Scottish Travellers and Welsh Travellers. English Gypsies were recognised as an ethnic group in 1988.

### **Gypsy and Traveller**

As defined by DCLG Planning Policy for Traveller Sites (August 2015):

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

The DCLG guidance also states that in determining whether persons are "gypsies and travellers" for the purposes of planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life
  - b) the reasons for ceasing their nomadic habit of life
  - c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.
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The following are the three definitions adopted for this GTAA

PPTS Definition: This directly relates to people meeting (or not) the PPTS definition (above)

Work Interpretation: This is based on the PPTS definition, but narrows down the purpose of travel solely to whether or not the household travels and stays overnight in their caravan for work purposes.

Draft London Plan (DLP) Definition: This incorporates all people who meet the ethnic definition of being a Gypsy or Traveller irrespective of the type of travelling or level of travelling in a caravan. The DLP is as follows:

People with a cultural tradition of nomadism, a nomadic habit of life, or living in a caravan, whatever their race or origin, including:

- 1) those who are currently travelling or living in a caravan
- 2) those who currently live in bricks and mortar dwelling households whose existing accommodation is unsuitable for them by virtue of their cultural preference not to live in bricks and mortar accommodation
- 3) those who, on grounds of their own or their family's or dependants' educational or health needs or old age, have ceased to travel temporarily or permanently

### **Household**

The definition of 'household' is used flexibly. The survey assumes that a pitch is occupied by a single household or family unit although it acknowledges that this may also include e.g. extended family members or hidden households.

### **Irish Traveller**

Member of one of the main groups of Gypsies and Travellers in Britain. Distinct from Gypsies but sharing a nomadic tradition, Irish Travellers were recognised as an ethnic group in England in 2000.

### **Local Authority Sites**

The majority of local authority sites are designed for permanent residential use. The latest published Traveller Caravan Count undertaken in January 2017 suggests that there are a total of 5,850 permanent local authority and private registered provider pitches capable of housing 9,557 caravans.

### **Local Development Documents (LDD)**

Local Plans and other documents that contain planning policies and are subject to external examination by an Inspector. It is important to note that Supplementary Planning Documents (SPDs) contain guidance are not subject to Examination. Planning applications are determined in

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relation to an adopted Development Plan which contains documents found to be sound at an External Examination.

### **Negotiated Stopping**

The term 'negotiated stopping' is used to describe agreed short term provision for Gypsy and Traveller caravans. It does not describe permanent 'built' transit sites but negotiated arrangements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. The arrangement is between the local authority and the (temporary) residents.

### **Net need**

The difference between need and the expected supply of available pitches (e.g. from the re-letting of existing socially rented pitches or from new sites being built).

### **New Traveller** (formerly 'New Age Traveller')

Members of the settled community who have chosen a nomadic or semi-nomadic lifestyle. The first wave of New Travellers began in the 1970s and were associated with youth culture and 'new age' ideals. They now comprise a diverse range of people who seek an alternative lifestyle for differing reasons including personal or political convictions. Economic activities include making hand-made goods that are sold at fairs.

### **Newly forming families**

Families living as part of another family unit of which they are neither the head nor the partner of the head and who need to live in their own separate accommodation, and/or are intending to move to separate accommodation, rather than continuing to live with their 'host' family unit.

### **Overcrowding**

An overcrowded dwelling is one which is below the bedroom standard. (See 'Bedroom Standard' above).

### **Permanent residential site**

A site intended for long-stay use by residents. They have no maximum length of stay but often constraints on travelling away from the site.

### **Pitch**

Area on a site developed for a family unit to live. On socially rented sites, the area let to a tenant for stationing caravans and other vehicles.

### **Plot**

Area on a yard for Travelling Showpeople to live. As well as dwelling units, Travelling Showpeople often keep their commercial equipment on a plot.

### **Primary data**

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Information that is collected from a bespoke data collection exercise (e.g. surveys, focus groups or interviews) and analysed to produce a new set of findings.

### **Private rented pitches**

Pitches on sites which are rented on a commercial basis to other Gypsies and Travellers. The actual pitches tend to be less clearly defined than on socially rented sites.

### **Psychological aversion**

An aversion to living in bricks and mortar accommodation. Symptoms can include: feelings of depression, stress, sensory deprivation, feeling trapped, feeling cut off from social contact, a sense of dislocation with the past, feelings of claustrophobia. Proven psychological aversion to living in bricks and mortar accommodation is one factor used to determine accommodation need.

### **Secondary data**

Existing information that someone else has collected. Data from administrative systems and some research projects are made available for others to summarise and analyse for their own purposes (e.g. Traveller Caravan Count).

### **Settled community**

Used to refer to non-Gypsies and Travellers who live in housing.

### **Site**

An area of land laid out and/or used for Gypsy and Traveller caravans for residential occupation, which can be authorised (have planning permission) or unauthorised. Sites can be self-owned by a Gypsy and Traveller resident, or rented from a private or social landlord. Sites vary in type and size and can range from one-caravan private family sites on Gypsies' and Travellers' own land, through to large local authority sites. Authorised private sites (those with planning permission) can be small, family-run, or larger, privately-owned rented sites.

### **Socially rented site**

A Gypsy and Traveller site owned by a council or private Registered Provider. Similar to social rented houses, rents are subsidised and offers at below private market levels.

### **Tolerated**

An unauthorised development or encampment may be tolerated by the local authority meaning that no enforcement action is currently being taken.

### **Transit site/pitch**

This is the authorised encampment option for Gypsies and Travellers travelling in their caravans and in need of temporary accommodation while away from 'home'. Transit sites are sometimes used on a more long-term basis by families unable to find suitable permanent accommodation

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### **Travelling Showpeople**

People who organise circuses and fairgrounds and who live on yards when not travelling between locations. Most Travelling Showpeople are members of the Showmen's Guild of Great Britain.

### **Unauthorised development**

Unauthorised developments include situations where the land is owned by the occupier, or the occupier has the consent of the owner (e.g. is tolerated /no trespass has occurred), but where relevant planning permission has not been granted.

### **Unauthorised encampment**

Unauthorised encampments include situations where the land is not owned by the occupier, the land is being occupied without the owner's consent, and as such a trespass has occurred. An encampment can include one or more vehicles, caravans or trailers.

### **Unauthorised site**

Land occupied by Gypsies and Travellers without the appropriate planning or other permissions. The term includes both unauthorised development and unauthorised encampment.

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