

Hyndburn Borough Council Gypsy and Traveller and Travelling Showpeople Accommodation Assessment



Final Report

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1. Introduction

The Survey

- 1.1 Opinion Research Services (ORS) were commissioned by Hyndburn Borough Council to undertake a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment.
- 1.2 The study seeks to provide an evidence base to enable to authorities to comply with their requirements towards Gypsies and Travellers and Travelling Showpeople under the Housing Act 2004, the National Planning Policy Framework 2012 and Planning Policy for Traveller Sites 2012. The main objective of this study is to provide the Council with robust, defensible and up-to-date evidence about the accommodation needs of Gypsies and Travellers and Travelling Showpeople in Hyndburn during the period until 2031 including a figure for the next five years. It also required the identification of whether or not the council need to plan for the provision of transit sites or emergency stopping places.
- 1.3 We would note at the outset that the study covers the needs of Gypsies, Irish Travellers, New Travellers and Travelling Showpeople, but for ease of reference we have referred to the study as a Gypsy and Traveller and Travelling Showpeople Accommodation Needs Assessment.

Definitions

- 1.4 For the purposes of the planning system, 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 dependents' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such. (Planning Policy for Traveller Sites, CLG, March 2012)*
- 1.5 Within the main definition of Gypsies and Travellers, there are a number of main cultural groups which include:
- » Romany Gypsies;
 - » Irish Travellers; and
 - » New Travellers.
- 1.6 Romany Gypsies and Irish Travellers are recognised in law as distinct ethnic groups and are legally protected from discrimination under the Equalities Act 2010.
- 1.7 Alongside Gypsies and Travellers, a further group to be considered are Travelling Showpeople. They are defined as:

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 family's or dependent's more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined above. (Planning Policy for Traveller Sites, CLG, March 2012)

Legislation and Guidance for Gypsies and Travellers

- 1.8 Decision-making for policy concerning Gypsies & Travellers and Travelling Showpeople sits within a complex legislative and national policy framework and this study must be viewed in the context of this legislation and guidance. For example, the following pieces of legislation and guidance are relevant when constructing policies relating to Gypsies and Travellers and Travelling Showpeople:
- » Planning Policy for Traveller Sites 2012;
 - » National Planning Policy Framework 2012;
 - » Gypsy and Traveller Accommodation Needs Assessments Guidance October 2007;
 - » Environmental Protection Act 1990 for statutory nuisance provisions;
 - » The Human Rights Act 1998, when making decisions and welfare assessments;
 - » The Town and Country Planning Act 1990 (as subsequently amended);
 - » Homelessness Legislation and Allocation Policies;
 - » Criminal Justice and Public Order Act 1994 (sections 61, 62);
 - » Anti-social behaviour Act 2003 (both as victims and perpetrators of anti-social behaviour);
 - » Planning and Compulsory Purchase Act 2004;
 - » Housing Act 2004 which requires local housing authorities to assess the accommodation needs of Gypsies & Travellers and Showpeople as part of their housing needs assessments. This study complies with the this element of government guidance;
 - » Housing Act 1996 in respect of homelessness.
- 1.9 To focus on Gypsies and Travellers, the Criminal Justice and Public Order Act 1994 (Sections 77, 78) is particularly important with regard to the issue of planning for Gypsy and Traveller site provision. This repealed the duty of local authorities to provide appropriate accommodation for Gypsies and Travellers. However, Circular 1/94 did support maintaining existing sites and stated that appropriate future site provision should be considered.
- 1.10 For site provision, the previous Labour Government guidance focused on increasing site provision for Gypsies and Travellers and Travelling Showpeople and encouraging local authorities to have a more inclusive approach to Gypsies and Travellers and Travelling Showpeople within their Housing Needs Assessment. The Housing Act 2004 required local authorities to identify the need for Gypsy and Traveller sites, alongside the need for other types of housing, when conducting Housing Needs Surveys. Therefore, all local authorities were required to undertake accommodation assessments for Gypsies and Travellers and Travelling Showpeople either as a separate study such as this one, or as part of their main Housing Needs Assessment.

- ^{1.11} Local authorities were encouraged rather than compelled to provide new Gypsy and Traveller sites by central government. Circular 1/06 'Planning for Gypsy and Traveller Caravan Sites', released by the CLG in January 2006, replaced Circular 1/94 and suggested that the provision of authorised sites should be encouraged so that the number of unauthorised sites would be reduced.
- ^{1.12} The Coalition Government announced that the previous government's thinking contained in Planning for Gypsy and Traveller Caravan Sites (Circular 01/06) was to be repealed. CLG published 'Planning Policy for Traveller Sites' in March 2012 which set out the Government's planning policy for traveller sites. It should be read in conjunction with the National Planning Policy Framework.

Planning Policy for Traveller Sites

- ^{1.13} The document 'Planning Policy for Traveller Sites' sets out national requirements/policy along with the direction of government policy. Among other objectives the new policies aims in respect of Traveller sites are (Planning Policy for Traveller Sites Page 1-2):
- » that local planning authorities should make their own assessment of need for the purposes of planning;
 - » to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites;
 - » to encourage local planning authorities to plan for sites over a reasonable timescale;
 - » that plan-making and decision-taking should protect Green Belt from inappropriate development;
 - » to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites;
 - » that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective;
 - » for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies;
 - » to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply;
 - » to reduce tensions between settled and traveller communities in plan-making and planning decisions;
 - » to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure;
 - » for local planning authorities to have due regard to the protection of local amenity and local environment.

- ^{1.14} In practice the document states that (Planning Policy for Traveller Sites Page 3):

Local planning authorities should set pitch targets for Gypsies and Travellers and plot targets for travelling Showpeople which address the likely permanent and transit site accommodation needs of Travellers in their area, working collaboratively with neighbouring local planning authorities.

^{1.15} Local planning authorities should, in producing their Local Plan:

- » identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets;
- » identify a supply of specific, developable sites or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15;
- » consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries);
- » relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density;
- » protect local amenity and environment.

^{1.16} A key element to the new policies is a continuation of previous government policies. Local authorities now have a duty to ensure a 5 year land supply to meet the identified needs for Traveller sites. However, 'Planning Policy for Traveller Sites' also notes on Page 3-4 that:

Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community.

^{1.17} Therefore, criteria based planning policies sit at the heart of the new guidance, irrespective of whether need is identified or not.

Tackling Inequalities for Gypsy and Traveller Communities

^{1.18} In April 2012 the government issued a further document relating to Gypsies and Travellers in the form of 'Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers (CLG April 2012)'.

^{1.19} The report contains 28 commitments to help improve the circumstances and outcomes for Gypsies and Travellers across a range of areas including:

- » Identifying ways of raising educational aspirations and attainment of Gypsy, Roma and Traveller children;
- » Identifying ways to improve health outcomes for Gypsies and Travellers within the proposed new structures of the NHS;
- » Encouraging appropriate site provision; building on £60m Traveller Pitch Funding and New Homes Bonus incentives;
- » Tackling hate crime against Gypsies and Travellers and improving their interaction with the criminal justice system;

- » Improving knowledge of how Gypsies and Travellers engage with services that provide a gateway to work opportunities and working with the financial services industry to improve access to financial products and services;
- » Sharing good practice in engagement between Gypsies and Travellers and public service providers.

Funding

- ^{1.20} The Coalition Government policies also involve financial incentives for new affordable pitch provision in the form of the New Homes Bonus. For all new annual supply of pitches on local authority or Registered Provider owned and managed sites, Local Authorities receive a New Homes Bonus equivalent to council tax (based on the national average for a Band A property), plus an additional £350 per annum for six years. This equates to around £8,000 pounds per pitch.
- ^{1.21} Direct grant funding is also available for Gypsy and Traveller sites. The Homes and Communities Agency (HCA) took over delivery of the Gypsy and Traveller Sites Grant programme from CLG in April 2009. Since then they have invested £16.3m in 26 schemes across the country to provide 88 new or additional pitches and 179 improved pitches. The HCA welcomes bids from Local Authorities, housing associations and traveller community groups working with Registered Providers.
- ^{1.22} The HCA has now confirmed allocations for all of its £60m of future funding which will support 96 projects around the country for the provision of new Gypsy and Traveller sites and new pitches on existing sites, as well as the improvement of existing pitches.
- ^{1.23} While all HCA funds for Gypsy and Traveller pitches have now been allocated, further funding may become available as a result of slippage over the course of the programme. Providers are advised to continue to work closely with HCA area teams to develop their proposals should any funding become available.

2. Methodology

- 2.1 This section sets out the methodology we have followed to deliver the outputs for this study. Over the past 10 years ORS has developed a methodology which provides the required outputs from a Gypsy, Traveller and Travelling Showpeople Accommodation Assessment and this has been updated in light of Planning Policy for Traveller Sites, as well as recent changes set out by the Planning Minister in March 2014.
- 2.2 The stages below provide a summary of the process undertaken by ORS, with more information on each stage provided in the appropriate sections of the report.

Stage 1: Desk-Based Research

- 2.3 At the outset of the project ORS sought to understand the background to the Gypsy, Traveller and Travelling Showpeople population in Hyndburn. This comprised the collation of a range of important secondary data from the following available sources:
- » Details of all public and private sites and yards.
 - » Site management records.
 - » Biannual Traveller Caravan Counts.
 - » Records of any unauthorised sites and encampments.
 - » Relevant information from education and health services.
 - » Information on planning applications and appeals.
 - » Information on any other current enforcement actions.
 - » Existing GTAA's and other relevant local studies.
 - » Existing policy, guidance and best practice.
- 2.4 This data has been used to inform the stakeholder interviews and fieldwork and has also been analysed in conjunction with the outcomes of the other elements of the study to allow ORS to complete a thorough review of the needs of travelling communities in the study area.

Stage 2: Stakeholder Engagement

- 2.5 This study included extensive local stakeholder engagement. This involved a series of in-depth telephone interviews with Council officers from Planning, Housing, Environmental Health and Education. Interviews were also conducted with two Councillors including the Chair of the Planning Committee. In addition ORS conducted a telephone interview with a representative from the Showmen's Guild. Additional stakeholder interviews were conducted with a representative from Health, Lancashire County Council, a Site Warden and 2 registered housing providers.

2.6 The stakeholder interviews covered the following key topics:

- » What dealings or relationships people have with Gypsies, Travellers and Travelling Showpeople
- » Experiences of any particular issues in relation to Gypsies, Travellers and Travelling Showpeople
- » Awareness of any Gypsy and Traveller sites and Travelling Showpeople yards, either with or without planning permission and whether this varies over the course of a year
- » Any trends people may be experiencing with regard to Gypsies, Travellers and Travelling Showpeople (e.g. increase in privately owned sites or temporary sites)
- » What attracts Gypsies, Travellers and Travelling Showpeople to an area
- » Identification of any seasonal fluctuations that may occur
- » Awareness of any occurrences of temporary stopping by travellers
- » Identifying the relationship between the settled and travelling communities
- » Awareness of any travellers currently residing in bricks and mortar accommodation
- » Awareness of any cross boundary issues
- » Any other comments on the gypsy and traveller community in the study area

Stage 3: Working Collaboratively with Neighbouring Planning Authorities

2.7 Given the duty to cooperate interviews were also be conducted with officers from neighbouring authorities and any other authorities where we identified a direct link with the needs of the study area – for example wider travelling routes etc. These interviews will ensure that the analysis of need addresses wider issues that may impact on the outcomes of the study. These stakeholders were identified as part of the desk-based review and in conjunction with officers from the Council. Interviews were conducted with officers from the following neighbouring authorities and covered the same broad issues as the local stakeholder interviews:

- » Rossendale
- » Blackburn with Darwen (x2)
- » Pendle
- » Ribble Valley
- » Burnley

Stage 4: Survey of Travelling Communities

- 2.8 Through the desk-based research and stakeholder interviews ORS sought to identify all authorised and unauthorised sites and encampments in the study area. To obtain interviews with Gypsy and Traveller households on site in Hyndburn, ORS visited all households on 13 authorised Gypsy and Traveller sites in the area (one of which was a public site), one unauthorised Gypsy and Traveller site and two Travelling Showpeople yards in Hyndburn – although the fieldwork identified that one of these is no longer being used as a showpeople yard.
- 2.9 ORS sought to undertake a full demographic study of all pitches as part of our approach to undertaking the GTAA as our experience suggests that a sample based approach very often leads to an under-estimate of current and future needs which can be the subject of challenge at subsequent appeals and examinations. All pitches (including those on current unauthorised sites that were present at the time of the study) were visited by experienced ORS researchers who conducted interviews with residents on as many pitches as possible to determine their current demographic characteristics, whether they have any current or likely future accommodation needs and how these may be addressed, and whether there are any concealed households. The interview was based on a structure that was agreed with the Council. This approach also allowed the interviewers to identify information about the sites and pitches that could help support any future work on possible site expansion by undertaking an overall assessment of each pitch/site.
- 2.10 Where it was not possible to undertake an interview, our researchers captured as much information as possible about the site from site management or from residents on adjacent sites or pitches.

Stage 5: Bricks and Mortar Households

- 2.11 In our experience many Planning Inspectors and Appellants question the accuracy of GTAA assessments in relation to those Gypsies and Travellers living in bricks and mortar accommodation who may wish to move on to a site. ORS feel that the only practical approach is to go to **disproportionate** lengths to identify as many households in bricks and mortar who may want to take part in an interview to determine their future accommodation needs, including a wish to move to a permanent pitch in the study area.
- 2.12 Contacts in bricks and mortar were sought through a wide range of sources including speaking with people living on existing sites to identify any friends or family living in bricks and mortar who may wish to move to a site and intelligence from the Council and other local stakeholders. An advert was also placed on the Friends, Family and Travellers Facebook page.
- 2.13 Despite these efforts we were unable to obtain information regarding Gypsies, Travellers or Travelling Showpeople who may be living in bricks and mortar accommodation and who may wish to move to permanent pitches in Hyndburn. As a result of this we were unable to identify any contact in bricks and mortar to interview.
- 2.14 However through our approach we endeavoured to do everything within our means to publicise that a local study was being undertaken in order to give all households living in bricks and mortar who may wish to move on to a site the opportunity to make their views known to us.

- ^{2.15} As a rule we do not extrapolate the findings from our fieldwork with bricks and mortar households up to the estimated¹ bricks and mortar population as a whole and work on the assumption that those wishing to move will make their views known to us based on the wide range of publicity that we put in place.

Stage 6: Current and Future Pitch/Plot Requirements

- ^{2.16} The methodology used by ORS to calculate future pitch and plot requirements has been developed over the past 10 years and has drawn on lessons from both traditional housing needs assessments and also best and worst practice from Gypsy, Traveller and Travelling Showpeople Accommodation Assessments conducted across the country.
- ^{2.17} To identify need Planning Policy for Traveller Sites requires an assessment for current and future pitch requirements, but does not provide a methodology for this. However, as with any housing assessment, the underlying calculation can be broken down into a relatively small number of factors. In this case, the key issue for residential pitches is to compare the supply of pitches available for occupation with the current and future needs of the population. The key factors in each of these elements are set out below and will be set out in more detail in the relevant chapter of this report:

Supply of Pitches

- » Current vacant pitches.
- » Pitches yet to be developed.
- » Pitches vacated by people moving to housing.
- » Pitches vacated by people moving from the study area.
- » Pitches vacated due to the dissolution of households.

Current Need

- ^{2.18} Total current need, which is not necessarily the need for additional pitches because they may be able to be addressed by space available in the study area, is made up of the following. It is important to address issues of double counting:
- » Households on unauthorised sites for which planning permission is not expected.
 - » Concealed households.
 - » Households in B&M wishing to move to sites.
 - » Households on waiting lists for public sites.

Future Need

- » Total future need is the sum of the following three components:
- » Households living on sites with temporary planning permissions.

¹ Estimates based on the 2011 census and further ORS work.

- » New household formation.
- » In-migration.

^{2.19} Household formation rates are often the subject of challenge at appeals or examinations. While many GTAA studies undertaken by other companies have continued to use a net growth figure of 3%, we agree with the position now being taken by CLG and firmly believe that any household formation rates should use a robust local evidence base, rather than simply relying on precedent.

^{2.20} All of these components of supply and need are presented in an easy to understand tables (for travellers and showpeople) which identify the overall net requirements for current and future accommodation. This has proven to be a robust model for identifying needs. The residential and transit pitch requirements for Gypsies and Travellers are identified separately from those for Travelling Showpeople.

Stage 7: Conclusions

^{2.21} This stage of the study will draw together the evidence from Stages 1 to 6 to provide an overall summary of the requirements for Gypsies, Travellers and Travelling Showpeople in Hyndburn.

3. Gypsy and Traveller Sites and Population

Background

- 3.1 The central aim of this study was to follow a similar format for Gypsy and Traveller and Travelling Showpeople accommodation requirements.
- 3.2 One of the main considerations of this study is the provision of pitches and sites for Gypsies and Travellers. A “pitch” is an area which is large enough for one household to occupy and typically contains enough space for one or two caravans, but can vary in size. A “site” is a collection of pitches which form a development exclusively for Gypsies and Travellers or Travelling Showpeople. However, Travelling Showpeople sites are also sometimes referred to as a “yard”, while the space occupied by one household is commonly referred to as a “plot”. The purpose of the study has been to develop a clear understanding of the number of pitches in use in Hyndburn and the number of additional pitches required over the next 15 years.
- 3.3 The public and private provision of mainstream housing is also largely mirrored when considering Gypsy and Traveller accommodation. One common form of Gypsy and Traveller sites is the publicly-provided residential site, which is provided by the local authority, or by a registered provider (usually a housing association). Places on public sites can be obtained through a waiting list, and the costs of running the sites are met from the rent paid by the licensees (similar to social housing). There is currently one public site in the study area providing 16 pitches.
- 3.4 The alternative to public residential sites is private residential sites for Gypsies and Travellers and Travelling Showpeople. These result from individuals or families buying areas of land and then obtaining planning permission to live on them. Households can also rent pitches on existing private sites. Therefore, these two forms of accommodation are the equivalent to private ownership and renting for those who live in bricks and mortar housing.
- 3.5 The Gypsy and Traveller and Travelling Showpeople population may also utilise other forms of sites due to their mobile nature. Transit sites tend to contain many of the same facilities as a residential site, except that there is a maximum period of residence which can vary from a few weeks to a period of months. An alternative is an emergency stopping place. This type of site also has restrictions on the length of time for which someone can stay on it, but has much more limited facilities than a transit site. Both of these two types of site are designed to accommodate Gypsies and Travellers whilst they travel.
- 3.6 Also to be considered are unauthorised developments and encampments. An “unauthorised development” refers to the occupation of land which is owned by the Gypsies and Travellers themselves, but for which they do not have planning permission to use for residential purposes. An “unauthorised encampment” refers to the unauthorised occupation of land which is not owned by the Gypsies and Travellers.

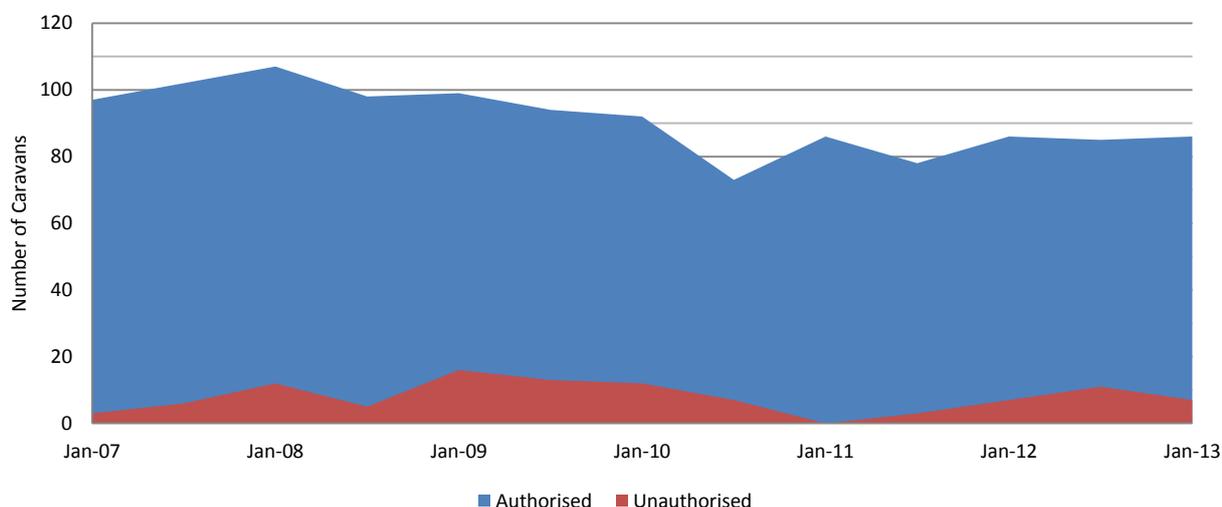
Current on-site Population

- 3.7 The current situation in Hyndburn is that there is one public site with permanent planning permission and 12 private sites with permanent planning permission. Chapter 4 details the number of pitches on each of the sites and the current situation relating to households residing on the sites. Meanwhile, there is one yard for Travelling Showpeople which has 18 plots.

Caravan Count

- 3.8 One source of information available on the Gypsy and Traveller population derives from the bi-annual Traveller Caravan Count which is conducted by each Local Authority in England on a specific date in January and July of each year, and reported to CLG. This is a statistical count of the number of caravans on both authorised and unauthorised sites across England. With effect from July 2013, CLG has renamed the ‘Gypsy and Traveller Caravan Count’ as the ‘Traveller Caravan Count.’ This does not reflect any changes to the coverage of the count but brings its title into line with the terminology used for planning policy purposes. It is also consistent with the fact that its scope is wider than caravans lived in by ethnic gypsies and travellers, but also includes non-traditional travellers.
- 3.9 As this count is of caravans and not households, it makes it more difficult to interpret for a study such as this because it does not count pitches or resident households. It must also be remembered that the count is merely a ‘snapshot in time’ conducted by the Local Authority on a specific day, and that any unauthorised sites or encampments which occur on other dates will not be recorded. Likewise any caravans that are away from authorised sites on the day of the count will not be included.
- 3.10 The chart below shows the number of unauthorised and authorised caravans in Hyndburn at the time of the counts. The chart does not include any Travelling Showpeople caravans in the area. We would also note the figures are provided for illustrative purposes to demonstrate the relative size of the population and are not used in any modelling of future pitch requirements.

Figure 1
Gypsy Caravan Count for Hyndburn: January 2007– January 2013 (Source: CLG Bi-annual Local Authority Caravan Count)



4. Stakeholder Engagement

Introduction

- 4.1 To be consistent with the methodology used in other GTAA studies that ORS have undertaken, and in order to provide thoughtful consideration of the issues by a wide range of key stakeholders, Hyndburn Borough commissioned ORS to undertake a stakeholder engagement programme which consisted of in depth telephone interviews. Qualitative research of this type attempts to gain a deeper understanding of the issues and is used to supplement the information gathered during visits to Gypsy, Traveller and travelling showpeople sites.

Telephone Interviews

- 4.2 To enable ORS to identify key stakeholders and to be consistent with the guidance set out in 'Planning Policy for Traveller Sites', Hyndburn Borough were asked to identify contacts which included Housing Providers, Gypsy and Traveller and Travelling Showpeople representatives, support services, Elected Members (with sites in their Wards and Portfolio Holders) and relevant Council officers from Housing, Planning, Environment, Education, and neighbouring areas.
- 4.3 ORS reviewed this list for consistency with other studies to ensure that it was comprehensive and fair. Each stakeholder received an email outlining the study aims, objectives and timetable, which was followed up with a telephone call to arrange a suitable time to undertake the interview.
- 4.4 Similar to the guidance given to other Local Authorities ORS have worked with; the project lead was advised to notify the Gypsy Council that the GTAA was being carried out and invited them to take part and make a contribution to the study. Similarly to the experience of other Local Authorities the Gypsy Council did not respond to the invitation.
- 4.5 Overall, ORS achieved 20 telephone interviews with stakeholders:
- » Twelve Council Officers:
 - Four representing the study area (planning, housing and environmental health)
 - Two representing Lancashire County Council
 - Six representing neighbouring areas
 - » One wider stakeholder (health)
 - » The Site Warden
 - » A representative of the Showman's Guild of Great Britain.
 - » Two Registered Providers:
 - Calico Floating Support

Hyndburn Homes

- » Two Elected Members (a total of five were contacted).

4.6 The number and range of stakeholders interviewed is viewed to be satisfactory and consistent with similar GTAA's that ORS have completed.

Engaging Travellers in Bricks and Mortar

4.7 One of the main objectives of this element of the study is to make contact with stakeholders who have possible links with Gypsies, Travellers and travelling showpeople that live in bricks and mortar. All stakeholders who took part in this study were asked if they could assist ORS to make contact with this community.

4.8 However, no contact was made with Travellers residing in bricks and mortar. Identifying housed Travellers has proved to be a difficult exercise and the situation for Hyndburn Borough is similar throughout the UK. The Borough will need to keep this issue in mind and look to develop suitable methods to engage with this community in the future.

Discussion Agenda

4.9 The format for the interviews covered the following themes:

- » Trends and history
- » Meeting the current and future needs of the Gypsy and Traveller community
- » Meeting the current and future needs of the travelling showpeople community
- » Awareness of Travellers living in bricks and mortar accommodation
- » Short-term roadside encampments and requirement for a transit site
- » Meeting future accommodation needs
- » Engaging the communities
- » Cross boundary issues and the Duty to Cooperate
- » Future priorities
- » Any further issues and next steps.

Reporting Engagement with Stakeholders

4.10 The key findings in this section of the report represent a balanced summary of the views expressed by the wide range of stakeholders that took part in the engagement programme. In all cases they reflect the views of the individual concerned, rather than the official policy of their Council.

4.11 Due to issues surrounding data protection in order to protect the anonymity of those who took part, this section is a summary of the key points raised by stakeholders and verbatim comments have not been used.

Hyndburn Borough Council – Key Findings

Local Governance of Traveller Accommodation

^{4.12} In order to manage Traveller issues effectively and in a joined-up way, the Borough set up the Gypsy Roma Traveller (GRT) Network in 2008.

- » A key partner is Lancashire GRT Achievement Service and it is attended by a wide range of stakeholders, including Council officers (planning and enforcement), police, local health organisations, registered social providers; a local housing floating support service and the young people's service.
- » The GRT Network meets two or three times a year and aims to share information, improve service provision and address accommodation issues including: planning issues; new site developments; unauthorised developments; roadside encampments; enforcement action; and feedback from the Traveller Education Service.
- » The Network also discusses health issues relating to the GRT community and has input from other agencies that provide support services.
- » The Network is viewed positively by the majority of stakeholders.

Accommodation for Gypsies and Travellers

^{4.13} There are a total of fifteen Gypsy and Traveller sites across Hyndburn Borough, one of which is the publically owned site at Whinney Hill. Stakeholders reported the following:

- » The fifteen pitched site is permanently full and there is a low turnover of pitches.
- » Positively, the site is said to be well managed and stakeholders were not aware of any issues that have been raised by site residents.
- » A few stakeholders were of the view that the number on the site waiting list does not accurately reflect the level of demand because, given the likelihood that a pitch will become available is low, Travellers are of the opinion that there is 'no point' in putting their name forward. One stakeholder claimed to have been directly contacted by Travellers regarding the availability of pitches on the site.
- » Stakeholders referred to the varying standards of public sites across the region and were of the opinion that, in comparison to some areas, the standard of the site is good. Nevertheless, the majority of stakeholders conceded that upgrading the site would be beneficial although some work to amenity blocks have previously been carried out.

^{4.14} The majority of the sites in the Borough are privately owned. Overall, stakeholders had less awareness of the issues on private sites but nonetheless reported the following:

- » The majority of private sites are long standing. Two more recent sites have been refused planning permission based on their location in the greenbelt.

- » There are varying quality standards on the private sites in the Borough and a number of stakeholders claimed that Travellers have been opting for bricks and mortar accommodation in the absence of good quality sites.
- » Many of the sites are under occupied and stakeholders offered a few explanations as to why this may have happened:
 - Some families have moved out of the area
 - The sites are family run which will often mean that the pitches are not available to Travellers who are not part of the family
 - Some Travellers will have chosen to live in bricks and mortar because of the poor quality of sites.
- » The majority of stakeholders were of the view that overcrowding is not an issue on any of the private sites. However, many stakeholders attributed this to the poor quality of the sites and felt that Travellers are opting for bricks and mortar accommodation in the absence of good quality public sites.

Accommodation for Travelling Showpeople

^{4.15} Unfortunately, ORS did not gain access to the only Showman's yard in the Borough. The majority of stakeholders have had little contact with this community and were unaware of the accommodation issues they face, the few who did reported the following:

- » The yard is currently under-occupied and, allegedly, the site owners have attempted to rent out empty plots to other Showmen.
- » The representative of the Showman's Guild stressed the importance of tenure and explained that the majority of Showmen would prefer to own their own yards as opposed to renting.
- » Therefore, the representative felt that the current accommodation levels are misleading as it suggests there is no demand from the Showperson community, however, Travelling Showpeople would be interested if there were available yards that they could purchase as opposed to rent.

Awareness of Travellers Living in Bricks and Mortar

^{4.16} Overall, the majority of stakeholders were aware of anecdotal evidence which suggests there is a large travelling population living in bricks and mortar accommodation:

- » Very few stakeholders had direct contact with the community and were able to notify them of this study.
- » Some Travellers are thought to be living in housing association stock, however, there is a high proportion of private rented accommodation in the area and it is felt that many may be housed in this type of accommodation.
- » Out of a housing stock of 3,200, Hyndburn Homes were only aware of seven tenants who had identified themselves as Gypsy and Traveller. Gypsy and Travellers are said to go

through exactly the same process for housing as any other member of the settled community. Hyndburn Homes operate a Choice Based Letting (CBL) scheme and Travellers have chosen to 'bid' for properties on the same estate as other members of the community. This has led to a concentration of Travellers on one housing estate in the area. Letters were sent to these tenants to invite them to take part in the GTAA study.

- » A tenancy support officer offered to speak to the community informally and felt it can be difficult to source suitable bricks and mortar accommodation for Travellers as they are said to prefer bungalows as opposed to the most 'available' accommodation in the area which are two bedroomed flats.
- » Most stakeholders were of the view that Travellers in bricks and mortar and have chosen to settle in permanent accommodation so their children can access local schools.
- » According to stakeholders, Travellers tend to want to live in areas which are close to sites.

^{4.17} The Connected Care study by Turning Point into the housing, health and social care needs of the GRT Community in East Lancashire (carried out in 2011), reported that there is almost an equal split of respondents living in either housing or trailers. Anecdotal evidence suggested that many gypsies and travellers move into bricks and mortar due to ill health or to gain access to services and that some feel they have more rights if they live in a house (e.g. regarding the time it takes to get repairs done and the conditions of facilities on the sites).

^{4.18} The table below shows the tenure of the respondents in the 2011 Connected Care study. It can be seen that a number of respondents lived in bricks and mortar accommodation.

Figure 2
Tenure (Source: Connected Care report 2011; Base 111 respondents)

Tenure	
Live Rent Free with Friends / Family	20.7%
Rent privately (House)	17.1%
Rent house from council / Housing Association	14.4%
Private Site	12.6%
Council Site	9.0%
Wayside	7.2%
Unauthorised Illegal Encampment	2.7%
Owned site / land	1.8%
In Temporary Accommodation	0.9%
Homeless / roofless	0.9%

Short-term Roadside Encampments and Requirement for a Transit Site

- » Unauthorised encampments occur during the summer time. Possible reasons given included:
 - Lack of permanent accommodation
 - Attendance at family events
 - En route to the Appleby Fair
- » Overall, there is said to have been a reduction in the number of unauthorised encampments in the previous 12-18 months. There doesn't appear to be a demand for transit sites but it was thought that this may be because Travellers who visit the area could stay on private sites. There is a shared protocol on the management of unauthorised encampments across East Lancashire which has been adopted in the last 12 months and is viewed positively as it sends a consistent message to Travellers moving around the area.
- » The majority of stakeholders felt the Borough does not require an additional transit site and reported that five transit pitches were granted planning permission in 2010. Two stakeholders felt, however, that a designated stopping place would be welcomed by the Travelling community. A stakeholder was of the view that a site off Junction 7 on the M65 could be a possible location for a site.

Future Accommodation Needs

^{4.19} The majority of stakeholders were of the view that the Borough is meeting the accommodation needs of its Traveller community and referred to the large amount of sites in Hyndburn in comparison to its Lancashire neighbours. Nonetheless, some stakeholders suggested that the Borough consider the following points when calculating the future needs of the Traveller community:

- » There has not been an increase in demand for further provision in the past few years and there appears to be an oversupply of pitches which are in private ownership, as a result stakeholders were of the opinion that the community would prefer additional good quality **public** provision.
- » Travelling families are said to have larger families in comparison with the settled community and it was felt that this needs to be a consideration when providing for the needs of the community in the future.

Community Cohesion

^{4.20} Stakeholders were asked about issues relating to community cohesion and overall no stakeholders were aware of any tensions between Travellers and the settled community.

Service Provision

4.21 In addition to the information gathered in relation to accommodation need, stakeholders were asked if they were aware of any other issues faced by the Travelling community, in particular any barriers or positive developments in relation to service provision including health and education:

- » When asked about Travellers access to health services, stakeholders referred to the positive improvements that have been made since the Connected Care study by Turning Point into the housing, health and social care needs of the GRT Community in East Lancashire in 2010/2011 which was commissioned to undertake the project by Lancashire County Council, East Lancashire Primary Care Trust (PCT) and the Department of Health. The project involved speaking to the GRT community to gather their views on the availability of services and how they could be improved.
- » The NHS has undertaken work with the community based around encouraging them to register with dentists and GPs and also provided training to GPs.
- » Consultation with the community is reported to the Clinical Commissioning Group and will feed into the structure of future services.
- » Going forward, it is felt that the work is still required to ensure that the community have the information to be able to access services.
- » Low literacy levels continue to be an issue and stakeholders who work directly with the community reported that many Travellers are taken out of school at an early age and that the adult population require help to fill out forms. For this reason, those stakeholders felt that additional support, training and education is required to improve literacy and numeracy skills.

Community Engagement

4.22 Positively, the majority of stakeholders felt that the Borough has undertaken proactive engagement with the Travelling community:

- » Lancashire GRT Achievement Service is said to be the main means of communication with the Travelling community.
- » Extensive consultation with the community was undertaken by Turning Point in 2010/2011 as part of the Connected Care study into housing, health and social care needs of the GRT Community in East Lancashire and through the GTAA study.
- » A member of the GRT network works with the community and will feedback their issues and will also encourage Travellers to attend the meetings.

Cross Boundary Working and the Duty to Cooperate

4.23 Not all stakeholders had any view or experience relating to cross-boundary working and the duty to cooperate as their roles are exclusively based within Hyndburn. Those who were able to comment emphasised the importance of working with neighbouring areas and reported the following progress in achieving this:

- » Neighbouring authorities have been invited to the GRT Network but, so far, none have attended.
- » Hyndburn do liaise with Blackburn with Darwen who they share a housing market with, but based on the possibility that Travellers do move across borders, more interaction with Rossendale, Burnley and Pendle was thought to be required.
- » Positively, stakeholders referred to the development of a Lancashire wide group that met for the first time in December 2013 and the authorities discussed issues relating to the progress of the GTAA updates and what new pitches were being developed.
- » It is understood that this group will meet on a regular basis and will enable duty to cooperate discussions to take place.

Conclusions and Areas of Consideration

4.24 Overall, although there appears to be an oversupply of pitches, from the discussions with stakeholders this may be misleading as Travellers may be opting for bricks and mortar in the absence of good quality site provision that is available to all members of the Travelling community, although the research undertaken by ORS could find no evidence of this. Other points raised included:

- » The GRT network has made a positive contribution to the local governance of Traveller accommodation.
- » Travelling Showpeople prefer yard ownership, yet within the Borough the available supply of pitches are said to be rental only.
- » Hyndburn Borough could work with neighbouring areas to establish local travelling patterns and should continue to support the Lancashire wide group to understand the wider travelling movements.

Fulfilling the Duty to Cooperate – a Pennine Lancashire Approach

4.25 Hyndburn Borough, along with Blackburn with Darwen, Burnley, Pendle and Rossendale, are members of the 'Regenerate' a strategic planning group which covers the Pennine Lancashire area. Regenerate aims to support the authorities in complying with the duty to cooperate and to increase the alignment between planning policy and the five authorities. The main objective is to establish a consistent approach across the region.

4.26 In terms of governance, Regenerate is divided into two tiers and includes the Pennine Lancashire Leaders and Chief Executives (PLLACE) which meets on a regular basis and sets the overall strategic direction. Beneath this there are a series of working groups under different disciplines e.g. housing and planning.

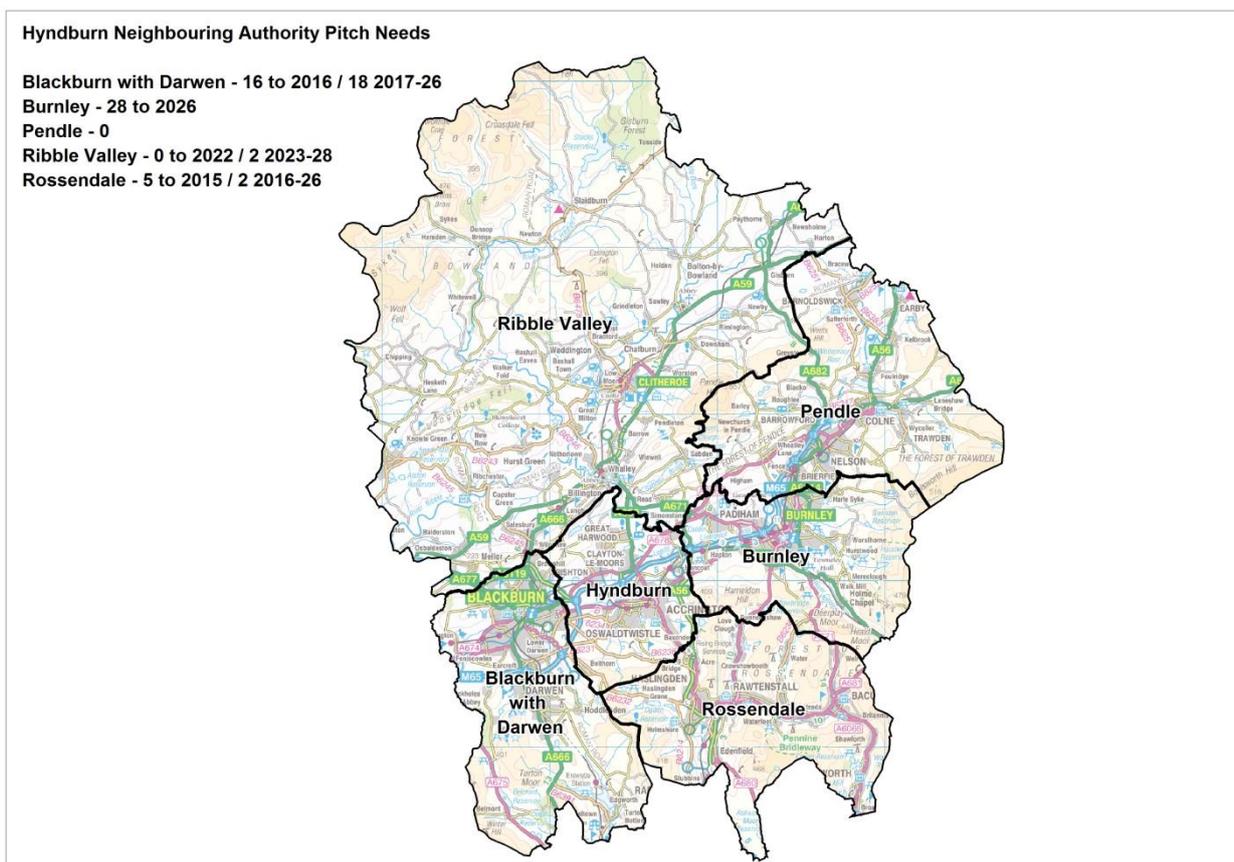
4.27 The intention is that a set of 'position papers' will be produced and endorsed by the Chief Executives of the Local Authorities. The position papers are intended to be a non-statutory statement of position so, on the issue of Gypsies and Travellers, it is likely that this will pull together various components of the evidence base collected in the various GTAA's, highlight consistency and set out the general principles that authorities are expected to take forward.

Neighbouring Areas – Key Findings

4.28 In order to explore issues relating to cross border working, a summary of the issues in neighbouring Local Authorities have also been provided:

- » Blackburn with Darwen Borough Council
- » Burnley Borough Council
- » Lancashire County Council
- » Pendle Borough Council
- » Ribble Valley Borough Council
- » Rossendale Borough Council

4.29 The map below shows the boundaries of each neighbouring authority and the key numbers of current and future need



Blackburn with Darwen Borough Council

4.30 There is one council-run twenty pitched site in the area.

- » The Borough have undertaken an internal partial review of the previous Lancashire wide GTAA which concluded that there is a pitch shortfall of 16 pitches up to 2016 and a further 18 up to 2026.
- » The Officer was of the view that there has been an unequitable distribution of provision across the Pennine Lancashire area with accommodation for Travellers concentrated in the Blackburn with Darwen and Hyndburn Borough Council areas. On this point, the Officer argued that if need continues to be calculated on the basis of need where need arises, this will mean that Blackburn and Darwen and Hyndburn's populations will continue to grow.
- » The Officer explained that because Blackburn with Darwen and Hyndburn have similar Traveller communities and share other common issues with Hyndburn they are likely to meet with their neighbours and indeed have had several cross border meetings.
- » The Officer felt that the Lancashire-wide Gypsy Forum will be useful in maintaining links with other Lancashire authorities to explore how other authorities are approaching the issue and to develop a consensus across the region on the way forward.

Burnley Borough Council

^{4.31} There is one unauthorised development (land owned by Gypsies and Travellers but developed without planning permission) within Burnley. It is estimated that this site currently accommodates approximately 4 permanent pitches/households. The GTAA in 2012 estimated that there were at least 24 households living in bricks and mortar accommodation in Burnley. There is 1 household living in a trailer in the curtilage of a house in Burnley. There are no yards for Travelling Showpeople in the area.

- » The GTAA undertaken in 2012 concluded a need for a further 28 pitches by 2026.
- » The area is currently moving forward with their Local Plan and site identification process (end of March –September 2014).
- » There are said to be occurrences of Unauthorised Encampments which, it was felt, were hard to track, particularly across the wider area. It was felt that this could be an issue that should be addressed on a Pennine Lancashire basis.
- » There are no cross borders issues with Hyndburn Borough and most of the cross boundary work has been with Pendle Borough Council who they share a Housing Market Area with.

Lancashire County Council

- » An Officer representing Lancashire County Council felt there should be half a dozen to ten emergency stopping places for Travellers in transit throughout the Lancashire area (one - two per District).
- » Stopping places would have portaloos and skips and would be available for a couple of weeks during the year. This is said to be a cheaper alternative to formal transit sites. Old chipping dumps are said to be ideal locations. The major benefit would be that Highway Land is currently excluded from the Criminal and Justice Act so, the Police will not get

involved in removing Travellers from Highway Land; it is the responsibility of the County Council.

Pendle Borough Council

4.32 There are no sites for Gypsies and Travellers or Travelling Showpeople in the Borough.

- » The GTAA undertaken in 2012 concluded a need of zero pitches by 2026.
- » Pendle have a 'natural' relationship with Burnley because they are continuous areas on the M65 corridor and they have very similar housing markets.
- » When asked about the Duty to Cooperate across the wider area the Officer referred positively to the Regenerate project which has now employed a dedicated Planning officer whose role includes leading on the Gypsy and Traveller issue and will be looking to collate the findings from GTAA's (Greater Manchester are also looking to do the same). It is felt that this could work towards collating the findings of individual GTAA's and potentially assess the impact if an individual authority could not provide and to what extent there is any potential in other neighbouring authorities.
- » It was felt that transit movements have been hard to track within the individual GTAA's and this could be achieved by working collectively across the Lancashire region.

Ribble Valley Borough Council

4.33 In the Ribble Valley Borough there are two privately owned sites (eight pitches and one pitch).

- » The GTAA, completed in 2013, found that the extra pitch provision that is required for Gypsies and Travellers in the next 10 years is zero pitches and a need for two pitches in the period 2023-2028.
- » There was no evidence of extra provision being necessary for Travelling Showpeople in the future.
- » A small number of unauthorised encampments occur around the time of the Appleby Fair and the A59 was identified as the primary route through the Borough.
- » There appears to be a small bricks and mortar population; the 2011 UK Census of Population identified a population of 6 Gypsy and Traveller persons in Ribble Valley. Although this is clearly an under-estimate of the total population due to some Gypsies and Travellers not declaring their ethnic status or completing the Census at all, it would seem to indicate an extremely minimal population in bricks and mortar.
- » Overall, the Officer did not identify any pressing cross boundary issues.
- » Going forward, the Officer felt that the Lancashire Wide group will be a vehicle to share best practice across the region.

Rossendale Borough Council

4.34 There is currently no site provision in the Borough.

- » The GTAA undertaken in 2010 found a requirement for five permanent pitches to 2015 and a further two to 2026 and the priority for the Borough is to meet the need for permanent accommodation. In attempting to meet this need the Borough have met with Lancashire County Council and have visited sites in the Hyndburn area.
- » Unauthorised encampments occur when Travellers are travelling from Greater Manchester and the GTAA found a need for three transit pitches. The Officer explained that the Borough have been looking at providing a stopover site but noted the difficulties of doing so in terms of choosing a suitable piece of land, the way in which this type of site is provided e.g. whether toilets and water are provided and if it is worth the money to provide this type of site.
- » When asked about cross border issues the Officer stressed that there is debate surrounding the large amount of accommodation in Hyndburn and the extent to which it is meeting local or wider regional needs.
- » The Officer was not aware of any cross border issues with Hyndburn and referred to links with Greater Manchester and Southern Lancashire.

Conclusions and Areas of Consideration

^{4.35} All officers in neighbouring authorities supported the creation of the Pennine Lancashire Regenerate Group and the Lancashire - wide Gypsy and Traveller Group. We recommend that this continues and that both Groups:

- » Share the methodologies and findings from their GTAAs.
- » Establish a greater understanding of travelling patterns.
- » Regularly exchange Information.
- » Share best practice on site management.
- » Explore the distribution of need across the region.
- » Explore the idea of developing a network of emergency stopping places across the Lancashire County Council area.
- » Develop a common protocol for managing unauthorised encampments.

5. Survey of Travelling Communities

Site Provision

- 5.1 All known sites in Hyndburn were visited by ORS researchers. The following section documents the outcome of these visits.

Authorised Gypsy and Traveller Sites

Figure 3
Authorised Gypsy and Traveller Sites

Site Name	Number of Authorised Pitches (occupied)	Number of Caravans	Notes
Whinney Hill Road (Council run site)	16 (15)	23	<ul style="list-style-type: none"> The council run site has had planning permission since 1976. The site currently contains 16 pitches (15 of which are occupied), and 24 caravans. They generally belong to two extended families and are all English Travellers. The current occupants of the site are happy and many have lived there a long time. However, residents did note that the 'sheds' are basic and that the site needs better drainage and repair to fences.
Whinney Hill House	6 (4)	3	<ul style="list-style-type: none"> The private site has six pitches and has had planning permission since 1976. There were caravans on the site at the time of the survey but no one was present at the site.
The Yard – Whinney Hill	2 (2)	2	<ul style="list-style-type: none"> This site is private with security gates. It has two pitches and has had planning permission since 2007. One family of English Travellers lives on the site with two daughters who are in their twenties. There were two pitches occupied at the time of the survey being carried out.
Parsonage Street	10 (5)	8	<ul style="list-style-type: none"> The site is private and is split into two sites with basic facilities. It has had full planning permission since 2000 and is occupied by a mixture of English and Irish Travellers. There were five pitches occupied at the time of the survey being carried out.
The Green &	15 (12)	13	<ul style="list-style-type: none"> This private site has one pitch and was granted

Duncan Square			<p>full planning permission in 1994. The site is owned by one family who rents out the plots for £45 per week. There were no facilities on this site and it was of a poor standard. Although there are 20 approved plots only twelve are occupied. There were 12 pitches occupied at the time of the survey being carried out.</p>
Dineley Street	4 (1)	2	<ul style="list-style-type: none"> The site has had full planning permission for four pitches since 1994. Only one pitch was occupied; an adult male living with two teenagers.
Coal Pit Lane	4 (4)	4	<ul style="list-style-type: none"> The privately run site has four approved pitches, all of which are occupied. There is one family living on the site but it is small and not in good condition; the family expressed a desire to move. Full planning permission for this site was granted in 1998.
James Street	7 (5)	5	<ul style="list-style-type: none"> The privately run site, which has had full planning permission since 1998, has seven authorised pitches but only five are in use. The site is occupied by a number of elderly residents. There were five mobile homes/tourers on the site at the time of the survey and it was noted that there is little space available.
Sunnydale Caravan Park	10 (2)	10	<ul style="list-style-type: none"> This private site has 10 authorised pitches (with planning permission since 2001) but there are only 2 occupied pitches with tourers. Although the site appears derelict the owners have stated that they are seeking to refurbish the site.
Blythes Sidings	10 (6)	10	<ul style="list-style-type: none"> The site which is privately owned by Irish Travellers has had full planning permission for 10 pitches since 2004. Access to the site was limited but there were six occupied pitches.
Heyes Lane / Stonebridge Lane	3 (0)	0 (house + 1 caravan)	<ul style="list-style-type: none"> This privately run site has had permission for three pitches since 2003. Although there was one caravan on the site at the time of the survey, the site is not being used as a caravan site as the owner lives in a house on the site with his family.
Alan Ramsbottom Way	1 (0)	1	<ul style="list-style-type: none"> There are no caravans on this site and it is not an operating site (although it should be noted that a certificate of legal occupation has been held since July 2009). It is situated next to a successful scrapyard business and a two year old detached house.
Sankey House Farm	10 (1) permanent;	1	<ul style="list-style-type: none"> This site has had permission for 10 permanent pitches (and 5 transit pitches) since 2010.

	5 transit	However, at the time of the survey there was only one caravan present which housed one single female.
Total	98 (57) 5 (0)	<ul style="list-style-type: none"> • Permanent Pitches • Transit Pitches

Unauthorised Gypsy and Traveller Sites

Figure 4
Unauthorised Gypsy and Traveller Sites

Site Name	Pitches	Notes
Moss Lane	2 (2)	<ul style="list-style-type: none"> • This unauthorised site houses two families of four adults in total with two pitches. Planning permission was refused on appeal in June 2012. An enforcement notice has been issued which required the caravans to be removed by April/June 2013.
Fir Trees	6 (4)	<ul style="list-style-type: none"> • The privately run site is owned by one family of English Gypsies. The site is a well maintained site with four occupied pitches; however the residents are very concerned about their planning status. They had a temporary two year permission granted on appeal in October 2010 but this expired in October 2013.

Travelling Showpeople Yard

Figure 5
Authorised Travelling Showpeople Yard

Yard Name	No of Authorised Plots	Notes
Silcocks/Burnley Road	18	<ul style="list-style-type: none"> • The yard has had full planning permission for 18 plots. ORS researchers were refused entry to the yard but there appeared to be 18 plots. It is worth noting that the site is reported to be split by ex-spouses.

6. Future Site Provision

Site Provision

- 6.1 This section focuses on the extra site provision which is required in Hyndburn currently and over the next 15 years by 5 year segments. This time period allows for robust forecasts of the requirements for extra provision based upon the evidence contained within this survey and also secondary data sources.
- 6.2 This section concentrates not only upon the total extra provision which is required in the area but whether there is a need for any transit sites and/or emergency stopping place provision.
- 6.3 Before commencing on the identification of future needs we would wish to note some key points. The North West of England Regional Spatial Strategy identified required pitch provision for each Local Authority. However, with the Coalition Government announcing the planned abolition of all Regional Spatial Strategies and the advent of the Localism Act 2011, National Planning Policy Framework 2012 and Planning Policy for Traveller Sites 2012 it should be the case that Local Plans rapidly replace the RSS as material consideration in planning decisions. It is also the case that we have not considered provision made in the period 2006-2013 and instead we are taking January 2014 as a baseline position for our estimates. In addition it should be noted that provision is made locally for Gypsies and Travellers up to 2016 through the adopted Hyndburn Core Strategy. Policy H3 makes this provision through the identification of a new site at Sankey House Farm. This site has now been delivered. This was consistent with the recommendations made by the Panel that considered Gypsy and Traveller issues for the North West Regional Spatial Strategy and was accepted by the Inspector responsible for examining the Core Strategy.
- 6.4 While there is a case to argue that authorities who failed to meet their needs in the period 2006-2013 should be expected to meet these in the future, or those who did provide in the period 2006-2013 should not have to provide as much in the future, there is no clear mechanism in place for this to occur. Instead we have modelled on any current needs being a backlog which has derived over time and then allowed for additional future needs as they are likely to arise. In this case the backlog of need refers to households who need to have their own accommodation. This includes concealed households, those on unauthorised sites who do not wish to move and those in bricks and mortar seeking to move to sites.
- 6.5 The March 2012 CLG document 'Planning Policy for Traveller Sites' requires an assessment for future pitch requirements but does not provide a suggested methodology for undertaking this calculation. However, as with any housing assessment, the underlying calculation can be broken down into a relatively small number of factors. In this case, the key issue for residential pitches is to compare the supply of pitches *available* for occupation with the current and future needs of the households. The key factors in each of these elements are set out below.

Supply of Pitches

- 6.6 Pitches which are available for use can come from a variety of sources. These include:
- » Currently vacant pitches;
 - » Any pitches currently programmed to be developed within the study period;
 - » Pitches vacated by people moving to housing;
 - » Pitches vacated by people moving out of the study area;

Current Need

- 6.7 There are four key components of current need. Total current need (which is not necessarily need for additional pitches) is:
- » Households on unauthorised developments for which planning permission is not expected;
 - » Concealed households;
 - » Households in brick and mortar wishing to move to sites; and
 - » Households on waiting lists for public sites.

Future Need

- 6.8 There are three key components of future need. Total future need is the sum of the following:
- » Households living on sites with temporary planning permissions;
 - » New household formation expected during the study period; and
 - » Migration to sites from outside the study area.
- 6.9 We will firstly provide the model as set out above for Gypsies and Travellers within Hyndburn. We will then separately analyse the need for additional transit provision in the study area before repeating the calculation for Travelling Showpeople.

Current Gypsy and Traveller Site Provision

- 6.10 The planning records for Hyndburn indicate that there are 100 authorised permanent pitches in the area. Plus 5 transit pitches. There are also 7 pitches on unauthorised sites.
- 6.11 The next stage of the process is to assess how much space is, or will become available, on existing sites. The main ways of finding this is through:
- » Current empty pitches;
 - » New sites or site extensions which have already been granted permission or are likely to gain planning permission in the foreseeable future or sites which are likely to come back into use following refurbishment;
 - » Migration away from the area;
 - » Movement to bricks and mortar;

- 6.12 The on-site survey indicates that there are an extremely high number of empty pitches in the study area. While the public site at Whinney Hill Road is full, many of the private sites are below capacity or simply empty. This is not just due to the occupants being away travelling, but instead the site owners indicate that no-one is occupying the pitches. The on-site survey only identified 43 households across the 100 authorised pitches with a small number of sites having no access, or households were away travelling. In total ORS were able to identify 53 occupied pitches in Hyndburn. It is possible that a small number of the other pitches are also occupied, so we have taken a conservative estimate and assumed that 60 pitches are occupied and 40 are vacant.
- 6.13 The existence of vacant pitches on this scale provides a problem for this study as to whether they can be considered as available supply. The majority of the pitches are in private ownership and for some the on-site facilities are considered to be poor. It is also common for there to be personal issues between potential tenants and site owners meaning that households without a pitch will not move on to potentially available spaces. Planning Policy for Traveller Sites is clear on how to consider new supply as being deliverable and available, but does not discuss bringing pitches back into use.
- 6.14 When calculating out-migration to other areas or movements from sites to bricks and mortar, it must be borne in mind that households may also wish to move in the opposite direction. Therefore, we have treated these as being part of the current and future need sections of the calculation.

Additional Site Provision: Current Need

- 6.15 The next stage of the process is to assess how many households are currently seeking pitches in the area. Groups of people who are likely to be seeking pitches will include those:
- » Households on unauthorised developments for which planning permission is not expected;
 - » Concealed households;
 - » Households in bricks and mortar wishing to move to sites; and
 - » Households on waiting lists for public sites.

Current Unauthorised Developments

- 6.16 There are currently two unauthorised sites in Hyndburn. The first has 6 pitches and was granted temporary planning permission until October 2013. This permission has now lapsed and the households are still present. At the time of the site visit there were 4 households present so we have used this number. The second site has an application for a single pitch with two caravans. Therefore, in total we have counted 5 pitches being needed for unauthorised sites.

Concealed Households

- 6.17 The household survey also sought to identify concealed households who require a pitch immediately. A concealed household is one who is living within another household and would wish to form their own separate family unit, but is unable to do so because of a lack of space on public or private sites.
- 6.18 As noted above, the on-site survey found almost all private sites were below capacity and these did not contain any concealed households. It is the case that the public site is full, but none of the pitches had any

indication of containing any concealed households or doubling up on pitches. Therefore, we have not allowed for any concealed households in the study area.

Bricks and Mortar and Site Waiting List

- 6.19 Identifying households in bricks and mortar has been frequently highlighted as an issue with Gypsy and Traveller Accommodation Assessments. The 2011 UK Census of Population identified a population of 43 Gypsy and Traveller households in Hyndburn, including those on sites. This figure is almost certainly an under-estimate, and stakeholders indicate that there are a number of households in bricks and mortar who are former site residents who left due to a lack of space on sites which was acceptable to them.
- 6.20 ORS worked with stakeholders, the Local Authority, on-site interviewees and also through advertising on the Friends, Family and Travellers Facebook page to identify households in bricks and mortar. This process yielded no interviews.
- 6.21 We would also note that it would be possible for the Council to undertake an extremely expensive process to try and identify all households in bricks and mortar. However, the National Planning Policy Framework requires councils to use a proportionate evidence base and the new National Planning Policy Guidance, Section 3, para 1 recommends:
- Plan makers should avoid expending significant resources on primary research (information that is collected through surveys, focus groups or interviews etc. and analysed to produce a new set of findings) as this will in many cases be a disproportionate way of establishing an evidence base.*
- 6.22 Therefore, Gypsies and Travellers are the only group in the community who are currently being surveyed on a regular basis with all other housing needs being assessed from secondary data. We would consider it contrary to this policy for a large scale expensive survey to be undertaken to assess the needs of Gypsies and Travellers in bricks and mortar.
- 6.23 The council also hold a site waiting list for the Whinney Hill Road public site. This currently has 5 households on it. Two are on private sites in Hyndburn, with one needing to move because the site has been sold. The remaining three have no permanent address, but have relatives on the Whinney Hill site. Given the relatively small number of households on the waiting list we have included all 5 households as need.
- 6.24 It is also the case that within most face to face surveys undertaken on-site by ORS, a small number of households are seeking to move to bricks and mortar. Therefore, it should be remembered that movement between housing and sites runs in both directions. However, the on-site survey contained no interviews with households wanting to move from sites to bricks and mortar.

Additional Site Provision: Future Need

- 6.25 The next stage of the process is to assess how many households are likely to be seeking pitches in the area in the future. Groups of people who are likely to be seeking pitches will include:
- » Households living on sites with temporary planning permissions;
 - » New household formation expected during the study period; and

- » Migration to sites from outside the study area.

Temporary Planning Permissions

- 6.26 There are no pitches on sites with temporary planning permission in the study area.

New Household Formation

- 6.27 Many studies of Gypsy and Traveller populations assume a net growth in the population of around 3% per annum, and this figure was used in the North West of England Regional plan. However, a 3% per annum growth rate will see household numbers double in 23.5 years and this figure has been widely used without any clear underlying evidence to support it. In addition evidence from the Annual Caravan County and site visits for this study – in particular the large number of vacant plots - show that there has been a steady decline in the number of Gypsies and Travellers in Hyndburn in recent years
- 6.28 In a study on behalf of the Office of the Deputy Prime Minister in 2003 (Local Authority Gypsy and Traveller Sites in England Office of the Deputy Prime Minister, 2003), Pat Niner identified that household growth rates of 2%-3% per cent a year were appropriate when projecting future formations.
- 6.29 In October 2007 the Department of Communities and Local Government issued guidance for conducting Gypsy and Traveller Accommodation Assessments. On page 25 this provides a worked example using a 3% per annum household formation rate, but notes in footnote 6 that:
- » ‘The 3% family formation growth rate is used here as an example only. The appropriate rate for individual assessments will depend on the details identified in the local survey, information from agencies working directly with local Gypsy and Traveller communities, and trends identified from figures previously given for the caravan count.’
- 6.30 Therefore, the current guidance is clear that each individual assessment should use local evidence for future household formation rates. This position was confirmed by the Planning - Economy and Society section of Department Communities and Local Government who at a Westminster ‘Gypsy & Traveller Briefing 2013: Planning Policy Progress & Delivery’ on October 15th 2013 to 32 local authority participants stated:
- ‘3% is not policy.’
- 6.31 This position was further reiterated in the debate in the House of Commons on February 4th 2014 when the planning minister, Brandon Lewis MP stated:
- ‘That leads me directly to the comment of my hon. Friend the Member for South West Bedfordshire about the 3% growth rate in Gypsy and Traveller household net formation. He believes the figure to be closer to 1.5% and will know from his research that the 3% figure originates in the Office of the Deputy Prime Minister’s 2003 report “Local Authority Gypsy/Traveller Sites in England”, which was probably written with the same pens that we still have many thousands of, paid for with taxpayers’ money back then. The figure was restated in the Department for Communities and Local Government’s 2007 report “Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies”. My hon. Friend makes a fair point, so, bearing in mind that we have moved away from regional spatial strategies, I will go away and examine whether we can reassess the guidance.’*

- 6.32 ORS have produced a detailed separate paper 'Household Formation Rates for Gypsies and Travellers: Technical Note' which demonstrates that the likely rate of growth for the population of Gypsies and Travellers across the whole of England based upon the best available evidence is closer to 1.5% per annum. Officials from Communities and Local Government have seen the technical note and confirmed that they have not undertaken any research on population or household growth for Gypsies and Travellers, and therefore have no information which contradicts this position.
- 6.33 A population growth rate of 1.5% will not necessarily equate to a household growth rate of 1.5%. Instead household growth rates may be higher. For example, across the whole of England for the whole population, the Office for National Statistics, in their 2011 based population, highlight a natural change in the population of 0.5% per annum and an overall change of 0.83% per annum when the effects of migration are added. 2011 based household projections produced by Communities and Local Government show a projected rise in households on 0.95% per annum.
- 6.34 ORS believe that the 3% figure often used in Gypsy and Traveller Accommodation Assessments is demonstrably too high to be used as a fixed value for all studies and is not based upon any form of robust evidence. Instead we believe that a range of values should be considered in light of local evidence.
- 6.35 The household survey for Hyndburn found that around 35% of the on-site population were children. This is slightly below average for surveys undertaken by ORS. In total we consider that there are around 72 households currently or wishing to be on-site in Hyndburn (60 on public and authorised private sites, 7 on unauthorised sites and 5 from the waiting list). A household formation rate of 2.00% per annum, would see growth in household numbers of 35% over 15 years. This would see an additional 25 households in Hyndburn over this time period.

In-migration from Other Sources

- 6.36 The most complicated area for a survey such as this is to estimate how many households will require accommodation from outside the area. Potentially Gypsies and Travellers could move to Hyndburn from anywhere in the country. The number of households seeking to move to the area is likely to be heavily dependent upon pitch provision elsewhere. It has been noted that a weakness of many Gypsy and Traveller Accommodation Assessments conducted across the country has been that they either allowed for out-migration without in-migration, which led to under-counting of need, or they over-counted need by assuming every household visiting the area required a pitch.
- 6.37 No households in the household survey wished to leave the area. However, ORS have seen site waiting lists for other areas and are aware that 4 households from Hyndburn are seeking to move to Blackpool. Therefore, there is some evidence that households are seeking to leave Hyndburn.
- 6.38 The site waiting list contains at least 2 households who do not live in Hyndburn who are seeking to move to the Whinney Hill site. Therefore, there is some evidence of households seeking to move to Hyndburn.
- 6.39 Therefore, in line with our approach across much of the country we have allowed for a balanced level of migration on to existing sites. The advantage of allowing for net migration to sum to zero is that it avoids the problems seen with other Gypsy and Traveller Accommodation Assessments where the modelling of migration clearly identified too low or high a level of total pitch provision. An assumption of net nil

migration implies that the net pitch requirement is driven by locally identifiable need. This is also consistent with the findings from the stakeholder consultation on Duty to Co-operate where neighbouring Local Authorities identified that they were seeking to address their own needs, but were not making provision for more than this figure.

- 6.40 However, rather than assess in-migrant households seeking to develop new sites in the area, we would propose that each case is assessed as a desire to live in the area and that site criteria rules are followed for each new site. It is important for Hyndburn to have clear criteria based planning policies in place for any new potential sites which do arise.

Overall Needs for Hyndburn

- 6.41 The estimated residential site provision that is required between 2017 and 2031 is **35 pitches**. This includes the existing households on unauthorised sites, those on the site waiting list and growth in household numbers due to household formation. Again we would emphasise that Hyndburn currently has in excess of 40 pitches vacant on a range of private sites that are capable of contributing towards meeting future needs. This includes a good quality site at Sankey House Farm that has recently opened.

Figure 6
Pitches which are required in Hyndburn from 2014-2028

Reason for Requirement/Vacancy	Gross Requirement	Supply	Net Requirement
Supply of Pitches			
Additional supply from empty pitches	-	0 ²	
Additional supply new sites	-	0	
Total Supply		0	
Current Need			
Current unauthorised developments or encampments	5		
Concealed households	0	-	
Net movement from bricks and mortar and the waiting list	5	-	
Total Current Need	10		
Future Needs			
Currently on sites with temporary planning permission	0	-	
Net migration	0	-	
New household formation	25	-	
Total Future Needs	25		
Total	35	0	35

Requirement by Time Periods

- 6.42 The evidence contained in this survey is that there is a requirement in the next 5 years for a total of 10 pitches to address the need from unauthorised site and those on the site waiting lists. Household growth is then projected to be 7 pitches over the next 5 years. Therefore the identified requirement in the period 2014-2018 is 19 pitches. The site at Sankey House Farm has already been developed as a means of meeting

² This excludes vacant pitches on private sites

the need identified up to 2016 and still has 9 permanent and 5 transit pitches available for occupation. There are therefore sufficient pitches available in Hyndburn to meet the predicted need to 2018.

- 6.43 From 2019 onwards all future projected growth is for household formations. In the period 2019-2023 this is projected to be 8 pitches and for 2024-2028 this is projected to be 10 pitches. The table below summarises the need over time.

Figure 7
Pitch Provision in Hyndburn in 5 Year Periods

Planning Authority	2013-2018	2018-2023	2023-2028	Total
Total	17	8	10	35

Transit/Emergency Stopping Site Provision

- 6.44 Transit sites serve a specific function of meeting the needs of Gypsy and Traveller households who are visiting an area or who are passing through on the way to somewhere else. A transit site typically has a restriction on the length of stay of around 13 weeks and has a range of facilities such as water supply, electricity and amenity blocks. They do not have a function in meeting local need which must be addressed on permanent sites.
- 6.45 An alternative to a transit site is an emergency stopping place. This type of site also has restrictions on the length of time for which someone can stay on it, but has much more limited facilities with typically only a source of water and chemical toilets provided.
- 6.46 Currently, there is no public transit site in the Lancashire County, but there is an existing 5 pitch transit site in Hyndburn. An existing public site in Blackpool cannot be used to redirect Travellers from within Lancashire.
- 6.47 As well as facilitating the accommodation needs of household visiting an area, the presence of a transit site or emergency stopping place in an area can speed up enforcement on unauthorised encampments, with households facing committing an offence if they do not move on to the site, or leave the County. However, we would note that Local Authorities are not able to use transit provision on private sites as part of their enforcement action policies and therefore while it does provide an option for visiting households it is at the discretion of the site owner who is allowed on to the site. It should also be noted that strengthened Police powers can only be triggered if a transit site or temporary stopping place is made available within a specific local authority area. The legislation does not currently allow the direction of Travellers across local authority boundaries.
- 6.48 Therefore, a public transit site both provides a place for households in transit to an area and also a mechanism for greater enforcement action against inappropriate unauthorised encampments. Evidence provided by stakeholders and the Local Authorities indicates that a significant number of short-term unauthorised encampments do occur each year in Lancashire which a transit site may help to address. We consider that households visiting Hyndburn do need access to a transit site, but this would not necessarily have to be located in Hyndburn. We would note that transit sites are an area where cross boundary

working has proved to be particularly effective and that the transit needs of Gypsy and Travellers visiting Lancashire are an issue which should be considered at a more strategic level.

Needs for Plots for Travelling Showpeople

- ^{6.49} The estimated need for plots for Travelling Showpeople is typically much simpler to model than for Gypsies and Travellers.
- ^{6.50} As outlined in Appendix B, the situation with Travelling Showpeople is that there are 2 yards in Hyndburn with planning permission. However, the 4 plot site in Clayton-le Moor is no longer in use as a Travelling Showpeople yard. Meanwhile the 18 plot yard is currently operating well below capacity. Evidence provided by the North West Showmen's Guild is that this site was originally passed as 18 separate yards each with a capacity of 3 caravans and these would be sold to individual Travelling Showpeople. However, this did not happen and instead the ownership of the site rests with one family. Therefore like the Gypsy and Traveller private sites in Hyndburn there is potential spare capacity for Travelling Showpeople, but these plots are not necessarily available or suitable for all Travelling Showpeople.
- ^{6.51} There is currently no clear indication of further need for Travelling Showpeople plots in Hyndburn. If any need does arise, the existing site does form a potential location to meet this need, but there may be issues for households to gain access to plots.

7. Policy Advice

Introduction

- 7.1 Opinion Research Services (ORS), on behalf of Hyndburn Borough Council, appointed Peter Brett Associates LLP (PBA) to provide advice on developing local planning policy for Gypsy, Traveller and Travelling Showpeople sites.
- 7.2 The following section will inform the Council of how to develop relevant policies and allocations in the Local Plan to meet the needs of the travelling community and guide the consideration of future planning applications for Gypsy, Traveller and Travelling Showpeople sites.

Policy Advice for GTAA

- 7.3 The Government published a new policy statement ‘Planning policy for traveller sites’ in 2012, replacing Circulars 01/2006 and 04/2007 to address future accommodation needs of Gypsies, Travellers and Travelling Showpeople, because the previous planning policy arrangements had failed to deliver adequate sites to meet identified needs over the previous 10 years.
- 7.4 Local planning authorities are currently required to identify and allocate sufficient sites to meet the needs of these groups within their local plans (Hyndburn Local Development Framework). This means that when delivering sites consideration is required to which sites are available and suitable for different types of the travelling community.
- 7.5 This section should inform the development of relevant policies and allocations in the emerging development plan, which will guide the consideration of future planning applications for Gypsy, Traveller and Travelling Showpeople sites.
- 7.6 ‘Planning Policy for Traveller Sites’ states that the overarching aim of Government is “to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.” (para 3).
- 7.7 The document includes some significant changes to the way in which the site needs of Gypsies, Travellers and Travelling Showpeople are planned for. The most significant change has been the removal of regional targets and the replacement with a new system of locally generated targets. Under this, local planning authorities are required to:
- » Use a robust evidence base to establish accommodation needs;
 - » Use pitch and plot targets to address the likely permanent and transit site accommodation needs of Travellers in their area;
 - » Identify and update annually a supply of specific deliverable sites to provide five years’ worth of sites against their locally set targets;
 - » Identify a supply of specific developable sites or broad locations for years six to ten and where possible for years 11-15; and

- » Set criteria based policies to meet identified need and/or provide a basis for decisions in case applications nevertheless come forward.

7.8 The Council commissioned ORS, to carry out a GTAA of Gypsies, Travellers and Travelling Showpeople within Hyndburn; the objective is to identify the number of Gypsy and Traveller pitches and Travelling Showpeople plots to meet identified needs to 2028. The GTAA provides evidence to address the first two requirements set out above.

7.9 This chapter provides Hyndburn Borough Council with the policy recommendations for Gypsy, Traveller and Travelling Showpeople sites, to meet the remaining three requirements of national policy set out above. This section addressed the following:

- » Whether to set targets for Gypsy and Traveller pitches and Travelling Showpeople plots within policy documents – section 2.2;
- » Whether to allocate sites for Gypsy, Traveller and Travelling Showpeople sites – section 2.3;
- » Identifying broad locations for Gypsy, Traveller and Travelling Showpeople sites and informing site assessment criteria – section 2.4;
- » Creating local planning policy criteria to guide planning applications to help deliver Gypsy, Traveller and Travelling Showpeople sites – section 2.5;
- » How to consider site design and management recommendations – section 2.6; and
- » How to work with neighbouring authorities – section 2.7.

Set Targets within Local Planning Policy

7.10 As set out in national policy, local planning authorities are required to set pitch and plot targets to address the likely permanent and transit site accommodation needs of travellers in their area. Therefore targets identified in the Hyndburn GTAA for Gypsy and Traveller pitches should be required within local planning policy. There is no identified need in Hyndburn for Travelling Showpeople plots and therefore there is no need to include a target in local planning policy.

7.11 Hyndburn adopted the Core Strategy in January 2012. This included Policy H3 ‘Gypsy and Traveller Provision’ set out below:

Policy H3 Gypsy and Traveller Provision

Adequate provision will be made in the Borough for Gypsies, Travellers and Travelling Showpeople by:

- » Protecting the existing site in Altham for the use of Travelling Showpeople;
- » Protecting existing permanent sites which are authorised for Gypsy and Traveller use;
- » Identifying land at Sankey House Farm to meet future needs.

- 7.12 The third part of Policy H3 was based on the GTAA undertaken for the North West of England Regional Spatial Strategy which indicated that Hyndburn should provide 10 permanent and 5 transit pitches up to the period 2016. The Inspector who examined the Hyndburn Core Strategy was satisfied that the GTAA represented the most recent evidence on need within Hyndburn.. Future revisions of the Core Strategy or Local Plan could include a target to reflect the most up-to-date GTAA. Alternatively the target could be included within Policy HOU7 in the Development Management Development Plan Document (DPD).
- 7.13 The GTAA undertaken by ORS indicates³ at that there are ‘sufficient pitches available in Hyndburn to meet the predicted need to 2018’. The GTAA indicates that a further 8 pitches would be required over the five year period 2019 to 2024, and a further 10 pitches between 2024 and 2028. When setting targets the Council could also consider splitting the target for public/affordable pitches and private pitches were possible.

Allocate Sites for first 5 years within Local Planning Policy

Safeguarding Existing Sites

- 7.14 There are existing Gypsy and Traveller and Travelling Showpeople sites with full permission within Hyndburn. These sites are currently safeguarded within Core Strategy Policy H3. The Council need to retain this policy item within any future policy document to ensure their continued use.
- 7.15 Safeguarding these sites will prevent their loss to other uses and therefore ensure that new site provision is only required to meet future needs.

Allocate New Sites

- 7.16 National policy sets out that local planning authorities should update annually a supply of specific deliverable sites to provide five years’ worth of sites against their locally set targets, and identify a supply of specific developable sites or broad locations for years 9-10 and where possible for years 11-15.
- 7.17 The Council is producing a Site Allocations DPD which will identify site specific proposals for different land uses. These will include sites for housing, employment, leisure and retail development. It will identify areas where development policies apply, such as Green Belt, Urban Areas and Local Centre boundaries. It is recommended that the Site Allocations DPD also allocates sites for Gypsy and Traveller uses.
- 7.18 The adopted Core Strategy Policy HS3 allocates one site at Sankey House Farm. Although the policy does not state the number of pitches allocated, the supporting text states that the site will comprise 10 permanent pitches and 5 transit pitches⁴. Policy HOU7 (point 1) highlights that the Core Strategy policy meets the needs of Gypsies and Travellers up to 2016 and the GTAA undertaken by ORS is satisfied that there are sufficient pitches in Hyndburn to meet the needs of the Gypsy and Traveller community in Hyndburn up to 2018. Further work may therefore be required to determine whether there are sufficient pitches to meet the needs of the Gypsy and Traveller community beyond 2018.

³ At paragraph 6.42.

⁴ Hyndburn Core Strategy, para 4.45.

Further Evidence Base - Site Assessment Study

- 7.19 National planning policy for Gypsies and Travellers is contained within 'Planning policy for traveller sites'. This identifies three key criteria for identifying appropriate sites for delivery through the planning system. To be deliverable within five years or developable within years 6-15, sites should:
- » **Be suitable** – the site should be in a suitable location for development;
 - » **Be available** - the site should be available now or there should be a reasonable prospect that the site is available at the point envisaged;
 - » **Be achievable** – there is a realistic or reasonable prospect that housing could be viably developed at the point envisaged.
- 7.20 It is recommended that the Council undertake a full site assessment study, which identifies a pool of sites which are considered suitable, available and achievable to ensure that the sites allocated in the first 5 years are deliverable, in line with the requirements of national policy and to meet the needs of the local travelling community set out in the GTAA. In Hyndburn the site at Sankey House Farm has now opened and has a new utility block. This is sufficient to meet the needs until 2018, and there are a variety of other (older) sites that are in use, have planning permission but have vacant pitches. It is recognised that some of these are in poor condition.
- 7.21 The Council will need to assess all existing sites and sites from all available sources, which are potentially available for Gypsy and Traveller use. This type of study will assess if there are enough available and suitable sites within Hyndburn, to meet the Gypsy and Traveller needs.
- 7.22 The Council may need to identify further sites beyond 2018 in order to meet the need for the local travelling community and to maintain a 5 year supply or be confident that it has undertaken all endeavours to identify sites and meet the defined need in the next five years to the satisfaction of a Planning Inspector at examination.
- 7.23 The GTAA undertaken by ORS has identified that there are a large number of pitches on existing sites which are currently vacant, although there are issues with potential availability and therefore deliverability beyond 2018. A full site assessment study should include a robust assessment of whether these vacant existing pitches are available to meet the needs identified in this GTAA. It will be necessary for the Council to keep this position under review.

6-15 Years Supply within Local Planning Policy

- 7.24 The site assessment study will identify if the Council has enough sites to meet the needs beyond the first 5 years of the plan. As set out in national policy, if the Council cannot find enough sites for the 6-11 years then the Council should identify broad locations.
- 7.25 The Council should investigate the potential for the identification of broad locations within Hyndburn. These could be used in conjunction with a criteria policy to guide the subsequent identification or consideration of specific Gypsy and Traveller and/or Travelling Showpeople sites through the planning application process in the future.

- 7.26 Criteria for defining broad locations should take into account national and local policy, guidance.
- 7.27 The Council should work with key stakeholders to develop this work, which should include Councils representatives, Gypsy and Traveller support services and representatives from the travelling communities from Hyndburn area.
- 7.28 Broad locations (if required) should identify:
- » **Residential Gypsy and Traveller sites broad locations** – public and private provision;
 - » **Public site provision** - If the needs assessment concludes that there is a local need for pitches to be provided on public sites, in order to meet waiting list needs, the Council should investigate delivery of a public site within the most sustainable broad location, particularly in locations where there is good access to main facilities and services such as local primary schools and health centres.
 - » **Transit Gypsy and Traveller sites broad locations** – identifying the main highway routes used by Gypsies and Travellers, which would inform a Lancashire-wide provision of transit site and/or emergency stopping places provision.
 - » **Travelling Showpeople broad locations** – private provision.
- 7.29 The development of broad locations should take into account:
- » **Green Belt land** – Although local authorities have a statutory requirement to identify sites to meet the locally defined needs for Gypsy, Traveller and Travelling Showpeople, the Government has reinforced its position⁵ on the development of sites in the Green Belt by stating that such development is inappropriate and that the impact on openness is not outweighed by issues of need.
 - » **Avoiding physical constraints and protected areas** - Within broad locations there will be absolute constraints which should be avoided, such as areas at high risk of flooding, sites of importance for nature conservation and historic environments.
 - » **Fit with spatial strategies** – For residential broad locations, proximity to settlements should be a key consideration. An assessment of sites should take into consideration the distance from each site to health, education and shopping opportunities and if opportunities exist for residents to access public transport services.
 - » **Fit with needs** - The identification of further Gypsy, Traveller and Travelling Showpeople residential and transit sites could take into account of the locations where need arises.

Criteria Policy

- 7.30 As set out in national policy, local authorities need to set out a criteria based policy to assess planning applications for Gypsy and Traveller and Travelling Showpeople uses, to meet any other unidentified need through the plan period e.g. 6 to 15 years and to provide a base for considering planning applications.

⁵ Ministerial Statement by Secretary of State.

- 7.31 National policy states that criteria “should be fair and should facilitate the traditional and nomadic life of Travellers while respecting the interests of the settled community” (para. 10). Many previous studies and local plan criteria based policies across the country have used very restrictive criteria which have prevented many reasonable sites from coming forward. This is one of the principal reasons why the Government is no longer relying simply upon criteria based policies to bring forward suitable sites for Gypsies and Travellers, and instead placing the focus upon local authorities to identify specific deliverable sites to provide for identified need.
- 7.32 Planning Policy for Traveller Sites identifies a series of issues for criteria to address to ensure that traveller sites are sustainable economically, socially and environmentally. Specific policies set out the national approach towards sites in rural areas and the countryside (Policy C), rural exception sites (Policy D), sites in Green Belt (Policy E), mixed planning use sites (Policy F), major development projects (Policy G) and determining planning applications (Policy H).
- 7.33 The Council should take into account the various criteria from the following sources including:
- » National Planning Policy Framework and National Planning Policy Guidance;
 - » ‘Planning Policy for Traveller Sites’, CLG, March 2012;
 - » Adopted and emerging local policies within the Local Plan and Draft Local Plan;
 - » The Showmen’s Guild of Great Britain ‘Model Standard Package’;
 - » ‘Designing Gypsy and Traveller Sites’, CLG, May 2008; and
- 7.34 The views of the travelling communities and key stakeholders identified through the undertaking broad location and site identification work.
- 7.35 The Council are producing a Development Management Development Plan Document (DPD), and consulted upon the Preferred Options draft in 2013. This included draft criteria policy DM12 ‘Gypsies and Travellers set out below:

HOU7 Gypsy and Traveller Sites

1. The Core Strategy identifies sufficient land to meet the needs of Gypsies and Travellers until 2016.
2. The Council will not support Gypsy and Traveller sites in Green Belt.
3. Sites within land defined as countryside (this does not include green belt) will only be considered where there is a proven need that further Gypsy and Traveller sites are required in Hyndburn and where the applicant has demonstrated that all suitable and available sites within the defined urban area have been fully considered and where the criteria in parts 4 and 5 of this policy have been satisfied.
4. Where there is a proven need for additional Gypsy and Traveller sites in Hyndburn, over and above those sites already allocated, these should be located within defined urban areas where there is convenient access to amenities, schools, employment opportunities and public transport. In all cases development proposals for Gypsy and Traveller sites should accord with all of the following additional criteria:

- a. Should not cause unacceptable harm to highway safety;
- b. Should not cause unacceptable harm to visual amenity;
- c. Should not cause unacceptable harm to residential amenity;
- d. Should be located in accessible locations with good access to public transport provision, and;
- e. Should not cause unacceptable harm to the character or appearance of a conservation area or to the setting of a heritage asset.

5. Applications for new Gypsy and Travellers pitches will not be supported if there are sufficient vacant pitches on allocated or existing sites elsewhere in the Borough or sites within close proximity to Hyndburn's boundary albeit in neighbouring authority areas.

- 7.36 Recommendations for developing Policy HOU7 further are provided in the section below.
- 7.37 Policy Criteria HOU7 (1) states that the Core Strategy identifies enough land to meet the needs of Gypsies and Travellers until 2016 and the GTAA has confirmed that there are sufficient pitches until 2018.
- 7.38 Policy Criteria HOU7 (2) states that the Council will not support Gypsy and Traveller sites within the Green Belt. Setting this as an absolute statement is not consistent with national policy in the Framework. In order for this to be a robust policy criterion, the Council needs to provide evidence that it can meet the needs of the Gypsy and Traveller community beyond the first 5 years outside of the Green Belt. This can be achieved by undertaking a full site assessment study to identify whether there are enough pitches on existing/new sites outside of the Green Belt. This will allow the Council to continue to protect the Green Belt. If the Council needs sites within the Green Belt to meet the first 5 year of need or beyond, then this would need to be done through the plan making process and robust evidence would be required at examination of the plan. National Green Belt policy requires Green Belt Reviews to ensure that the Green Belt Boundary will not have to be amended at the end of the plan period; this is an important consideration for Local Authorities that can't identify more sites than they require to meet the locally determined need within the plan period.
- 7.39 Policy Criteria HOU7 (3) requires planning applications for Gypsy and Traveller use to prove there is a need for further Gypsy and Traveller sites. Criteria 3 goes on to require that all suitable and available sites within the defined urban area have been fully considered by applicants. Peter Brett Associates consider that the Council cannot pass the responsibility for the identification of sites on to planning applicants, as the Council has statutory duty to identify sufficient sites to meet later needs. This is the work of the Site Assessment Study which should be undertaken by the Council and therefore it is recommended that this criterion should be deleted or amended.
- 7.40 Policy Criteria HOU7 (4) requires that all sites not already allocated should be within defined urban areas. National policy allows for sites to be within the countryside. To be considered deliverable, the identification of specific sites requires willing landowners. It is our experience that the relatively low value of sites for Gypsy, Traveller and Travelling Showpeople use compared to residential or retail development values within urban areas will result in the majority of landowners not making their sites available for Gypsy, Traveller and Travelling Showpeople use.
- 7.41 This represents a significant issue for the Council as it is likely that an examiner will consider Criteria 4 too restrictive to deliver sites to meet needs in years 6 to 15 of the plan period. It is imperative that the criteria

for Gypsy and Traveller sites is fair and should facilitate the nomadic way of life, as set out in national policy, therefore it is recommend that the wording in criteria (4) relating to sites being located within defined urban areas should be deleted from the draft policy. It is suggested that as an alternative, the Council could include text requiring sites to be within a 'reasonable distance' from services, such as school, bus stops, local shop and health services.

7.42 Policy Criteria HOU7 (5) states that applications for new Gypsy and Traveller pitches will not be supported if there are sufficient vacant pitches on allocated or existing sites elsewhere or in neighbouring authority areas. It is important for the Council to undertake a Site Assessment Study to establish the genuine availability of vacant pitches to meet needs. Peter Brett Associates consider that the Council would not be able to resist planning applications for new provision on the basis of need, if the Council has not identified a supply of sites sufficient to meet the identified needs in the GTAA for the whole plan period.

7.43 At this time it is unclear if the vacant pitches are available beyond 2018; therefore the Council can't assume that vacant pitches can meet the needs of Gypsy and Travellers after that time. It is therefore recommended that the Council undertake a full site assessment to establish which of the vacant pitches are available and could contribute towards meeting the needs of the travelling community over the plan period. PBA recommend the Council take a pro-active approach to the identification of sites, as this will meet its statutory duty, allow the Council to choose which sites are used for Gypsy and Traveller use and put them in a stronger position to deal with unauthorised sites.

7.44 Criteria (5) also requires the applicant to demonstrate there are no available pitches in neighbouring authority areas. Peter Brett Associates recommend that the Council delete this from the policy. The Council has a statutory duty to identify sites to meet the needs identified in the GTAA and the provision of sites in neighbouring authorities would not necessarily contribute to meeting the Council defined local need.

Site Design and Management Recommendations

Types of Sites

7.45 There are three general types of sites which may be required to meet Gypsy and Traveller needs. These are:

- » Residential sites – these provide residents with a permanent home;
- » Transit sites – these are permanent sites that provide temporary accommodation for their residents, normally between 28 days and 3 months;
- » Temporary stopping places – these are pieces of land in temporary use as authorised short term (less than 28 days) stopping places for all travelling communities. This can include emergency stopping places, if preferred

Size of Sites

7.46 National evidence would suggest that Gypsies and Travellers prefer small sites containing a small number of pitches to accommodate their immediate family and extended family.

- 7.47 Many sites contain only one or two pitches, reflecting the family nature of many sites. *“Designing Gypsy and Traveller Sites”* states that *“a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage. However, smaller sites of between 3-4 pitches can also be successful, particularly where designed for one extended family”* (para 4.7).”
- 7.48 National evidence would suggest that Gypsies and Travellers prefer small sites containing a small number of pitches to accommodate their immediate family and extended family. Government guidance suggests that “experience of site managers and residents alike suggest that a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage. However, smaller sites of between 3-4 pitches can also be successful, particularly where designed for one extended family” (para 4.7).
- 7.49 It is therefore difficult to identify the exact number of sites required to meet the pitch requirements for Hyndburn. The actual number of sites required will be determined according to a number of factors including taking account of:
- » The availability of vacant pitches to meet immediate need;
 - » The different cultural, ethnic and family groupings of Gypsies and Travellers and Travelling Showpeople;
 - » The extent to which additional provision could be made through extension or intensification of existing sites; and
 - » Whether replacement sites need to be found for existing sites which may be unsuitable or not available for immediate use.
- 7.50 For Travelling Showpeople, the future need will arise from the occupants of existing yards.
- 7.51 The capacity of existing Gypsy and Traveller and Travelling Showpeople sites needs to be assessed in a full site assessment.

Layout and Capacity

- 7.52 Gypsy and Traveller sites are made up of one or more caravan pitches and associated facilities. However, there is no national definition of what a pitch should look like or indeed contain. As *“Designing Gypsy and Traveller Sites”*⁶ states *“there is no single, appropriate design for sites, any more than there is for general housing development.”* (para. 1.7).
- 7.53 Sites often reflect the differing cultural needs and practices of Gypsies and Travellers. For example, New Travellers may look for less formal pitch layout and design and may seek low impact environmental solutions rather than more formal and traditional layouts favoured by Romany Gypsies or Irish Travellers.
- 7.54 ‘Designing Gypsy and Traveller Sites’ aims to provide good practice in general design but in particular, to assist local authorities to develop new or refurbish existing public managed sites.
- 7.55 For residential sites, the guidance states that *“an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan... drying space for clothes, a lockable shed...parking*

⁶ Communities and Local Government (2008) *Designing Gypsy and Traveller Sites Good Practice Guide*

space for two vehicles and a small garden" (para. 7.12). On average, usage is approximately 1.7 caravans per pitch.

- 7.56 On public sites and larger private sites, pitches are often laid out side by side, either side of a central access road. 'Designing Gypsy and Traveller Sites' states that many Gypsies and Travellers prefer a circular or horseshoe design rather than this more traditional linear layout of pitches.
- 7.57 In practice, many small private Gypsy and Traveller residential sites do not contain amenity blocks but include all living and sleeping accommodation within modern park homes. Many private sites also include land for grazing horses and workspace and storage areas. Layouts are often informal and relate more to the individual characteristics of a site and context rather than a standard template. Although some small private Gypsy and Traveller residential sites do contain amenity blocks as well.
- 7.58 Transit sites may be used all year round but are intended to only provide temporary accommodation for occupants. The same general design principles apply to transit pitches as they do to permanent residential pitches. Locational criteria are different, however, as sites need to be located close to transit routes and effective management of these sites is also particularly important.
- 7.59 Temporary stopping places need to be well located to the highway network and provide safe, but basic facilities only, including hard standing for caravan and vehicles and connection to water, electricity, toilet and sewerage services.
- 7.60 The Showmen's Guild of Great Britain "*Model Standard Package*" includes model site layouts for small and large Travelling Showpeople sites. Plots or Yards contain separate areas for residential use and for the storage and maintenance of vehicles and equipment. Residential areas are similar to residential Gypsy and Traveller pitches, with space for trailers or park homes and touring caravans, vehicles and gardens. Vehicle storage areas and access roads should involve hard standing and need to be of sufficient size to allow large vehicles to manoeuvre and turn.
- 7.61 Site capacity should take account of on-site constraints and the need, where necessary, for landscaping and other mitigation measures to achieve a suitable development. A generous approach to landscaping and access arrangements should generally be taken to ensure a high standard of design can be achieved on site and to create a site which Gypsies, Travellers or Travelling Showpeople find attractive. At the same time, sufficient space and landscaping will help to conserve the residential amenity of neighbouring uses.
- 7.62 Site capacity also needs to take account of whether the pitch is solely for residential uses or whether employment space is required. National policy states that some sites may be suitable for a mix of residential and business uses. In these cases, sites will need to be of sufficient size to accommodate business uses and appropriate landscaping and mitigation.

Site Management

- 7.63 Most Gypsies, Travellers and Travelling Showpeople prefer to own and manage their own private sites. National policy encourages the provision of more small, private sites.
- 7.64 However, there continues to be a need for Gypsy and Traveller pitches which can be rented by individual families, either from a private landlord or from a public body.

- 7.65 It is a consistent theme of views expressed by the settled community that Gypsy and Traveller sites would be better received if proper site management practices were to be employed.
- 7.66 Transit sites can present management challenges because of the relatively high turnover of families visiting them and 'Designing Gypsy and Traveller Sites' recommends that provision should be made for a resident manager, subject to usage and local considerations.

Cross Boundary Working

- 7.67 The adopted Core Strategy states in para 4.44 that a significant proportion of Gypsy and Traveller sites in Lancashire are located in Hyndburn, and that the Council believes that provision of sites for Gypsies and Travellers should be equitably distributed across all districts.
- 7.68 As stated previously, the Council will need to undertake a robust Site Assessment Study to identify if there are enough sites within Hyndburn to meet the needs of its own travelling community, as identified in the GTAA. If there is a lack of sufficient identified sites to meet the needs, the Council should then make every endeavour to work with neighbouring authorities, to see if they could help meet Hyndburn's need for both Gypsy and Traveller and Travelling Showpeople sites.
- 7.69 The main issues with cross boundary working on Gypsy, Traveller and Travelling Showpeople provision is the sensitive nature of the use and the timing of neighbouring authority evidence production. It is recommended that the Council remain aware of the progress neighbouring authorities are making on this issue and be alert to the possibilities. Situations may arise where adjacent local authorities have undertaken Site Assessment Studies and have either identified insufficient sites to meet their own GTAA needs (and could therefore approach Hyndburn to help meet their needs) or where adjacent local authorities have identified a surplus of sites above their defined GTAA needs that could help the Council to meet its needs in the event that the Council are unable to identify sufficient sites within the Authority area.
- 7.70 The politically sensitive nature of Gypsy, Traveller and Travelling Showpeople provision use cannot be used to prevent local authorities from undertaking cross boundary working, as required by the duty to co-operate.

Transit Site Provision

- 7.71 Provision has been made for 5 transit pitches at Sankey House Farm, a new site that has recently been opened in Hyndburn. These pitches have the benefit of planning permission and are available for use.

Public Site Provision

- 7.72 There is 1 public site in Hyndburn which is up to capacity, with an identified immediate need for 5 pitches. The Council should consider delivery options that could bring a new site forward.
- 7.73 The needs of Gypsies and Travellers do not stop at local authority boundaries and the delivery for all types of sites (especially public and transit sites) should be explored across these boundaries. The Council should consider the provision of affordable pitches, working in partnership with neighbouring local authorities and the County Council to ensure that sufficient affordable pitches are provided throughout the County.

8. Conclusions

Introduction

- 8.1 This chapter brings together the evidence presented earlier in the report to provide some key policy conclusions for Hyndburn. It focuses upon the key issues of current and future site provision for Gypsies and Travellers and Travelling Showpeople.

Gypsy and Traveller Future Pitch Provision

- 8.2 Based upon the evidence presented in this report, the estimated extra pitch provision required for Gypsies and Travellers to 2028 in Hyndburn is for **35 pitches**. These figures should be seen as the projected amount of provision which is necessary to meet the statutory obligations towards identifiable needs of the population arising in the area.
- 8.3 The table below shows the provision required by type of site in 5 year time periods. This is based upon addressing any current need where it arises in the next 5 years and then projecting forward household growth based upon the size of the existing on-site population.

Figure 7
New Pitch Provision in Hyndburn in 5 Year Periods

	2013-2018	2018-2023	2023-2028	Total
Hyndburn	17	8	10	35

Current Site Vacancy Levels

- 8.4 The on-site survey indicated that there are an extremely high number of empty pitches in Hyndburn, many of the private sites below capacity or empty. This is due to the site owners indicating that no-one is occupying the pitches. This study has taken a conservative estimate and assumed that 60 pitches are occupied and 40 are vacant.
- 8.5 The existence of vacant pitches on this scale provides a problem as to whether they can be considered as available supply. The pitches are all in private ownership and for many the on-site facilities are considered poor. Planning Policy for Traveller Sites is clear on how to consider new supply as being deliverable and available, but does not discuss bringing pitches back into use. For the needs modelling we have initially assumed that pitches are not available for use, but would note that this number of empty pitches could be used to meet much of the future need. The Council therefore need to explore options for bringing these vacant sites back into use in order to meet the needs identified in this study.

Transit Sites

- 8.6 Currently, there is no public transit site in the Lancashire County, but there is an existing 5 pitch transit site in Hyndburn. Evidence provided by stakeholders and the Local Authorities indicates that a significant number of short-term unauthorised encampments do occur each year in Lancashire which a transit site may help to address. We consider that households visiting Hyndburn do need access to a transit site, but this would not necessarily have to be located in Hyndburn. We would note that transit sites are an area where cross boundary working has proved to be particularly effective and that the transit needs of Gypsy and Travellers visiting Lancashire are an issue which should be considered at a more strategic level.

Travelling Showperson Requirements

- 8.7 There is currently no evidence of further need for Travelling Showpeople plots in Hyndburn. If any need does arise, the existing site does form a potential location to meet this need, but there may be issues for households to gain access to plots.

Neighbouring Authorities

- 8.8 All officers in neighbouring authorities supported the creation of the Pennine Lancashire Regenerate Group and the Lancashire-wide Gypsy and Traveller Group. We recommend that this continues and that both Groups:
- » Share the methodologies and findings from their GTAAs.
 - » Establish a greater understanding of travelling patterns.
 - » Regularly exchange Information.
 - » Share best practice on site management.
 - » Explore the distribution of need across the region.
 - » Explore the idea of developing a network of transit sites or emergency stopping places across the Lancashire County Council area.
 - » Develop a common protocol for managing unauthorised encampments.

Appendix A: Gypsy and Traveller Sites in Hyndburn (February 2014)

Gypsy and Traveller Sites in Hyndburn

Site	Number of Pitches
Local Authority Sites	
Whinney Hill Road	16
TOTAL PITCHES ON LOCAL AUTHORITY SITES	16
Private Sites with Permanent Permission	
Whinney Hill House, Whinney Hill Road	6
The Yard, Whinney Hill	2
Parsonage Street	10
The Green & Duncan Square, Rear of Palladium, Union Road,	15
Dineley Street	4
Coal Pit Lane	4
James Street	7
Sunnydale Caravan Park	12
Blythes Sidings	10
Heyes Lane	3
Alan Ramsbottom Way	1
Sankey House Farm	10 + 5 transit
TOTAL PITCHES ON PRIVATE SITES WITH PERMANENT PERMISSION	84
Private Sites with Temporary Permission	
-	-
TOTAL PITCHES ON PRIVATE SITES WITH TEMPORARY PERMISSION	0
Tolerated Sites – Long-term without planning permission	
-	-
TOTAL PITCHES ON LONG-TERM TOLERATED PRIVATE SITES	0
Unauthorised Developments	
Fir Trees, Sough Lane	6
Moss Lane	1
TOTAL PITCHES ON UNAUTHORISED DEVELOPMENTS	7
TOTAL PITCHES	107

Appendix B: Travelling Showpeople Yards in Hyndburn (February 2014)

Travelling Showpeople Yards in Hyndburn

	Site	Number of Plots
Local Authority Yards		
TOTAL PLOTS ON LOCAL AUTHORITY SITES		
Private Yards with Permanent Permission		
	Silcocks, Burnley Road	18
	Clayton Le Moors ⁷	4
TOTAL PLOTS ON PRIVATE SITES WITH PERMANENT PERMISSION		18
Private Yards with Temporary Permission		
TOTAL PLOTS ON PRIVATE SITES WITH TEMPORARY PERMISSION		0
Tolerated Yards – Long-term without planning permission		
TOTAL PLOTS ON LONG-TERM TOLERATED PRIVATE SITES		0
Unauthorised Developments		
TOTAL PLOTS ON UNAUTHORISED DEVELOPMENTS		0
TOTAL PLOTS		18

⁷ Fieldwork indicates that this is no longer in use as a Travelling Showpeople yard