



# Evidence of Local Needs and Historic Demand for Gypsy and Traveller Sites in Warwick District

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Report by Planning Policy and Housing Strategy teams at Warwick District Council

**April 2011**

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## **1 Introduction:**

- 1.1 This report outlines the evidence of local need and historic demand for gypsy and traveller sites using data gathered by the district council and other bodies. There is no current provision for gypsies and travellers in the District. The information in this report updates the Gypsy and Traveller Accommodation Assessment 2008 (GTAA) and reflects the latest government guidance.

## **2 Definition:**

- 2.1 Circular 01/2006 defined gypsies and travellers as 'Persons of nomadic habit whatever their race or origin, including such persons who on grounds only of their own or their family's or dependant' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such'

## **3 Context:**

- 3.1 Circular 01/2006 provided guidance on the planning aspects of finding sustainable sites for Gypsies and Travellers and how local authorities and Gypsies and Travellers can work together to achieve this aim. On 9 November 2010, the Secretary of State announced that the policies in this circular are regarded as flawed and the circular will be revoked.
- 3.2 In March 2008 the South Housing Market Area of the West Midlands Region published its GTAA. In the report it was noted that Warwick District has no permanent sites, authorised or unauthorised; private or council owned. Interviews with groups travelling through the district at that time resulted in a perceived need for 11 permanent pitches and 15 temporary stopping places. Based on the limited evidence gathered by the GTAA, the conclusions were not robust and therefore, the figures unreliable.
- 3.3 The adopted West Midlands Regional Spatial Strategy (RSS) required that 'development plans should ensure that adequate provision is made for suitable sites to accommodate gypsies and other travellers. Such provision should reflect the order of demand in the area as indicated by trends shown by the ODPM annual count and any additional local information' [Policy CF5(f)].
- 3.4 On 6 July 2010 the new coalition government revoked the Regional Spatial Strategy. In revoking the RSS, the Secretary of State confirmed that "local authorities will be responsible for determining the right level of site provision, reflecting local need and historic demand" and will not be bound by GTAAs, although these could be utilised as a starting point.
- 3.5 Following the judgement in the Cala Homes case in the High Court which considered that there were no powers of revocation available to the government, the Secretary of State wrote to Local Planning Authorities

informing them of the government's intention to abolish Regional Strategies through the Localism Bill and that they were expected to have regard to this as a material consideration in planning decisions. This will return decision making powers in housing and planning to the local authorities. The DCLG chief planner directed local authorities that they should therefore pay due regard to the Secretary of State's intention to abolish the RSS when making planning decisions.

- 3.6 On 7 February 2011 the High Court agreed that the intended scrapping of Regional Spatial Strategies is a 'material consideration' which can be considered when local planning authorities and planning inspectors make decisions.
- 3.7 On 13 April 2011, the government issued a consultation document entitled 'Planning for Traveller Sites'. The statement sets out the government's intention to enable local planning authorities to:
- make their own assessment of need
  - use that assessment to set their own targets for provision
  - protect the green belt from development
  - reduce the number of unauthorised developments and make enforcement more effective, and
  - reduce tension between settled and traveller communities in relation to the planning system
- 3.8 Following the principle established by the High Court in the Cala Homes case, on 7 February 2011, this document should have weight attached to it as it represents intended government policy.

#### **4. Methodology:**

- 4.1 In order to assess need and historic demand, data has been gathered to assist in identifying what genuine need there may be for gypsy and traveller sites. The data has been supplied by the police, the county council and from the district council's own records of unauthorised encampments in the district. The details are appended to this report as a table of events, however they can be summarised as follows:

## 5. Results:

**Table showing days spent in district on unauthorised sites, numbers of vans and numbers of those involved in organised events, by year**

Year	No of encampments	Average no of days (per visit) spent in district	Total no of vans visiting district	% of no of encampments in district at organised events*	Total vans in district at organised events*
<b>2007 (from March)</b>	5	6.2 (including at organised events*)	38	4	10
<b>2008</b>	18	11.8 (including at organised events*)	169	12	11
<b>2009</b>	20	5 (including at organised events*)	139	32	45
<b>2010</b>	24	5.1 (including at organised events*)	273	21	103

\*Organised events = Kenilworth Horse Fair, Religious Festivals and Weddings

5.1 Official Government counts of gypsy and traveller caravans (CLG Jan 2009) indicate that between January 2007 and January 2009 there were no authorised or unauthorised caravans in Warwick District. At the July 2010 count, there were:

- 16 caravans on sites owned by Gypsies and not tolerated (Beausale)
- 8 caravans on sites not owned by Gypsies and not tolerated (these were passing through the district).

The January 2011 count included travelling show people for the first time. The results for the count were:

- Privately funded Gypsy/Traveller & Travelling Show People sites with temporary planning permission, one site with 5 caravans.
- Unauthorised Gypsy/Traveller and Travelling Show People sites without planning permission on Gypsies/Travellers and Travelling Show Peoples own land (unauthorised development), one site with 16 caravans (Beausale).
- There were no unauthorised encampments.

5.2 The above figures demonstrate that, even when organised events are included, the average number of days spent in the district is low. The average number of days per visit overall is 6.2 and the average number of vans per encampment at any time is 8.7. The figures represent those gypsies and travellers who spent time on unauthorised sites (i.e. not within the curtilage of the organised event) and moved voluntarily, were removed by police, court order or private action. It should be noted that

these figures show the recorded encampments as reported to public authorities and although believed to be comprehensive, may not be exhaustive.

- 5.3 All gypsies and travellers recorded were transitory and either moving from one part of the country to another, visiting family locally or attending an organised event, after which they left the district.
- 5.4 If organised events are removed from these figures the average numbers of days spent in the district and the number of vans, diminishes further:

**Table showing average number of days per visit and the average number of vans, excluding those at organised events**

Year	Average number of days (per visit)	Average number of vans
<b>2007 (from March)</b>	4.4	5.6
<b>2008</b>	6.3	3.2
<b>2009</b>	3.2	4.7
<b>2010</b>	4.0	7.4

- 5.5 The district council's own records comprise questionnaires completed or partially completed by gypsy and traveller groups when they arrived in the district. Since February 2008, eight such questionnaires, all from Irish travellers, have been collected. It is very difficult to get them completed since there is reluctance on the part of the travelling community to give information and distrust of council representatives. Information is also difficult to obtain for each of the families or individuals travelling together and sometimes one person will answer on behalf of the entire group. The questions posed assess the welfare needs of the individual, but some questions are pertinent to their more general needs. One of the questions asked relates to the desirability of a permanent site and where this would best be located for this specific group of travellers. The responses are recorded in the following table:

**Table showing responses to welfare questionnaires:**

Response number	Would like 'bricks and mortar' accommodation	Permanent or temporary site preferred	Preferred location	Length of stay required on temporary site
1	No	Permanent	No preference	
2	No	Temporary	No preference	2-4 months
3	No	Temporary	Anywhere	1 week
4	No	Temporary	Rural anywhere	
5	No	Applied elsewhere	Applied elsewhere	
6	No	Temporary	No preference	6 weeks
7	No	Transit	Coventry	3-4 weeks
8	No	Permanent	Anywhere	Winter only

- 5.6 Advice obtained from the Gypsy and Traveller Officer at Warwickshire County Council based on the above information, indicates that a transient site would need to be made available, of an adequate size for ten vans to ensure that there would be sufficient space to accommodate a figure higher than the average number of vans recorded historically in the district at any one time.

## **6. Assessing 'Hidden Need' in bricks and mortar:**

- 6.1 In November 2010, a profiling questionnaire was sent to all 5600 Warwick District Council tenants that contained a question on ethnicity. There has been a 33% return rate in which three people state that they have a gypsy and traveller background. None of these respondents have approached the council requesting a permanent gypsy and traveller site or stated that they would prefer not to be housed in bricks and mortar.
- 6.2 All residential social landlords with property in the district have also been approached with a view to establishing 'hidden need'. The response has been that none of their tenants claim gypsy and traveller backgrounds and there is therefore no 'hidden need' amongst their tenants.

## **7. Conclusions:**

- 7.1 From the data collected, it can be concluded that demand is low and transitory in nature. Even given the highest average number of days spent in the district this is no higher than 12 days. The average number of vans per visit is less than 9. To ensure that a site is provided of sufficient size to accommodate more than this average and accommodate the majority of encampments, it is concluded that there is a need for a transitory site to accommodate 15 vans. It is not considered necessary to accommodate the highest number of vans that has been recorded as these are extreme events and not a regular occurrence.

APPENDIX 1 – Table showing Gypsy and Traveller Movement in the District 2007 - current

Location or parish	Grid Ref.	Land Owner	Ethnic group	No. of vans	Date of arrival	Date of departure	Type of departure (voluntary, court order, eviction etc)	Comments
Spartan Close	431330E 263824N	WCC	Irish	8	15.3.07	28.3.07	Police Road Traffic Act	
Rock Farm Lane Baginton	435059E 273920N	CCC	Irish	12	15.5.07	21.5.07	voluntary	
Delphi Close	431415E 263698N	WCC	Irish	8	14.9.07	16.9.07	voluntary	One group moving within the district
Cannons Health Club	430785E 263512N	Private	Irish	8	16.9.07	17.9.07	Private action	
St Nicholas Park	428706E 264953N	WDC	Irish	10	27.9.07	28.9.07	Police S.61 notices	Parked on the main car park. Kenilworth Horse fair 29.7.07
Spartan/Delphi Close	431330E 263824N	WCC	Irish	14	17.12.07	2.1.08	voluntary	One group moving within the district, left before court date
Poseidon Way	431705E 263637N	WCC	Irish	14	2.1.08	9.1.08	WCC Court action	
Spartan/Delphi Close	431330E 263824N	WCC	Irish	9	6.2.08	17.2.08	WCC court order	One group moving within the district the group of 9 split into two groups of 6 & 3
Poseidon Way	431705E 263637N	WCC	Irish	9	17.2.08	27.2.08	WCC court order	
Titan Business Centre	431355E 263737N	Private	Irish	6	27.2.08	28.2.08	Private action	
Books for Students	430500E 263734N	Private	Irish	6	28.2.08	2.3.08	Private action	

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Titan Business Centre	431224E 263756N	Private	Irish	6	2.3.08	3.3.08	voluntary	
Heathcote Way	430655E 363986N	Private	Irish	6	3.3.08	5.3.08	Private action	
Heathcote Way	430656E 264021N	Private	Irish	6	5.3.08	21.3.08	Private action	
Books for Students	430500E 263734N	Private	Irish	3	22.3.08	25.3.08	Private action	
Heathcote Way	430656E 264021N	Private	Irish	3	25.3.08	28.3.08	Private action	
Macbeth Approach	430588E 263483N	Private	Irish	3	28.3.08	2.4.08	Private action	
Tournament Fields	426816E 263009N	Private	Irish	7	14.4.08	15.4.08	Private action	
Hampton Road	427163E 264165N	WDC	Irish	7	15.4.08	30.4.08	voluntary	One group moving within the district increased from 7 to 18 then split into two groups of 15 and 3. Kenilworth Horse Fair 27.4.08
Myton Fields	429094E 264165N	WDC	Irish	15	30.4.08	2.5.08	voluntary	
Queensway	431148E 264795N	Private	Irish	7	30.4.08	1.5.08	Private action	
Myton Fields	429094E 264165N	WDC	English	10	21.4.08	1.5.08	voluntary	Kenilworth Horse fair 27.4.08

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Leek Wootton	429315E 267766N	WDC	Irish	8	16.6.08	2.7.08	voluntary	
Delphi Close	431330E 263824N	WCC		6	27.6.08		WCC court action	Travellers left before court date
Abbey Fields Car park	272448N 428611E	WDC	Irish	7	22.7.08	30.7.09	WDC S77 Notices	One group moving around the district. Kenilworth Horse fair 27.7.08
The Holt Cubbington Road	267654N 432775E	WDC	Irish	7	30.7.08	31.7.08	voluntary	
Abbey Fields	428729E 272250N	WDC		50-80	24.7.08	27.7.08	voluntary	Travellers arriving for the Kenilworth Horse Fair
Delphi Close	431330E 263824N	WCC	Irish	7	7.8.08	14.7.08	WCC action	WCC commenced court proceedings
Budbrooke Road	426776E 265429N	Private	Irish	6	10.8.08	11.8.08	Private action	
Birmingham Road	432385E 273178N	Private	New Age	3	19.8.08	26.8.08	voluntary	
Delphi Close	431330E 263824N	WCC	Irish	11	3.9.08	18.9.08	WCC court action	
Warwick Racecourse	427712E 264878N	WDC	Irish	6	5.9.08	9.9.08	WDC letter	Travellers left prior to S61 notices & moved to Poseidon Way & left when notices issued
Poseidon Way	431705E 263637N	WCC	Irish	9	9.9.08	11.9.08	WCC action	

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Spartan/Delhi Close	431330E 263824N	WCC	Irish	26	1.1.09	14.1.09	WCC action	
A452 Leamington Rd	269774N 430497E	Private	English	2	23.4.09	24.4.09	voluntary	Moved to the horse fair
Abbey Fields	428729E 272250N	WDC	Irish	5	23.4.09	24.4.09	Police S.61 notices	Travellers arriving for the Kenilworth Horse Fair 26.4.09
Spartan/Delhi Close	431330E 263824N	WCC	Irish	10	30.4.09		WCC action	
Hawkes Drive		Private	Irish	4	5.6.09	18.6.09	Private action	
Spartan/Delphi Close	431330E 263824N	WCC	Irish	7	28.6.09	8.7.09	voluntary	
Spartan/Delphi Close	431330E 263824N	WCC	Irish	6	18.7.09	30.7.09	voluntary	Group increased to 17
Poseidon Way	431705E 263637N	WCC		6	22.7.09	23.7.09	voluntary	Attending the Kenilworth Horse Fair 26.7.09
Budbrooke Road	426776E 265429N	Private		4	22.7.09	25.7.09	voluntary	Attending the Horse fair? Increased to 5
Henley Road	422956E 264033N	WCC		1	23.7.09	24.7.09	voluntary	Attending a festival in Kenilworth
Leamington Rugby Club	431326E 269198N	Private		4	24.7.09	24.7.09	voluntary	Attending the Horse Fair?

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Queensway		WCC/Private		6	31.7.09	7.8.09	voluntary	Following Religious convention ending 31.7.09
Hampton Road	427163E 264165N	WDC	Irish	14	3.8.09	19.8.09	WDC Court action	Religious convention 27.7.09 to 31.7.09. One group moved within the district
Stratford Road, Warwick	427017E 262940N	Private	Irish	17	19.8.09	22.8.09	voluntary	
Spartan/Delphi Close	431330E 263824N	WCC		4	7.8.09	13.8.09	WCC action	
Leek Wootton		Private		8	13.8.09		voluntary	
Spartan/Delphi Close	431330E 263824N	WCC		11	14.9.09		WCC action	Left before court date
Spartan/Delphi Close	431330E 263824N	WCC		4	3.10.09		WCC action	Left before court date
Spartan/Delphi Close	431330E 263824N	WCC		3	14.10.09		WCC action	Left after visit
Spartan/Delphi Close	431330E 263824N	WCC	Irish	3	11.12.09	20.12.09	voluntary	Family have a place at Siskin Drive
Spartan/Delphi Close	431330E 263824N	WCC	Irish	15	13.1.10	21.1.10	voluntary	Moved off before WCC court date
Rock Farm Lane Baginton	435059E 273920N	CCC	Irish	20	01.05.10	04.06.10	Private action	Moved before court date.

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Spartan/Delphi Close	431330E 263824N	WCC	Irish	8	10.05.10	19.05.10	voluntary	Moved off before WCC court date
Queensway	431094E 264909N	Private	Irish	6	28.05.10	28.05.10	voluntary	Travellers agreed to move off Council park under threat of S61 notices
Macbeth Approach	430588E 263483N	Private	Irish	12	28.05.10	31.05.10	Private action	
Harbury Lane Sports Fields	432457E 262225N	WDC	Irish	10	31.05.10	09.06.10	WDC court action	Some moved to Spartan/Delphi Close
Spartan/Delphi Close	431330E 263824N	WCC	Irish	10	09.06.10		WCC action	
Spartan/Delphi Close	431330E 263824N	WCC	Irish	25	5.7.10		WCC	Attending a wedding
Harbury Lane Sports Fields	432457E 262225N	WDC	Irish	10	05.07.10	05.07.10	Police intervention	Prevented travellers access, attending a wedding
Poseidon Way	431705E 263637N	WCC	Irish	4	05.07.10	07.07.10	voluntary	Attending a wedding
Newbold Comyn	433370E 265810N	WDC	Irish	7	07.07.10	19.07.10	WDC court action	
Spartan /Delphi Close	431330E 263824N	WCC	Irish	4	7.7.10		WCC action	
Macbeth Approach	430588E 263483N	Private	Irish	30	15.07.10	19.07.10	Private action	Part of previous group from Harbury Lane, attending a wedding

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Macbeth Approach	430588E 263483N	Private	Irish	10	28.07.10	31.07.10	Private action	Attending a wedding
Leek Wootton B4115	429321E 267790N	Private	Welsh	6	04.08.10	09.08.10	voluntary	Private land
Juno Drive	431454E 264421N	Private	Irish	6	10.08.10	14.08.10	Private action	Part of group from Harbury Lane, moving within the district joined by others.
Heathcote Way	430610E 263810N	Private	Irish	6	14.08.10	18.08.10	Private action	
Spartan/Delphi Close	431330E 263824N	WCC	Irish	8	18.08.10	20.08.10	voluntary	
Hampton Road	427163E 264165N	WDC	Irish	12	15.09.10	27.09.10	WDC Court action	Group moved onto private land. Kenilworth Horse Fair 26.9.10
Stratford Road, Warwick	427207E 263173N	Private	Irish	12	27.09.10	01.10.10	Private action	
Spartan/Delphi Close	431330E 263824N	WCC	Irish	4	17.10.10	18.10.10	voluntary	
Spartan/Delphi Close	431330E 263824N	WCC		0	25.10.10	25.10.10		No caravans on site when visited
Spartan/Delphi Close	431330E 263824N	WCC	Irish	5	1.11.10		WCC Court action	Increased to 6
Titan Business Centre	431224E 263756N	Private	Irish	7	11.11.10	14.11.10	private action	Quinn family

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Spartan/Delphi Close	431330E 263824N	WCC	Irish		21.02.11	22.02.11	WCC/WDC visit	Torrens family on way back to Ireland
Spartan/Delphi Close	431330E 263824N	WCC	Irish	4	11.03.11	24.03.11	WCC court action	Increased from 4 to 7 to 12 caravans
Macbeth Approach	430588E 263483N	Private	Irish	10	19.03.11	21.03.11	Private action	Just travelling through
Spartan/Delphi Close	431330E 263824N	WCC	Irish	8	27.03.11	30.02.11	voluntary	

Updated to April 2011