

**APPENDIX 5 TO ITEM 7 OF THE GYPSY AND TRAVELLER
ADVISORY BOARD – 22 JULY 2009**

ITEM 4c

RSS Partial Review: Gypsy and Traveller Accommodation

Joint Member Steering Group: 13th July 2009

**Subject: South East Plan Review: Gypsies and Travellers: Transit Provision:
Consultation on Proposals submitted to Government by the Regional Planning
Body for the South East**

Summary

This note considers the issues raised in the Government's current public consultation on the proposals submitted by the South East England Partnership Board for approach to be taken to transit provision for gypsies and travellers

Introduction and Context

1. Government advice ¹ indicates that the South East Plan should provide district level allocations for transit spaces as well as permanent residential pitches. In October 2007 as part of the local authority advice submitted to SEERA, the Kent authorities submitted an agreed paper on the accommodation needs of transient Gypsies and Travellers (Appendix 1). In summary this indicated a possible need for transit site provision in the following areas:

- West Kent : Tonbridge & Malling (small site)
- North Kent : Dartford, (6- 8 vans in summer months)
Gravesham (6-8 vans in summer months)
Swale (12 to 15 caravans - all year)
- Sevenoaks (One facility – small to medium size site)
- East Kent : Canterbury (15 pitch site)
Dover (6 pitch site).

2. Consultation by the former regional assembly in 2008 noted the lack of a comprehensive set of transit need assessments and advice making it *'impossible to allocate transit pitch provision to individual council area level in a robust and consistent way'*. The question was raised as to whether the South East Plan should indicate only a general level of need and delegate final determination of need and location to councils working in consultation with Gypsy and Traveller communities.

3. In response to this consultation KCC commented:

- There was a need for 7 transit sites or stopping places in Kent

¹ Circular 01/2006

- In view of the incomplete set of transit need assessments and local authority advice for the region the allocation of pitch provision should be delegated to local authorities in consultation with the Gypsy and Traveller community
- Such provision would need to be reviewed in view of the volatility of the current number of encampments.

4. The proposals now submitted supports a delegated approach and recommends county based joint working to establish the level and form of provision required. To assist local authorities in this and to help address the current evidence gap the RPB has commissioned a regional study into transit movement patterns and ‘higher level’ evidence of need. Draft Policy H7 states that *‘local planning authorities will also be making appropriate provision in Local Development Documents for transit and temporary stopping purposes.’*

5. In the context of this proposed approach KCC’s Gypsy and Traveller Unit has carried a review of unauthorised encampment (UE) data from 2004 to 2008 to inform an updated assessment of transit requirements and the current region wide study. The background data is shown in Appendix 2.

Unauthorised Encampments (UEs) Data

3. Data for the period 2004-8 is incomplete for 2005/6 as no date for Medway is available for those years. Over the 5 years the number of UEs (not numbers of caravans) was as follows:

Year	UEs in Kent	UEs in Medway	Total
2004	129	48	177
2005	136	N/A	136 plus?
2006	141	N/A	141 plus?
2007	93	19	112
2008	111	14	125

Despite the data gaps a steadily reducing trend for Kent and Medway is evident - the combined Kent and Medway figure for 2008 is nearly 30% lower than the 2004 figure.

4. Main points to consider are:
- i. The number of unauthorised encampments (UEs) is not, in itself, a good indicator of demand, either for permanent residential sites or for transit sites, or both.
 - ii. If an encampment of, say, five caravans, is moved on three times within a month, then it will show in the data as three UEs. However, if the same encampment is allowed to stay for the month, it will show as one.
 - iii. For this reason the most telling data are the number of **caravan/days**. This is the number of caravans on an encampment multiplied by the number of days that each encampment remains. These are then added together, to give a very good idea of the volume and frequency of encampments in an area.

- iv. **Caravan/days** do not reflect the number of individuals or households involved in the encampment. There is no automatic relationship between households and caravan numbers and the same people may appear on different encampments over time, but clearly cannot appear at the same time on different encampments. The data cannot differentiate between these circumstances. However the data does indicate the usage that would be made of any facilities or sites for families in each local authority area not on legal sites, if that accommodation were provided and they could access it.
- v. Appendix 3 indicates that, in most areas of Kent the volume and frequency of encampment has reduced substantially.
- vi. The other relevant figure is the number of months (i.e. all or any part of a calendar month) during which encampments have been recorded in each area. This varies from during just one month in 2008 in Tunbridge Wells to 12 months in Medway in 2004.
- vii. The most recent data suggests that if fixed transit site were to be provided in those areas where the frequency and volume of encampment has reduced substantially, and if this lower demand were to continue sites would not be used for so long in the year by those on unauthorised encampments.
- viii. Another possibility is that provision of transit sites would lead to greater demand, including from other areas within Kent and Medway, and beyond. That is a further issue to consider, but there is little if any research data that indicates whether or not increased demand arises from site provision.

Conclusions

5. There is now a longer and improved time series of data on unauthorised encampment in Kent and Medway. Joint handling of data between local authorities and Kent Police within a single database, and with checking of data with all involved before publication, enables the most accurate data to be recorded. If there is subsequent evidence of unrecorded encampments the data can be updated.

6. The data, especially that for 2007/8 was not available when the original advice to SEERA on transit site needs was compiled (October 2007). The earlier Gypsy and Traveller Accommodation Assessments (GTAAs), in Sevenoaks and West Kent, which commenced in 2004 and 2005 respectively, did not take account of some of the 2005 and 2006 data on UEs.

7. Provisional conclusions from the data are that :

- a) the need for transit site facilities in certain Districts appears to be lower than previously indicated (Canterbury, Dartford, Dover, Gravesham)
- b) if the current managed encampment in Sittingbourne can continue, the numbers of unauthorised encampments will continue at a low level, and further transit provision may not be needed.
- c) In Medway there will be a continuing but reduced need for transit site accommodation if this is not met by residential provision.

- d) there may be a continuing need for transit site accommodation in Tonbridge & Malling Borough, but the lack of any unauthorised encampments in the area during 2009 suggests, at least, reduced demand, at least.
- e) there appears to be continuing need for a transit site in Sevenoaks District.

Recommendations

8. It is recommended that the JMSG agrees that:

- a) Fresh advice should be submitted in response to the current review of transit provision across the South East and this advice should reflect the latest data and indications of demand for transient provision in Kent and Medway;
- b) KCC clarifies either the definitions used in the October 2007 advice (large, medium, small sites), or the specific pitch needs for transient accommodation for each area so that the terminology is put on a more consistent basis;
- c) Before revised advice is confirmed further consideration be given to whether the needs identified reflect needs for permanent residential provision, transit provision or provision of temporary stopping-places, and the appropriate proportion of each;
- d) The proposal in the RSS review for county based joint working to establish the level and form of transit provision required be supported
- e) The response to consultation should emphasise that areas within the South East which have indicated they cannot assess transit site needs, should do so, if necessary by introducing proper collection and monitoring of UE data. Kent authorities should not meeting transient needs in Kent and Medway that other authorities in the South East are ignoring or failing to address in their areas.
- f) There should be close collaboration with the current regional exercise on transit needs commissioned by the RPB and with other authorities, within and outside the county, to set the context for county based provision.

Gypsy and Traveller Unit
Kent County Council

On behalf of the Kent Authorities RSS Review Officer Working Group

Background Documents

Partial Review of the Regional Spatial Strategy for the South East: Provision for Gypsies, Travellers and Travelling Showpeople: Recommendations for new policy H7
June 2009.

APPENDIX 1

(Extract from October 2007 Kent and Medway advice, relating to transit sites)

Section 8: Transit Sites – Needs and Provision

8.1 SEERA require separate advice on the nature of demand for transit provision and need for transit caravan pitches. Whilst the GTAA's in Kent (North Kent, East Kent, and Sevenoaks) have considered the issue of transit demand there has also been recognition of a requirement for transit provision to be planned, and developed on a county wide basis. A provisional assessment of need for transit pitches draws on data from the continuous monitoring of unauthorised encampments from the beginning of 2004 to date.

8.2 Since 2003, Kent and Medway Local Authorities and other public bodies have operated a protocol for managing unauthorised encampments (UEs) [that is caravans which occur on others' land without their consent] - and a system for recording UE data, regardless of who owns the land, that has been encamped upon. It also covers who "manages" the encampment and makes the decision about whether people should be directed to leave or moved on from it, or allowed to remain. There is now a database for 3 complete years (2004-06 inclusive).

8.3 The Government's twice yearly caravan count data of unauthorised encampments is also relevant, but as a snapshot of caravans on two days of the year (in January and July), the count does not accurately record UE patterns. The caravan counts for unauthorised sites over the 2002-2006 period are summarised in Appendix 16.

8.4 The January 2007 Caravan Count indicated the following pattern of unauthorised developments and unauthorised encampments in Kent and Medway:

Table 8.1: Gypsies and Travellers: Unauthorised sites: January 2007

District/GTAA area	Unauthorised developments	Unauthorised Developments	Unauthorised Encampments	Unauthorised Encampments	Total
	'Tolerated' Sites	'Not tolerated' Sites	Tolerated sites	'Not tolerated' Sites	
Ashford	0	0	0	0	0
Maidstone @	21	17	16	14	68
Ton & Malling	2	6	10	0	18
Tunbridge Wells	4	9	0	0	13
West Kent GTAA area	27	32	26	14	99
Sevenoaks @	25	0	0	0	25
Sevenoaks GTAA area	25	0	0	0	25
Dartford*	14	0	0	0	14
Gravesham	0	11	0	0	11
Medway	8	0	0	0	8
Swale	32	4	0	0	36
North Kent GTAA area	54	15	0	0	69
Canterbury	0	9	0	8	17
Dover	0	2	0	0	2
Shepway	0	0	0	0	0
Thanet	0	0	0	0	0
East Kent GTAA area	0	11	0	8	19
Kent and Medway	106	58	26	22	212

Source: Department for Communities and Local Government Caravan Count data

* based on July 2006

@ based on Jan 2006

8.5 Overall, the pattern of UEs over the last three years has been fairly consistent, although there had been a slight eastward shift. The average stay of encampments has remained quite low - at about two weeks- and the average number of caravans on encampments has also been consistent (at five) over this three year period, although the pattern can vary considerably between districts.

8.6 The four Gypsy and Traveller Accommodation Assessments (GTAAs) have interviewed very few Gypsies and Travellers on UEs and In Kent and Medway we do not believe that their views and needs have been assessed sufficiently to inform the advice to the Regional Assembly on pitch requirements. However, we are aware that the same is true for other local authorities in the South East Region, and we therefore believe that a special study of transit need, and the need for transit site accommodation, should be undertaken across the Region.

8.7 The following provisional assessment of need for transit pitches, drawing upon information on the continuous monitoring of unauthorised encampments in Kent and Medway 2004-6, suggests that:

- **East Kent**

There are about eight to ten households which have contributed to about fifty percent of the UE caravans in Canterbury District and adjacent Swale Borough in the North Kent GTAA area. So far as the local authorities who manage UEs in those authorities are aware, these households are essentially homeless and may well represent permanent residential need although it is recognised that some might not (currently or at all) have that intention.

According to the East Kent GTAA, there appears to be an ongoing and consistent need for transit site provision in Canterbury. It is suggested that the site needed in Canterbury district would be for a 15 pitch transit site. In Dover a need for a 6 pitch transit site is indicated.

- **North Kent**

The GTAA recommends provision of a small managed transit site in Swale.

The three years' UE data provisionally indicate that in Dartford district a small site with limited facilities to accommodate six to eight caravans for short stays during the summer may be appropriate. In Gravesham a permanent transit site with reasonable facilities to accommodate six to eight caravans would seem to be appropriate, based on the three years' UE data.

- **West Kent**

A small site to accommodate small encampments on an emergency basis might be considered in Tonbridge & Malling, based on three years' UE data.

- **Sevenoaks**

The three years' data indicate that Sevenoaks experiences a number of medium size encampments, generally in the west of the district and predominantly during the summer months. A medium-sized summer facility with moderate services would accommodate that pattern.

The GTAA identifies a requirement for a small transit site facility in the district.

8.8 In summary, the additional transit site provision which may be proposed based on GTAA data and three years' UE data is:

GTAA	District	Proposed additional provision and other possibilities
West Kent	Ashford	none at present
	Maidstone	none at present
	Tonbridge & Malling	a small site for emergency use
	Tunbridge Wells	none at present
North Kent	Dartford	a small site for 6 to 8 caravans in summer months may be appropriate
	Gravesham	a permanent site for 6 to 8 caravans in summer months may be appropriate
	Medway	none
	Swale	a site for 12 to 15 caravans
Sevenoaks	Sevenoaks	one facility small-medium size
East Kent	Canterbury	a 15 pitch site
	Dover	a 6 pitch site
	Shepway	None
	Thanet	None

** (Department for) Communities and Local Government

APPENDIX 2

Extract from Kent County Council's letter of 21st November 2008 in response to SEERA's Autumn 2008 consultation

“Transit Accommodation Requirements

Government guidance is that the South East Plan should provide district level allocations for transit spaces as well as permanent residential pitches. At SEERA's request advice was provided by the Kent authorities indicating a need for 7 transit sites or stopping places in Kent (not 8 as indicated in Table 3 of the Assembly's consultation document) and indicating a broad distribution within the county and the size and type of facility envisaged. This drew on the distinctive information from the monitoring of unauthorised encampments that has been available in Kent since 2004. Kent authorities did nonetheless advocate that a specific study of transit need should be undertaken on a regional basis.

In the consultation the Assembly notes that there is not a complete set of transit need assessments and local authority advice for the region as a whole making it impossible to allocate transit pitch provision in a 'robust and consistent way'. It therefore asks whether the South East Plan should simply delegate the final distribution of transit sites to local Councils working in consultation with the Gypsy and Traveller community. Whilst this would appear to be the only practical way forward in current circumstances it is important that this is approached on a wide area basis. If this is to be determined in this manner the provision required should be reviewed taking into account the current volatility in the number of encampments and the impact of increases in permanent site provision arising from this Plan. “

APPENDIX 3: Unauthorised Encampment Data by District

Tables for unauthorised encampments recorded in each district in Kent and for Medway Council show the following for the years for which data is complete. For 2005 and 2006, there was no data for the Medway Council area but there is data for Kent Districts and Boroughs, which is on the KCC website at: <http://www.kent.gov.uk/Community/equality-and-diversity/gypsies-and-travellers/published-reports.htm>

Ashford

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	7	16	134	1-4	5
2007	7	40	297	1-20	4
2008	3	10	84	2-6	1

Canterbury

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	22	121	1053	1-20	10
2007	18	80	1064	1-20	10
2008	6	21	213	1-5	5

Dartford

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	33	238	855	1-26	10
2007	7	29	225	1-6	5
2008	17	43	180	2-4	5

Dover

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	10	46	396	2-11	5
2007	3	11	323	1-8	4
2008	5	16	30	2-5	4

Gravesham

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	22	66	482	1-7	11
2007	4	8	72	2 only	3
2008	5	14	82	1-4	4

Maidstone

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	7	44	190	2-15	5
2007	5	12	188	1-6	5
2008	4	17	487*	1-8	4

* one unauthorised caravan for 323 days on one public site made up most of this figure.

Medway

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	48	322	4728	1-16	12
2007	19	61	255	2-15	6
2008	13	61	679	1-11	7

Sevenoaks

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	13	66	1339	1-8	8
2007	9	57	1492	1-16	8
2008	12	43	482	1-9	4

Shepway

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	4	35	154	1-17	3
2007	2	9	132	1-8	3
2008	2	4	N/A	0-3	2

Swale

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	49	377	4679	1-20	12
2007	32	201	5,500 approx	2-20	11
2008	51	200 (approx.)	5538	1-16	12

[But only two encampments between September and December 2008, and the low number is continuing, while a managed encampment continues.]

Thanet

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	4	4	15	1 only	2
2007	2	11	71	5-6	2
2008	None	None	None	None	None

Tonbridge & Malling

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	6	31	210	4-7	6
2007	2	13	138	1-10	2
2008	5	37	383	2-20	4

[No recorded UE yet in 2009.]

Tunbridge Wells

YEAR	Number of UEs	Total caravans	Number of caravan/days	Range – caravan numbers	Number of months within which UEs recorded
2004	None	None	None	None	None
2007	1	8	16	8 only	1
2008	2	10	100	0-9	1