

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD2908

### Title: London-wide Gypsy and Traveller Accommodation Needs Assessment

#### Executive summary:

London's Gypsy and Traveller communities experience overcrowding and other forms of housing need, linked to long-standing shortages of suitable accommodation on caravan sites. The last London-wide assessment of Gypsy and Traveller accommodation needs in 2008 identified a substantial shortfall of pitches on sites, with little new provision since then.

Some boroughs have carried out local-level assessments of accommodation needs, but on an inconsistent basis. Policy H14 of the London Plan 2021 commits to carrying out a London-wide Gypsy and Traveller Accommodation Needs Assessment to provide an up-to-date and consistent evidence base to inform policy and housing, health and equality strategies, in order to address the assessed need.

#### Decision:

That the Mayor approves the expenditure of up to £200,000 across financial years 2021-22 and 2022-23 to procure a contractor to carry out a new London-wide Gypsy and Traveller Accommodation Needs Assessment, including stakeholder engagement, fieldwork interviews and a comprehensive research report.

#### Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

16/12/21

## PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

### Decision required – supporting report

#### 1. Introduction and background

- 1.1 In March 2021, the London Plan 2021 was published. The London Plan 2021 includes Policy H14 ‘Gypsy and traveller accommodation’, the supporting text to which states that the ‘...Mayor will initiate and lead a London-wide gypsy and traveller accommodation needs assessment’. This commitment responds to a recommendation by the Panel of Inspectors following the Examination in Public of the draft London Plan. In its report on the draft Plan, the Panel recommended ‘...that the Mayor should commit to instigating and leading a London-wide accommodation assessment for gypsies and travellers [PR16]. This should be done as soon as possible as a priority in order to inform an updated London Plan.’

#### Need for a London-wide assessment

- 1.2 There are estimated to be up to around 30,000 Gypsies and Travellers in London.<sup>1</sup> London's Gypsy and Traveller communities experience high rates of overcrowding and other forms of housing need, linked to a long-standing shortage of suitable accommodation on caravan sites. The last London-wide assessment of Gypsy and Traveller accommodation needs took place in 2008<sup>2</sup> (Mayoral decision MA2910) and identified a substantial shortfall of pitches on sites. The assessment estimated that between 226 and 708 additional residential pitches would be required across London between 2007 and 2017; it also identified a further need for 458 bricks-and-mortar dwellings, and 73 plots for Travelling Showpeople. A need for 40 transit pitches between 2007 and 2012 was also identified.
- 1.3 Since this assessment of need, there has been very little provision created to address this. The London Plan Examination in Public Panel Report 2019<sup>3</sup> noted the poor record of pitch provision, with only 10 public pitches having been delivered across three boroughs since 2008.<sup>4</sup> The report concluded that solutions developed individually by boroughs would be unlikely to meet the need for more pitches.
- 1.4 Boroughs are required to undertake individual needs assessments as part of their Local Plan development process. Although 28 boroughs have carried out some form of needs assessment since 2016 (with four boroughs undertaking their assessment at the same time, and using the same consultant), these assessments are inconsistent in terms of, for example, scope, methodology, level of detail, and the approaches used to reach Gypsies and Travellers. For reference, a list of these boroughs is included as Appendix 1.
- 1.5 Given the need for a strategic framework for boroughs, the Mayor committed in the London Plan 2021 to carry out a comprehensive assessment of the need for pitches. A London-wide approach reflects the fact that London is a single housing market, and that the lifestyles of Gypsies and Travellers do not necessarily conform to borough boundaries.
- 1.6 The GTANA (Gypsy and Traveller Accommodation Needs Assessment) will update the earlier 2008 London-wide assessment and provide an up-to-date, comprehensive and consistent evidence base. It will be used to inform further policy development at a local and strategic level aimed at addressing the identified need. It will also inform the development of housing policy and related areas including health, diversity and integration policies.

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<sup>1</sup> London Gypsies and Travellers, [Why we're needed](#)

<sup>2</sup> Fordham Research, [London Boroughs' Gypsy and Traveller Accommodation Needs Assessment](#), March 2008

<sup>3</sup> [London Plan Examination in Public Panel Report 2019](#)

<sup>4</sup> The report noted ‘This excludes private sites and 10 permanent pitches have been added in Bromley, for example, over that period.’

## Use of the wider definition of Gypsies and Travellers

- 1.7 The GTANA will cover the following groups: English/Romany Gypsies, Irish Travellers, Travelling Showpeople, New Travellers and Eastern European Roma.
- 1.8 The Mayor's Intend to Publish London Plan had proposed within Policy H14 to use a wider definition of Gypsies and Travellers than the national planning policy definition,<sup>5</sup> based on the GLA Gypsy and Traveller Accommodation Topic Paper 2017.<sup>6</sup> This was not subsequently included in the London Plan but is proposed as the basis for this review for the reasons outlined below.
- 1.9 In 2015 the Government changed the legal definition of Gypsies and Travellers in the Planning Policy for Traveller Sites (PPTS) to remove the line 'persons...who have ceased to travel permanently', meaning that those households who have ceased to travel permanently, either by choice or due to lack of appropriate sites, were not covered. The government's PPTS 2015 definition (PPTS Definition) defines Gypsies and Travellers as:

*"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 dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

*"In determining whether persons are 'gypsies and travellers' for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*

*"For the purposes of this planning policy, 'travelling showpeople' means 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 own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.*

*"For the purposes of this planning policy, 'travellers' means 'gypsies and travellers' and 'travelling showpeople' as defined above."*

- 1.10 The Mayor's Intend to Publish London Plan included a wider definition, as set out below:

*"As of the start of this Plan period, boroughs should use the following definition of 'Gypsies and Travellers' as a basis for assessing need: People with a cultural tradition of nomadism, a nomadic habit of life, or living in a caravan, whatever their race or origin, including:*

- 1) those who are currently travelling or living in a caravan*
- 2) those who currently live in bricks and mortar dwelling households whose existing accommodation is unsuitable for them by virtue of their cultural preference not to live in bricks and mortar accommodation*
- 3) those who, on grounds of their own or their family's or dependants' educational or health needs or old age, have ceased to travel temporarily or permanently."*

- 1.11 However, the Panel report from the Examination in Public into the London Plan recommended that the wider definition be removed and replaced with the national planning policy definition to ensure

<sup>5</sup> Department for Communities and Local Government, [Planning policy for traveller sites](#), August 2015

<sup>6</sup> GLA, [Gypsy and Traveller Accommodation Topic Paper 2017](#),

consistency. On 13<sup>th</sup> March 2020 the Secretary of State directed the Mayor under section 337 of the Greater London Authority Act 1999 (the Act) to accept the Inspectors' recommendations, stating:

*"The policy is inconsistent with national policy set out in the Planning Policy for Traveller Sites (PPTS) (August 2015). The policy gives a wider definition of "gypsies and travellers" compared to that in Annex 1 of the PPTS including those who have permanently settled."*

- 1.12 The London Plan 2021 reflects this Secretary of State Direction.
- 1.13 The Mayor is, however, committed to conducting the most inclusive assessment of need as part of the London-wide assessment for the accommodation needs of Gypsies and Travellers. As such the consultant appointed will be asked in their brief to assess the need arising from both the PPTS definition and the wider definition of Gypsies and Travellers previously proposed by the Mayor in his Intend to Publish London Plan. This will ensure that the needs of all Gypsy and Traveller persons are accounted for, regardless of their travelling status.
- 1.14 The advantages of carrying out the assessment using both definitions are that it:
- provides an evidence base for boroughs to use for their policy development
  - allows both PPTS compliant and non-PPTS compliant Gypsies and Travellers to have their needs understood in a consistent way
  - helps to address inequalities in terms of access to safe and secure accommodation, health care and education, and isolation in Gypsy and Traveller communities.
- 1.15 Although the PPTS definition excludes Gypsies and Travellers who have stopped travelling permanently, planning authorities may nevertheless have to consider that there may be other legal considerations under the Equality Act 2010, the Children's and Families Act 2014 and the Human Rights Act 1998, which give them a right to culturally appropriate housing.

## **2. Objectives and expected outcomes**

2.1 The objectives of the London-wide GTANA are to:

- provide a London-wide and comprehensive assessment of need for the London Gypsy and Traveller communities so such assessed need can be addressed and further provision made
- provide robust evidence to support the London Plan 2021 and inform associated local and strategic policy development.

2.2 The expected outcomes of the needs assessment will be to:

- provide an evidence base for Local Plan development and cross borough Planning Frameworks, informing local needs assessments by providing up-to-date evidence
- support actions, including by local authorities and landowners, that help to meet the demonstrable need for an increased number of pitches across London
- provide up-to-date figures to ensure that the housing needs of Gypsies and Travellers are recognised as part of the Mayor's London Housing Strategy
- help address the inequalities experienced by Gypsies and Travellers in London by addressing this need and promoting an integrated inclusive approach to housing within London
- inform the implementation and monitoring and any future reviews of the London Plan in relation to Policy H14 on Gypsy and Traveller accommodation.

- 2.3 It is also expected that the data will be used by boroughs or other housing providers to inform applications for grant funding for development or improvement of sites for Gypsies and Travellers (as indicated in the London Plan Panel Report 2019).
- 2.4 The fieldwork for the survey will be procured from a suitably qualified professional organisation in accordance with the GLA's Contracts and Funding Code. Procurement is needed due to the lack of appropriate in-house expertise to carry out the study.
- 2.5 Approval is being sought for expenditure of £200,000 across financial years 2021-22 and 2022-23 to procure and appoint a contractor to carry out the GTANA.
- 2.6 This figure has been arrived at through analysis of the budget for the previous London-wide assessment (£122,551 in 2006 prices), price increases since then and the costs of recent local-level assessments, which average around £4,300 per borough but typically involve a more limited scope of fieldwork than envisaged for the London-wide assessment.
- 2.7 Once completed, the results from the needs assessment will be published on the GLA website.

### **3. Equality comments**

- 3.1 Under Section 149 of the Equality Act 2010, as a public authority, the GLA must have 'due regard' to the Public Sector Equality Duty (PSED), that is the need to:
  - eliminate unlawful discrimination, harassment and victimisation
  - advance equality of opportunity
  - foster good relations between people who have a protected characteristic and those who do not.
- 3.2 Understanding the experiences of more groups of Londoners will help the GLA shape the development of policy to increase fairness and ensure that equality impacts are considered as critical decisions are made.
- 3.3 The proposed assessment will contribute towards delivery of strategic objective 4 of the Mayor's equality, diversity and inclusion strategy: to work with councils, housing associations, government and communities to help improve the supply of homes available to meet Londoners' diverse housing needs, including for accessible and adapted housing, specialist and supported accommodation, and Gypsy and Traveller sites.
- 3.4 Equality, diversity and inclusion are some of the key drivers behind the need for this London-wide assessment. Lack of access to secure accommodation and suitable living environments has far-reaching implications for physical and mental health, welfare, education, employment and access to wider opportunities. The evidence from the assessment will enable the development of sound interventions intended to improve outcomes for these groups.
- 3.5 The updated Integrated Impact Assessment of the draft London Plan, published in July 2018, said of the policy on Gypsy and Traveller accommodation that it "would help to overcome barriers faced by Gypsy and Traveller communities in maintaining their values and traditional lifestyles", and that "appropriately planning for Gypsy and Traveller communities can help to improve access to educational opportunities, employment and health services for these communities." The Mayor's commitment to lead a new pan-London assessment of need will make an important contribution to delivering the objectives of the policy.
- 3.6 Potential equality impacts arising from the application of Policy H14 were considered, following the Secretary of State's Direction regarding the definition of Gypsies and Travellers, and published in the

Publication London Plan Integrated Impact Assessment Addendum Report December 2020.<sup>7</sup> Use of the wider definition of Gypsies and Travellers in the pan-London needs assessment will ensure that those with a cultural tradition of nomadism or caravan dwelling will be accounted for, regardless of their current travelling status or accommodation, and ensure that the true need for Gypsy and Traveller accommodation is understood. This will maximise opportunities to fully improve health outcomes for Gypsies and Travellers and mitigate against discrimination and marginalisation.

- 3.7 Gypsies and Travellers suffer poorer health outcomes and shorter life expectancy than the average. These factors are compounded by inadequate accommodation. This study will contribute to the Mayor's commitment to a 'health in all policies' approach. Engagement with the Health in All Policies team will be carried out, to maximise opportunities to improve health outcomes, for example by using the research to inform future health and equalities strategies and actions.
- 3.8 Consideration was given to whether boat dwellers' accommodation needs should be included as part of the London-wide GTANA. Multiple similarities and differences were identified between the groups, and after considering all of these a decision was taken to address the needs of boat dwellers separately due to some of the following reasons:
- despite the similarities between the two groups, Gypsies and Travellers have distinct status in terms of their identity, the extent to which their accommodation needs cannot be met adequately through mainstream housing, and through their standing and protection in both national planning policy and equality legislation
  - London Plan Policy H14 on Gypsy and Traveller accommodation focuses exclusively on Gypsies and Travellers for these reasons
  - the two groups need very different forms of provision, which in turn necessitate very different approaches
  - the Canal and River Trust already undertakes considerable work to monitor the number of boats on the waterways it manages; and to identify the need for and scope to deliver new moorings.
- 3.9 As part of the tender process, there will be a requirement for bidders to demonstrate an ability to undertake sensitive and effective engagement with Gypsy and Traveller communities. This is important to ensure that interview fieldwork can be successfully carried out among the Gypsy and Traveller community, but also so that the community has a real say in a project that is intended to capture its needs and will impact upon its future. The study will be carried out in an inclusive manner to hear all voices, and the potential use of community/peer researchers will be explored – i.e. interviewers from within the Gypsy and Traveller communities conducting interviews themselves, to build trust and rapport, and maximise the number of people who take part in the research.

#### 4. Other considerations

##### Key risks and issues

- 4.1 Key risks and issues are summarised in the following table:

<b>Risk</b>	<b>Mitigation method</b>	<b>Current probability (1: low; 4: high)</b>	<b>Current impact (1: low; 4: high)</b>	<b>RAG</b>
Engagement with Gypsy and Traveller communities	Initiate discussions with Gypsy and Traveller community	2	4	Amber

<sup>7</sup> GLA, [Publication London Plan: Integrated Impact Assessment Addendum Report](#), December 2020, pages 35-38

proves challenging, especially where residents have been recently surveyed for local assessments and where there is scepticism given the lack of new provision since the previous assessment.	groups ahead of the procurement and maintain close engagement throughout the project; tailor communications strategy to the needs of this group, using multiple engagement methods as set out above and seeking proposals on engagement from bidders; an appointed contractor to set out how it will work with borough officers and community groups to facilitate access to sites in a considerate and respectful manner.			
Low numbers achieved from fieldwork e.g. due to difficulty accessing sites and conducting research during periods of travel.	Engagement with Gypsies and Travellers, community organisations, and those who work closely with the communities will inform the timing of fieldwork and facilitate access to sites.	2	4	Amber
Criticism from boat dwellers of their exclusion from the assessment.	Officers will engage boat dwellers, including through the National Bargee Travellers Association, to explain the rationale for not including this group in the assessment and to explore other ways in which the GLA can help to address their accommodation needs.	3	2	Amber
Commissioned organisation fails to deliver to expected quality or to time.	Set clear and specific parameters for delivery. Build in regular milestones to check progress.	2	3	Amber
No bidders for the work after Invitation to Tender (ITT) is issued.	Identify and approach organisations that have carried out assessments for other local authorities. Allow adequate time for bidding.	2	4	Amber
Project delivery cost threatens to exceed allocated budget.	Require bidders to benchmark costs against recently completed studies. Agree a project plan with clearly defined tasks and milestones. Hold frequent and regular meetings to scrutinise progress against project plan and costs.	1	3	Green

<p>Boroughs may question the rationale for carrying out a London-wide assessment when some boroughs have recently conducted local assessments.</p>	<p>Appointed organisation to consider the scope for incorporating information from recent borough-level assessments, where this is robust, to avoid duplication of work.</p> <p>Highlight the benefits to London boroughs of a consistent, up-to-date data set for all of London.</p>	1	3	Green
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#### Links to Mayoral strategies and priorities

- 4.2 This work responds to a direct commitment made in the Mayor's London Plan 2021. It also supports the Mayor's Equality, Diversity and Inclusion Strategy, particularly its strategic objective 4:
- "To work with councils, housing associations, government and communities to help improve the supply of homes available to meet Londoners' diverse housing needs, including for accessible and adapted housing, specialist and supported accommodation, and Gypsy and Traveller sites."*
- 4.3 It supports the objective set out in the Mayor's London Housing Strategy to ensure that the housing needs of Gypsies and Travellers are met (under London Housing Strategy Policy 5.2: Meeting London's diverse housing needs).
- 4.4 There are no conflicts of interest to note for any of those involved in drafting or clearance of the decision form.
- 4.5 Associated risks of not doing the GTANA:
- it would disregard the London Plan Panel Report in 2019 which called for a strategic framework for boroughs, starting with a comprehensive assessment of need for pitches
  - it would result in a failure to produce robust data around London-wide accommodation needs for Gypsies and Travellers
  - future policies would be based on out-of-date and inadequate data, and as such would not address true need.

#### Health and safeguarding

- 4.6 The contract procurement will ensure that the consultants appointed are trained in safeguarding and understand the importance of safety and respect when engaging in fieldwork.

#### Types of stakeholder engagement

- 4.7 As well as the focus outlined above on engaging Gypsy and Traveller communities directly, we will also work very closely with boroughs. The contract will require the appointed contractor to carry out different types of borough engagement to keep them informed of progress and to develop contacts for accessing sites. The scope for incorporating borough-level assessments will also be considered to avoid duplication of work. Officers will support the appointed contractor in holding briefing meetings with London borough representatives to understand their position, and to ensure fieldworks start after the local elections.



4.8 Assembly Members will also be kept updated on progress directly, and/or via the Deputy Mayors, and potentially through existing Gypsy and Traveller forums/open meetings.

## 5. Financial comments

5.1 Approval is being sought for expenditure of £200,000 across financial years 2021-22 and 2022-23 to procure and appoint a contractor to carry out the GTANA.

5.2 The expenditure of £200,000 will be split equally over two years between the London Plan and the Housing and Land management and consultancy budgets as follows:

	2021-22	2022-23
London Plan	£50,000	£50,000
Housing and Land management and consultancy	£50,000	£50,000
<b>Total</b>	<b>£100,000</b>	<b>£100,000</b>

5.3 Budgets for 2022-23 are yet to be confirmed and will be finalised as part of the GLA budget-setting process in the coming months. The London Plan is a statutory function and sufficient budget for all essential tasks will be in place.

## 6. Legal comments

6.1 The Mayor is required to prepare and publish a Spatial Development Strategy under Section 334 of the Greater London Authority Act 1999 (as amended). The decision requested of the Mayor will ensure that the Mayor's commitment made in Policy H14 of the London Plan 2021 to carry out this assessment is met.

6.2 The foregoing sections of this report also indicate that this decision requested of the Mayor falls within the exercise of the GLA's general statutory powers to do such things considered to further or that are facilitative of, conducive or incidental to the promotion of economic development and wealth creation, social development, or the promotion of the improvement of the environment in Greater London; and in formulating the proposals in respect of which a decision is sought, officers have complied with the Authority's related statutory duties to:

- pay due regard to the principle that there should be equality of opportunity for all people
- consider how the proposals will promote the improvement of health of persons, health inequalities between persons and to contribute towards the achievement of sustainable development in the UK
- consult with appropriate bodies.

6.3 In taking the decisions requested, the Mayor must have due regard to the PSED; namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010; to advance equality of opportunity between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment); and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Mayor should have particular regard to section 3 (above) of this report.

6.4 The services required must be procured by Transport for London Procurement, who will determine the detail of the procurement strategy to be adopted in accordance with the GLA's Contracts and

Funding Code. Officers must ensure that appropriate contract documentation is put in place and executed by the successful bidder(s) and the GLA before the commencement of the services.

## **7. Planned delivery approach and next steps**

- 7.1 The commissioning approach will involve the publication of a tender (through an open tender process), followed by the award of contracts to the successful bidder.

<b>Activity</b>	<b>Timeline</b>
Procurement of contract	January-February 2022
Award of contract	March 2022
Delivery start date	March 2022
Fieldwork	Q2 and Q3 2022
Interim report	Q4 2022
Final report and project closure	Q1 2023

### **Appendices and supporting papers:**

Appendix 1 - Borough Gypsy and Traveller Accommodation Needs Assessments

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

**Part 1 - Deferral**

**Is the publication of Part 1 of this approval to be deferred? Yes**

If YES, for what reason: To achieve best value in procurement.

Until what date: 31/09/2022

**Part 2 – Sensitive information**

Only the facts or advice that would be exempt from disclosure under the FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

**Is there a part 2 form – No**

**ORIGINATING OFFICER DECLARATION:**

Drafting officer to confirm the following (✓)

**Drafting officer:**

Natalie Gordon has drafted this report in accordance with GLA procedures and confirms the following:

✓

**Sponsoring Director:**

Philip Graham has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

**Mayoral Adviser:**

Tom Copley has been consulted about the proposal and agrees the recommendations.

✓

**Advice:**

The Finance and Legal teams have commented on this proposal.

✓

**Corporate Investment Board**

This decision was agreed by the Corporate Investment Board on 13 December 2021

✓

**EXECUTIVE DIRECTOR, RESOURCES:**

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

**Signature**

**Date**

*D. Gove*

13/12/21

**CHIEF OF STAFF:**

I am satisfied that this is an appropriate request to be submitted to the Mayor

**Signature**

**Date**

*D. Bellamy*

13/12/21

