

Memorandum of Understanding (MoU) – Gypsy and Travellers Transit Pitch Provision Evidence Base Study

The Essex Planning Officers Association on behalf of the following Partners to the Agreement:

Basildon Borough Council

Braintree District Council

Brentwood Borough Council

Castle Point Borough Council

Chelmsford City Council

Colchester Borough Council

Epping Forest District Council

Essex County Council

Harlow District Council

Maldon District Council

Rochford District Council

Southend-on-Sea Borough Council

Tendring District Council

Thurrock Council

Uttlesford District Council

Collectively called 'the Partners'.

Agreement - The Partners have reached the following agreement;

- 1 - That a GTAA – Transit Sites Needs Assessment (TSNA) be produced as a joint document for Essex
- 2 – That the need, or otherwise, for transit sites, temporary/emergency stopping places, temporary (Seasonal) sites, and negotiated stopping agreements be identified within the TSNA
- 3 - That broad geographic areas/corridors where site provision is needed be identified within the TSNA
- 4 - That all signatories to the MoU are in agreement to commit to the TSNA until completion.

Background

Local Planning Authorities under the National Planning Policy Framework (2018) (NPPF) have to meet the identified need for housing for all as set out from paragraph 59 of the NPPF. This includes needs for Gypsy and Travellers.

In 2018 Opinion Research Services (ORS) completed a Gypsy and Traveller Accommodation Assessment (GTAA) for 13 of the local authorities that make up Greater Essex. A separate study, completed using the same methodology was prepared for Basildon Borough at broadly the same time. This resulted in the following publications:

- A Greater Essex Joint Methodology;
- A Greater Essex GTAA Summary Report;
- 13 individual GTAA Summary Reports;
- A full GTAA Report for Basildon Borough.

As well as seeking to identify permanent accommodation needs for Gypsies, Travellers and Travelling Showpeople, the GTAA also sought to identify need for transit provision. Due to the complex nature of assessing the need for transit provision across Greater Essex, and the publication of the 2015 Planning Policy for Traveller Sites (PPTS) ORS recommended that further work be undertaken to assess need based on a rigorous and comprehensive methodology including the following elements:

- A review of historic primary and secondary data on unauthorised encampments and transit movements.
- Interviews with key stakeholders who are involved in managing unauthorised encampments.
- Greater understanding of the nature of unauthorised encampments, including a potential need for permanent pitches.
- A detailed 12-month study of unauthorised encampments and transit movements between March 2020 and February 2021 – including interviews with households on unauthorised encampments (to take account of the change in definition introduced by the 2015 PPTS).
- A review of options to address transit needs across Greater Essex.
- Recommendations on how to meet identified transit need across Greater Essex including recommendations on broad geographical areas/corridors where transit sites are needed.

The ORS proposal is attached as Appendix 1.

Obligations

The Partners agree to respond to requests for information and provide comments on draft documents in a timely fashion. Local Authorities Members are to be briefed on the process, and the emerging document included as part of the Local Plan evidence base. Once a draft document is agreed by the group, it will be taken to the individual Local Authorities for agreement.

The cost of the project is expected to be divided equally between all participating authorities and processed as part of the Essex Planning Officers Association annual subscription fee for each authority.

Amendments to this MoU would need to be agreed by all signatories.

Expected output

The production of a robust and credible evidence base is supported by the Local Authorities on the need, or otherwise, for transit sites, or other stopping places, for Gypsy and Traveller community use in Essex, including broad geographic areas/corridors where that need is required.

Once the need has been identified it will be the responsibility of the Local Authorities to identify the most appropriate locations or strategy for delivering that need.

Signed on behalf of the Partners



Graham Thomas

Chair, Essex Planning Officers Association



Opinion Research Services



EPOA
Essex Planning
Officers Association

Proposal for

Greater Essex Transit Study

September 2019

Updated February 2020

Contact:

Steve Jarman

Senior Research Executive

Opinion Research Services

Telephone: 01792 535331

Email: steve.jarman@ors.org.uk

Background

In 2018 Opinion Research Services (ORS) completed a Gypsy and Traveller Accommodation Assessment (GTAA) for the 14 local authorities that make up Greater Essex. This comprised a Greater Essex Joint Methodology, a Greater Essex GTAA Summary Report, and 14 individual GTAA Summary Reports.

As well as seeking to identify permanent accommodation needs for Gypsies, Travellers and Travelling Showpeople, the GTAA also sought to identify need for transit provision. Due to the complex nature of assessing the need for transit provision across Greater Essex the Summary Report contained the following recommendations for further work that would be required:

Analysis of previous stakeholder interviews, Traveller Caravan Count Data and data collected by ECTU shows that there are high and increasing numbers of unauthorised encampments in many parts of Greater Essex. It also suggests that there is a potential need for approximately 45 caravan spaces during the busiest months of the year and a potential need for approximately 12 caravan spaces during the quietest months of the year. However, the analysis is of data that has been collected relatively soon after the publication of PPTS (2015) and does not provide a detailed enough spatial view on where and how much provision is needed. It also does not explore issues such as a small number of households accounting for multiple records of encampments.

As such it is recommended that further work is undertaken over the coming months to undertake more in-depth analysis of data recorded by ECTU and other relevant sources. This work will be completed by ORS over the next 12 months.

This proposal from ORS seeks to set out a rigorous and comprehensive methodology to complete the assessment of transit needs across Greater Essex.

Whilst not a GTAA study, the assessment will take into account, where appropriate, the Government's most up-to-date policies for the planning of Traveller sites in particular the PPTS (2015) which included a new planning definition of a Gypsy, Traveller and Travelling Showperson and a need to 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; the Housing and Planning Act (2016) which introduced the requirement to assess need for all caravan and boat dwellers; and the revised NPPF (2019) which requires a specific assessment of need for Gypsy and Traveller households that do not meet the PPTS planning definition of a Traveller. The GTAA will also be fully compliant with the requirements of the Equality Act, the General Data Protection Regulation, Freedom of Information and any other statutory requirements.

A meeting was held between ORS and members of the Essex Planning Officers Association (EPOA) on 20 September 2019 to discuss the scope for the transit assessment. This determined the following overall objectives for the methodology and assessment to address:

- » A review of historic primary and secondary data on unauthorised encampments and transit movements.
- » Interviews with key stakeholders who are involved in managing unauthorised encampments.
- » Greater understanding of the nature of unauthorised encampments, including a potential need for permanent pitches.
- » A detailed 12-month study of unauthorised encampments and transit movements between January and December 2020 – including interviews with households on unauthorised encampments.
- » A review of options to address transit needs across Greater Essex.
- » Recommendations on how to meet identified transit need across Greater Essex including recommendations on broad locations for new transit sites.

The study will also build upon work undertaken by ORS to complete specific studies on transit provision in Birmingham, Leicestershire and West Sussex. In 2013 ORS were commissioned by all Councils in West Sussex to consider a wide range of implications and options relating to transit site provision. This study built upon on work already undertaken across the authorities and on additional work with stakeholders and the experience of other Councils who already have transit sites. In 2015 In 2018 ORS completed a new GTAA for Birmingham. In the period since the completion of the previous GTAA there had been a significant increase in the number, size of and duration of unauthorised encampments in Birmingham. The Council asked ORS to identify the reasons for this increase, together with an estimate of the need for additional transit provision. In 2019 ORS completed an update of the GTAA for Leicester City, including an update of the need for transit provision. This included in-depth analysis of data collected by the Council on unauthorised encampments.

Project Methodology

Overview of transit provision

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.

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.

More recently Councils are using management-based approaches such as negotiated stopping agreements to address problems caused by unauthorised encampments. The term 'negotiated

stopping' is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent 'built' transit sites but negotiated agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. Agreements are made between the Council and the (temporary) residents regarding expectations on both sides. See www.leedsgate.co.uk for further information.

Temporary stopping places can be made available at times of increased demand due to fairs or cultural celebrations that are attended by Gypsies and Travellers. A charge may be levied as determined by the local authority although they only need to provide basic facilities including: a cold-water supply; portaloos; sewerage disposal point and refuse disposal facilities.

The presence of a transit provision in an area can potentially speed up enforcement on unauthorised encampments, with households facing committing an offence if they do not move on to the site, or leave the area. 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.

Review and analysis of primary and secondary data on encampments and transit movements

ORS proposes to collate and analyse primary and secondary data from available sources – for example:

- » Records of unauthorised encampments that are collected by the Essex Countywide Traveller Unit (ECTU) and Essex Police.
- » Any relevant information from previous studies, including the studies completed by ORS
- » Examining neighbouring and other council policies in relation to transit sites and their operation

Analysis of this data will include numbers of encampments; size of encampments; duration of encampments; number of caravan days; seasonal variations; and the use of GIS to attempt to track the movements of encampment across the region. This analysis will also seek to identify instances where households are recorded on multiple encampments having been asked to move on, and whether this may indicate a need to permanent pitches as opposed to transit pitches.

Stakeholder interviews

ORS propose to undertake telephone interviews with individuals who are involved in managing unauthorised encampments to obtain a robust understanding of issues such as the current and potential practice of ECTU and Essex Police in relation to transitory households and neighbouring council approaches. These interviews will seek to gain additional information about the nature of encampments in Greater Essex; a story or narrative behind the recorded encampments; the

effectiveness of measures to deal with encampments; and what individuals and organisation think should be done to provide transit provision.

Prior to the analysis and fieldwork commencing, ORS would also like to run a Focus Group session with Officers from ECTU, Officers from local authorities in Greater Essex, and representatives from Essex Police to explore in more depth issues surrounding unauthorised encampments and aspirations for addressing the problems that they may cause.

Interviews will be completed with groups representing Travellers both locally and nationally to get their views of options to deal with unauthorised encampments and different types of transit provision.

Interviews will also be completed with a cross-section of local authorities in England who have adopted a successful approach to transit provision; those known to have high numbers of encampments; and those who have put in place injunctions to prevent names or unnamed people setting up encampments.

Household interviews

ORS propose to conduct a selection of interviews with households on unauthorised encampments across Greater Essex in order to get a better understanding of the nature of unauthorised encampments; the reasons households are choosing to come to Greater Essex; where they have travelled from; where they are planning to move on to; whether they have a permanent base; whether they would use more formal transit provision; and whether there is a potential need for permanent pitches. These interviews would be completed on a range of encampments including those known to be occupied by more local households moving from location to location around the area.

12-month Transit Study

A detailed 12-month study of unauthorised encampments and transit movements will be completed between January and December 2020. This will include further analysis of primary data and interviews with households on unauthorised encampments. This work will also include efforts to better understand the reasons for the encampments; attitudes towards enforcement actions; and efforts to track the movement of households across the study area using GIS.

Review of options to address transit needs

ORS will provide local authorities in Greater Essex with an appraisal of options appropriate to the need identified that could be put in place to address unauthorised encampments. This will include a review of relevant best practice from other local authorities both in terms of practical options to provide transit provision, as well as any policies and protocols that they have put in place.

Recommendations on how to meet identified transit need

The final part of the study will be a series of recommendations on how identified transit need could be met across Greater Essex including recommendations on broad locations for new transit sites.

Project Resources

All of the staff that will be involved in the GTAA are employees of ORS and none of the work will be sub-contracted to external project team members. The Project Manager for this project will be Steve Jarman, who has led on all ORS' Gypsy and Traveller studies since 2013. Steve will oversee the project and will be supported by Kelly Lock who will manage and oversee the stakeholder interviews and the Focus Group; Michael Bayliss who will manage the fieldwork elements of the study, provide project management support and will be the day-to-day contact for the project (michael.bayliss@ors.org.uk and 01792 535319); and Lee and Gill Craddock who will complete the household interviews.

Project Management

ORS have processes in place to ensure that our projects are properly managed. As part of the inception process we will prepare a Project Initiation Document (PID). This will set out all of the project definitions and objectives; methodological approaches; analysis and reporting requirements; as well as key project milestones. This all ensures that project outputs are delivered to a timescale and within budgets agreed with our clients. All ORS' activities are certified to **BS ISO 9001:2015** and **BS ISO 20252:2012**. All our Fieldwork Researchers are IQCS trained and our fieldwork procedures have also been fully accredited (more details can be provided on request).

Project Plan

The project will commence with work to finalise the methodology following the award of the contract in September. ORS will also discuss what information will be required from the Councils and Essex Police to complete the Desk-Based Research, together with contact details for stakeholders that will need to be involved in the study. A further telecon will be arranged following the initial assessment of need to discuss the emerging outcomes from the study prior to a Draft Report and Final Report being prepared.

| Project Stages and Key Milestones | Oct-19 | Feb-20 | Mar-20 | April-20 | Mar-20-Feb-21 | Mar-21 | Apr-21 |
|-----------------------------------|--------|--------|--------|----------|---------------|--------|--------|
| Appointment to Contract | | | | | | | |
| Finalise Methodology | | | | | | | |
| Needs Research | | | | | | | |
| Desk-Based Research | | | | | | | |
| Focus Group | | | | | | | |
| Consultation with Stakeholders | | | | | | | |
| Site Fieldwork | | | | | | | |
| Analysis and Reporting | | | | | | | |
| Analysis of Needs | | | | | | | |
| Briefing on Emerging Outcomes | | | | | | | |
| Draft Report | | | | | | | |
| Final Report | | | | | | | |

Quality Systems and Company Membership

All ORS' research activities and systems are certified to and delivered rigidly to **BS ISO 9001:2008** (UKAS registered). The ISO certificate covers the whole of our research business, from identifying client's needs and frontline data collection to project management and report writing. All our interviewers (both telephone and face-to-face) are IQCS trained and our fieldwork procedures have also been fully accredited. We are also certified for **BS ISO 20252:2012** (UKAS registered) - the specialist social research standard, and all work is compliant with this standard.

Information Security

ORS has implemented a risk-based **Information Security Management System (ISMS)** aligned to the requirements of **ISO27001:2013**; and, covers confidentiality, safe storage and transfer of information. We have conducted a comprehensive **Information Security Risk Assessment**. ORS has an overarching **Security Policy** that covers protection of customer data both in terms of security of individuals, the Company property and IT and data. ORS are fully compliant with GDPR Requirements. ORS routinely transfers data electronically – often containing personal information. To ensure compliance with the DPA/GDPR, where ORS need to transmit personal data to, or from, an external organisation our preferred method is transmission via a secure area of our website. ORS have been certified under **ISO27001:2013** for information security across all our research functions – this ensures confidentiality of information, integrity and availability of data. ORS also been assessed by the NPIA (National Policing Improvement Agency) and our systems and facilities have been approved to manage protected and restricted information under their PASF (Police Approved Secure Facilities) system.