



Mansfield
District Council

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Gypsies, Travellers and Travelling Showpeople

Frequently Asked Questions

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1. Who are Gypsies, Travellers and Travelling Showpeople?

Gypsies are Romany ethnic groups who have lived in Britain for around 600 years. Their ancestors originate from northern India. Irish Travellers are a nomadic group with a distinctive way of life who have been part of Irish and British society since ancient times. The courts have confirmed that Gypsies and Irish Travellers are distinct ethnic groups and are therefore protected under equality laws; this includes their right to a nomadic lifestyle.

Travelling Showpeople are people who own and operate the fairs, circuses and shows that travel around the country; they require permanent quarters to store equipment and live during the winter months.

2. What difficulties are faced by the travelling community?

Gypsies, Travellers and Travelling Showpeople face a number of difficulties including:

- Limited access to appropriate places to live
- Limited access to services and facilities
- Poorer health outcomes
- Poorer educational achievement
- Low employment rates and levels of economic activity
- Racist abuse and discrimination

3. Why do the Council have to make provision?

The Housing Act (2004), and national planning guidance issued in 2015, require us to assess the need for Gypsy, Traveller and Travelling Showpeople accommodation and then ensure that these needs are met. An accommodation assessment for Gypsies and Travellers has identified a need for three permanent pitches and one transit site; there is also a need for two sites for Travelling Showpeople.

4. What will happen if sites are not provided?

The Council would be in breach of planning guidance and could be taken to court. It would also increase the chances of an unauthorised encampment which could have a significant impact on local residents and the environment, and be inappropriate for the gypsies and travellers themselves. Most importantly it would mean that some of our residents are not having their basic needs met.

5. Why do they need a permanent site?

Many Gypsies and Travellers now live in settled accommodation and do not travel all year, but nonetheless consider travelling to be part of their identity. However, a number would prefer to live on a site which allows them to have a settled base but the ability to travel when desired.

Travelling Showpeople require permanent quarters to store equipment and live during the winter months.

6. What are the Council doing?

We are preparing a Development Plan Document to allocate a number of sites for use by Gypsies, Travellers or Travelling Showpeople. A Scoping Report was issued for public consultation in summer 2018 to inform the council's site assessment methodology.

The current consultation:

- identifies a number of sites with potential for this use,
- assesses their suitability,
- assesses whether they would be feasible and viable; and
- assesses the likelihood of them coming forward between now and 2033.

No decisions have yet been made about which, if any, of the sites would be used for Gypsy, Traveller or Travelling Showpeople accommodation. This is a chance for members of the public to make comments about the identified sites and their suitability for use as a Gypsy, Traveller or Travelling Showperson site.

7. How are people being told about the consultation?

We have set out the methods we will use in a Consultation Engagement Strategy which is available online. In summary we have:

- issued a press release to the Chad,
- added articles and tweets on social media,
- added content to the MDC website,
- sent letters and emails to everyone on the Local Plan consultation database,
- made documents available in local libraries; and
- organised a number of workshops.

For the next stage of consultation we will consider further ways to make members of the public aware.

8. Why are you not doing the same for homeless people?

The council make provision for homeless people by building and operating new affordable homes. The Local Plan will require a certain percentage of new homes to be set aside for as new council houses and homes for first time buyers.

9. How will sites be provided?

There are a number of options for making this provision:

- Self-Management – Gypsies, Travellers and Travelling Showpeople could develop and manage their own site. This could help to reduce the breakdown of traditional family structures, and help to ensure young people and new forming households within the community are not forced to move away.
- Private Management – Gypsies, Travellers and Travelling Showpeople could buy or rent individual pitches from a private developer or Housing Association who will have made the provision for the basic infrastructure required for a site.
- Council Management – Gypsies, Travellers and Travelling Showpeople could lease pitches or plots from the Local Authority, who will have made the provision for the basic infrastructure required.

Further consideration will be given to the most appropriate approach in consultation with the families who will live on site and any potential landowners. Any sites will have appropriate facilities and the benefit of services (including gas, water, electricity, waste collection, etc.).

10. How will sites be managed?

This will depend on how the sites will be provided (see question 8). If the site is owned by the Gypsies and Travellers themselves, or provided by a private landowner, it will be up to the owners to decide who can live on the site. If the Council runs the site then we will decide who can live on site. A process similar to that for allocating council houses could potentially be put in place.

The planning permission will set the maximum number of pitches on site; any more than this would result in enforcement action being taken by the Council. Any complaints about noise, pollution etc. will be investigated by the Council and appropriate action taken.

11. What is the transit site?

A transit site is proposed to allow Gypsies or Travellers who are passing through Mansfield to stop. This will provide them with a site in an appropriate location reducing the number of unauthorised encampments that occur. Where unauthorised

encampments occur the Police have the power to direct groups to use the transit sites. Transit sites are usually only able to be used for up to 28 days. There will be a payment to use the site.

12. Do Gypsies and Travellers pay tax?

Yes – Gypsies, Travellers and Travelling Showpeople are liable to pay taxes and pay for any utilities they use. If the site is rented from the Council or private landowner rent will also be paid.

Those using unauthorised camps generally do not pay council tax as they usually do not stay in one place long enough; this is another benefit of providing permanent sites.

13. Why doesn't the law apply to Gypsies and Travellers?

The law applies to them in the same way as to anyone else. If there is evidence to prove that an individual committed a crime then they will be arrested and charged. Where there is insufficient evidence to prove which individual in a group committed a crime it is much harder to arrest and charge them.

14. How have the sites put forward been selected?

A three stage assessment has been used:

Stage 1 – identify potential sites

Sources of potential sites included:

- sites put forward for the Housing & Economic Land availability Assessment,
- sites received during the Gypsy and Traveller Call for Sites' held in 2017 and 2018,
- sites owned by Mansfield District Council; and
- known Gypsy, Traveller or Travelling Showpeople sites within the district.

Sites which have extant planning permission or are proposed for allocation in the emerging Local Plan have not been included.

Stage 2 – Discount sites with insurmountable constraints

Insurmountable constraints include:

- too small to accommodate identified needs,
- within Flood Zone 2,

- designated as a SSSI, LNR, NNRs, etc.,
- designated as Local Green Space or Community Open Space,
- cemeteries,
- allotments; or
- safeguarded for future use (e.g. key and general employment areas)

Stage 3 – Detailed site assessment

Detailed assessments were carried out for all the sites that remained after Stage 2; this included sites visits, sustainability appraisal and a viability and feasibility assessment. The sites were assessed against both social and environmental criteria.

Social:

- Access to schools,
- Access to health facilities,
- Access to public transport,
- Access to utilities / critical infrastructure,
- Amenity (air quality / noise / contamination and other pollution impacts and impacts on living conditions),
- Potential for suitable access; and
- Loss of a use not proven to be surplus (sites with an existing use have been discounted e.g. car parks).

Environmental:

- Impact on biodiversity and geodiversity,
- Impact on protected trees,
- Impact on green infrastructure,
- Impact on townscape,
- Impact on landscape,
- Impact on heritage assets (including non-designated heritage assets);
- Best and most versatile agricultural land,
- Use of previously developed land (brownfield land),
- Flood risk (potential for flooding from water courses and surface water); and
- Topographical constraints.

Applying these criteria and assessments result in the identification of 17 sites, which was later reduced to 15 sites, for public consultation following the SA and Viability and Feasibility Study.

15. Why are there no sites in certain areas of the district?

There were fewer sites in those areas to start with, and many that are affected by other constraints or are unsuitable for Gypsy and Traveller use. Berry Hill Park would be discounted at stage 2 as it is community open space. A large area of greenfield land to the south of Mansfield is currently being developed for a strategic mixed use scheme (1,700 homes and over 20ha of employment land).

16. Not all the sites identified are available for development. Why is this?

If we relied on sites which have been put forward for Gypsy and Traveller use by landowners we would have very few, if any, sites. We decided that it would be more productive at this stage to explore sites which may be suitable for development and continue to work with landowners regarding the availability of sites. The best solution would be for a landowner to make their site available. If this is not possible, the council will need to consider what further action to take.

17. Who has made the decision about which sites to put forward?

Council officers have identified the sites and decided which to put forward for consultation; Full Council then agreed to issue the consultation. Input on sites was provided by a number of external consultants; this included:

Sustainability Appraisal – an assessment of the potential environmental, social and economic impacts of developing the sites and potential mitigation. This is a requirement of planning law and is a desk top exercise for the 17 sites identified at stage 3.

Feasibility and Viability Study – An assessment of the practical ability of sites to accommodate potential uses and a high level review of costs. This has included site visits of the 17 sites identified at stage 3.

These studies have been carried out at a certain point in time at a high level. Where new and more detailed information is provided in the consultation or from other sources we will take this on board. In some cases, this may alter the outcome of the assessments.

Councillors will make the final decisions about which sites to put forward.

18. Could provision be made outside the district?

We have talked to neighbouring authorities who have advised us that they are unable to accommodate the additional pitches that we need to find.

We are aware that until recently there was a site in Pleasley. This is located in Bolsover District so would not meet the need identified in Mansfield and is now closed.

19. I don't like one of the sites identified. What do I do?

The reason we have public consultations like this is to give people the opportunity to tell us what they think at an early stage. Consulting later in the process when more detailed assessments are available and there is more certainty about preferred sites could lead to accusations that decisions have already been made.

A form is available online (or a paper copy if preferred) which asks about each of the 15 sites identified. You can raise any objections you wish but only valid planning objections are able to be considered. These can include:

- inappropriate access,
- lack of highway capacity,
- loss of residential amenity by noise or overlooking,
- visual impact; and
- impact on historic buildings or areas.

Evidence should be provided to justify the objection. Please note that any offensive language will not be accepted and will be deleted from comments.

Some matters are NOT valid planning objections. These include:

- the decrease in the value of property in the area,
- the ethnic origin of those who will use the site; and
- disagreeing with the need for the sites.

20. What if I think there is a better sites which you haven't assessed?

This is one of the things we want to hear about. If any sites are put forward we will assess them in the same way as the original sites we identified.

21. What about providing a single site to meet all the identified needs?

It is not appropriate to accommodate all the identified needs on a single site. Gypsy and Travellers have different requirements to Travelling Showpeople and are unable

to share sites. Placing a transit site on the same site as a permanent site would create difficulties due to the level of vehicle movements associated with transit sites.

22. Why can't only brownfield sites be used?

A number of brownfield sites have been put forward however it is not appropriate to limit the choice only to brownfield sites.

23. What about the impact on the value of my property?

The impact on the value of property is not a valid planning matter. There is no compensation scheme if values are affected.

24. Do Gypsy & Traveller children get priority for school places?

Where, as part of the annual round of admissions, a school does not have sufficient spaces for all the children that wish to go there, criteria are used to rank applications. The criteria cover matters such as education, health and care plans, special educational needs, children in care and the home address of the child. No priority is given to Gypsy and Traveller children in the criteria.

25. Will you take account of objections from local residents?

When taking any planning decisions we always take account of the views of nearby residents where these relate to valid planning grounds. A balance will need to be struck between meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople and the impacts on the settled community.

26. What about the disruption to local people and conflict between the communities?

There is a perception that Gypsies and Travellers will create problems especially near older residents and schools. The Council are taking a proactive approach to ensure that any sites proposed are appropriate for development. By taking this proactive approach the Council will also be able to work with landowners, the police, other service providers and the various communities to minimise any conflict and promote peaceful co-existence.

Many of the media stories about Gypsies and Travellers relate to unauthorised encampments. These are generally on unsuitable sites where there are no services or facilities; those occupying the sites are usually passing through and have few, if any, connection to the local area. The benefits of providing sites include the

provision of services onsite (i.e. waste collection, clean water) and avoiding encampments on parks or school playing fields. In addition, those occupying permanent sites are likely to integrate into the local community.

Research has found that, after sites were established, many people's original fears about Gypsy & Traveller sites fell away and problems were far less than anticipated.

27. What will happen next?

Following the consultation, the Council will review the comments made and consider the best approach to take to ensure that the need is met. Before a final decision is made there will be a further round of public consultation on the final choices made and the chance for people who have made comments to put their views to an independent planning inspector.

An indicative timetable based on current expectations is provided overleaf. This is subject to change.

