

# **BIRMINGHAM CITY COUNCIL**

## **LICENSING AND PUBLIC PROTECTION COMMITTEE**

**THURSDAY, 16 MAY 2019 AT 10:00 HOURS**  
**IN COMMITTEE ROOM 6, COUNCIL HOUSE, VICTORIA SQUARE,**  
**BIRMINGHAM, B1 1BB**

### **A G E N D A**

#### **1 NOTICE OF RECORDING/WEBCAST**

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

#### **2 DECLARATIONS OF INTERESTS**

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

#### **3 APOLOGIES**

To receive any apologies.

**3 - 11**

#### **4 MINUTES**

To confirm and sign the minutes of the meeting held on 10 April 2019.

**12 - 152**

#### **5 BUSINESS PLAN REPORT**

Report of the Acting Director of Regulation & Enforcement.

**153 - 250**

#### **6 UNAUTHORISED ENCAMPMENTS UPDATE REPORT MAY 19**

Report of the Acting Director of Regulation & Enforcement.

**251 - 255**

7 **FIXED PENALTY NOTICES FEB & MAR 2019**

Report of the Acting Director of Regulation & Enforcement.

**256 - 257**

8 **BIRMINGHAM CITY COUNCIL ACT 1990**

Report of the Acting Director of Regulation & Enforcement.

**258 - 258**

9 **SCHEDULE OF OUTSTANDING MINUTES**

To consider the schedule of outstanding minutes.

10 **DATE AND TIME OF NEXT MEETING**

To note the next meeting is to be held at 1000 hours on Wednesday 12 June 2019.

11 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

12 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

## BIRMINGHAM CITY COUNCIL

<b>LICENSING AND PUBLIC PROTECTION COMMITTEE 10 APRIL 2019</b>
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**MINUTES OF A MEETING OF THE LICENSING  
AND PUBLIC PROTECTION COMMITTEE HELD  
ON WEDNESDAY 10 APRIL 2019 AT 1000  
HOURS IN COMMITTEE ROOMS 3 AND 4  
COUNCIL HOUSE, BIRMINGHAM**

**PRESENT:** - Councillor Barbara Dring in the Chair;

Councillors Bob Beauchamp, Nicky Brennan, Neil Eustace,  
Adam Higgs, Mary Locke Nagina Kauser, Mike Leddy, Bruce  
Lines, Simon Morrall and Martin Straker-Welds.

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**NOTICE OF RECORDING/WEBCAST**

- 1148 The Chair advised that the meeting would be webcast for live and subsequent broadcast via the Council's internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and that members of the press/public may record and take photographs except where there were confidential or exempt items.

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**DECLARATIONS OF INTEREST**

- 1149 Members were reminded that they must declare all relevant pecuniary and non pecuniary interests relating to any items of business to be discussed at the meeting. If a pecuniary interest was declared a Member must not speak or take part in that agenda item. Any declarations would be recorded in the minutes of the meeting.

There were no declarations of interest.

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**APOLOGIES**

- 1150 Apologies were received from Councillors Olly Armstrong, Phil Davis, Hendrina Quinnen and Mick Sharpe for non-attendance.
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**MINUTES**

- 1151 The Minutes of the meeting held on 13 March 2019, having been previously circulated were confirmed as a correct record and signed by the Chairman.
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**The business of the meeting and all discussions in relation to individual reports are available for public inspection via the web-stream.**

**REVIEW OF CHARGES FOR HIGHWAY SERVICES FOR 2019/2020**

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See Document No. 1)

Kamyar Tavassoli, Highways Service Manager, presented the report and whilst highlighting the key points made particular reference to 3.2 of the report which detailed the recipient of fees and charges.

He confirmed that they would endeavour to submit the fees and charges earlier next year in order that they became effective as soon as possible.

The Chair put the recommendations to the meeting all were unanimously agreed:-

1152 **RESOLVED:-**

That the Committee;

- 2.1 Approved the City Council retained fees and charges, set out in Appendix 1, with effect from 29 April 2019; and
  - 2.2 Noted the fees and charges retained by the Highways Maintenance and Management Private Finance Initiative (HMMPFI) Service Provider, Amey, provided in Appendix 1, with effect from 7 June 2019.
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**MEDIUM TO LONG-TERM EMISSION STANDARD AND AGE POLICY FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES**

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See Document No. 2)

Chris Neville, Acting Director of Regulation and Enforcement, made introductory comments relating to the report and subsequently provided a detailed up to date presentation on the policy.

(See Document No. 3)

In response to Members' comments and questions the following points were captured:-

Several members commended the report and for the assistance and consideration from the drivers in the taxi industry for their contribution.

Chris Neville, confirmed that due to the ruling by the Supreme Court the City Council would have to achieve European air quality standards within the shortest time possible and therefore had no choice but to implement the Clean Air Zone (CAZ). He further confirmed that there were 900 deaths per year as a result of the poor air quality.

Chris Neville, referred to Wolverhampton and confirmed that they did not have a Clean Air Zone however they were looking to raise their emission standards, adding that if they did change their policy to a more stringent age level for vehicles, then the City may in light of this, look to review its age policy although were aware of the concerns raised by drivers with regard to the economic impact this could have.

Chris Neville referred to the other cities that were required to put in place a Clean Air Zone and confirmed that not all had adopted CAZ as some had chosen alternative means to try and achieve air quality standards. He further confirmed that Birmingham was the largest geographical CAZ and that other cities had smaller areas due to the nature of pollution.

The Chair stressed that every effort had been made to provide the best offer they could and highlighted the importance of meeting the specified timescales otherwise there was a danger of losing the funding.

She stated that they would not be taking questions from the drivers in attendance, as the item had already been discussed at their trade meeting where she had been in attendance together with the Cabinet Member.

At 11:10 hours there was a fifteen minutes adjournment.

In response to Councillor Eustace's suggestion that the charge received each year as a result of the CAZ that some of the funding should be used to support the taxi drivers' additional costs in the future, Chris Neville agreed to explore the possibility.

The Chair thanked the taxi drivers for attending the meeting.

The Chair put the recommendations in the report to the meeting:-

1153 **RESOLVED:-**

The following Recommendations 2.1 and 2.2 was agreed seven in favour, one against and three abstentions.

## **Licensing and Public Protection Committee – 10 April 2019**

- 2.1 That the recommended policies in Appendix 1 'Hackney Carriage Vehicle Age, MOT and Retrofit Requirements' from paragraphs 1 to 12 be approved; and
- 2.2 That the recommended policies in Appendix 2 'Private Hire Vehicle Age, MOT and Retrofit Requirements' from paragraphs 1 to 12 be approved; and

The following Recommendations 2.3 and 2.4 were unanimously agreed.

- 2.3 That the Committee requested that officers bring a report to a future meeting to consider the consequences of the policy for private hire drivers and owners as it relates to people carriers, and specifically the availability of ULEV people carriers and that exploration of the possibility of additional funding for tax drivers to assist them in the future from the charges received as a result of CAZ.
- 2.4 That the Committee requested that officers bring a report to a future meeting to consider how hackney carriage owners can surrender and retrieve vehicle plate within 2 years from the date of surrender.

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## **DEPARTMENT FOR TRANSPORT STATUTORY GUIDANCE**

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See Document No. 4)

Emma Rohomon, Acting Head of Licensing, made introductory comments relating to the report.

In response to Members' comments and questions the following points were captured:-

Emma Rohomon confirmed that drug testing was not part of the statutory guidance but agreed to explore the possibility.

Emma Rohomon reported that where the county council had taken on the licensing function they had still retained all the separate licensing committees and the separate licensing policies/conditions, adding that there was no economy of scale, unless they had a separate legislative change in order to make it a unitary authority.

She highlighted that whilst they were working with the neighbouring authorities' there was always room for improvement and in doing so may prevent any potential plans in losing the service in the future.

The Chair highlighted the positive aspect of voices being heard with cross border working.

Emma Rohomon referred to the merits once statutory guidance came into effect with regard to working with the surrounding local authorities, adding that any real changes to working with other authorities would be after the outcomes relating to the task and finish group and the Government response.

The Chair put the recommendations in the report to the meeting which were unanimously agreed.

1154 **RESOLVED:-**

2.1 That the report be noted.

2.2 That the consultation response be submitted.

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**CONDITIONS OF LICENCE FOR HACKNEY CARRIAGE VEHICLES**

The following report of the Director of Regulatory Services was submitted:-

(See Document No. 5)

Shawn Woodcock, Licensing Operations Manager, made introductory comments relating to the report.

In response to Members' comments and questions the following points were captured:-

Shawn Woodcock, explained the reasoning for change to the conditions disallowing advertisement on the vehicle size windows as it obliterated the view of the passengers travelling inside the vehicle.

The Chair put the recommendation in the report to the meeting which was unanimously agreed.

1155 **RESOLVED:-**

That the Committee approved the proposed amendment to the conditions for Hackney Carriage Vehicles and that they be introduced with immediate effect.

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**OUTCOME OF APPEALS AGAINST SUB COMMITTEE DECISIONS:  
FEBRUARY 2019**

The following report of the Director of Regulation and Enforcement was submitted:-

(See Document No. 6)

Emma Rohomon, Acting Head of Licensing, provided a breakdown of the report.

## **Licensing and Public Protection Committee – 10 April 2019**

The Chair put the recommendation in the report to the meeting which was unanimously agreed.

1156 **RESOLVED:-**

That the report be noted.

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### **ACTION TAKEN BY THE CHAIR OF THE LICENSING & PUBLIC PROTECTION COMMITTEE: JANUARY 2019**

The following report of the Acting Director of Regulation and Enforcement was submitted:-

(See Document No. 7)

Emma Rohomon, Acting Head of Licensing, made introductory comments relating to the report and advised of the actions taken by the Chair in respect of the following licences:-

On 4 March 2019 the Licensing Enforcement Section received information from West Midlands Police; Driver 3411 was currently under investigation for an allegation of conspiracy to murder, the driver was on Police Bail. In the interests of public safety being considered paramount, an authorisation of the Director of Regulation and Enforcement, acting in consultation with the Chair, was obtained and on 4 March 2019 notice was hand delivered personally to driver 3411's last known address, advising that his private hire driver licence was revoked with immediate effect, in accordance with Sections 61(1)(b) and 61(2b) of the Local Government (Miscellaneous Provisions) Act 1976.

The Chair put the recommendation to the meeting which was unanimously agreed.

1157 **RESOLVED:-**

That the report and verbal update be noted.

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### **PROSECUTIONS AND CAUTIONS – FEBRUARY 2019**

The following report of the Acting Service Director of Regulation and Enforcement was submitted:-

(See Document No. 8)

Chris Neville, Acting Director of Regulation and Enforcement, provided a detailed breakdown of the report.

The Chair put the recommendation to the meeting which was unanimously agreed.

1158 **RESOLVED:-**



That the report be noted.

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**SCHEDULE OF OUTSTANDING MINUTES**

The following schedule of Outstanding Minutes was submitted:-

(See Document No. 9)

Chris Neville, Acting Director of Regulation and Enforcement, confirmed that there were two reports listed for May 2019.

1159

**RESOLVED:-**

That all Outstanding Minutes be continued.

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**OTHER URGENT BUSINESS**

**SAFETY AT SPORTS GROUNDS ADVISORY GROUPS**

The following report of the Assistant Director of Regulation and Enforcement:-

(See Document No. 10)

Chris Neville, Acting Director of Regulation and Enforcement, introduced the report and briefly explained that as a result of the incident that had taken place at Birmingham City FC ground, highlighted the concern raised regarding elected members being nominated to sit on Sports Advisory Groups (SAG).

Councillor Leddy commented that the incident that had taken place could not have been prevented. He confirmed that SAGS had been introduced some 30 years ago and whilst highlighting the merits of the SAG's, provided a detailed account of the incident that had taken place at Villa Park and the positive outcome as a result of the SAG's intervention and elected members sitting on these groups.

He stated that he could not support the recommendations and suggested that a small working group be set up before the City Council AGM to discuss membership of the SAGs.

Both Councillors Beauchamp and Eustace fully supported Councillor Leddy's comments and subsequently provided examples of where the involvement of elected members, sitting on SAGs, had provided positive results relating to social, environmental and public issues.

The Chair confirmed that she had raised concern relating to SAGs, and all of the aspects relating to them which included bringing them back in-house to this committee. She was of the opinion that members sitting on any future SAG's should be part of this committee and that there should be regular reporting back to this committee. She fully supported the undertaking of a

review of how the SAGs were working at this time and that it was done promptly before the City Council AGM.

Chris Neville, referred to the proposed review of the working group of members of this committee whereby they would look at the arrangement of SAGs and simultaneously how that fed back to this committee, and to ensure that all the processes were being followed correctly.

The Chair put recommendation 2.1 to the meeting and it was unanimously agreed that it was not carried.

The Chair put recommendation 2.2 to the meeting which was unanimously agreed.

1160 **RESOLVED:-**

- 2.2 That an immediate review of the constitution, terms of reference and procedures for the SAGS be undertaken in accordance with Section 4.5 of the Guide to the Safety Certification of Sports Grounds (Appendix 1).
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**OTHER URGENT BUSINESS**

**EVIDENCED BASED INFORMATION**

- 1161 Councillor Lines stated that when there was a policy change in Licensing Committee, suggested that there needed to be a change in approach with regard to more evidence based information, in order to support any changes made. He added that where changes were made relating to the taxi industry, that drivers were also made more aware of the information supporting the actions.

The Chair detailed the actions that had taken place with regard to supporting the drivers and highlighted that the commitment had been met with regard to helping the drivers and that they would be receiving the bulk of the funding in helping them with their transition.

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**Vote of Appreciation**

- 1162 At this juncture, the Chair thanked Chris Neville on behalf of the Committee and herself for all his effort and hard work in supporting the Committee. She confirmed that he would be greatly missed and wished him well in his future retirement.

Councillor Eustace also thanked Chris for all his support and advice over the years and wished him well.

Chris Neville thanked members for their kind comments and confirmed that they he had thoroughly enjoyed working with elected members and subsequently wished Steve Hollingworth good luck in his new role

The Chair welcomed Steve Hollingworth to the meeting.

Steve Hollingworth stated that he was delighted to take up his new position as the replacement for Chris and was fully aware of the responsibility of the work that needed to be done.

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**AUTHORITY TO CHAIR AND OFFICERS**

1163

**RESOLVED:-**

In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee.

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The meeting ended at 1240 hours.

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CHAIRMAN

**BIRMINGHAM CITY COUNCIL****REPORT OF THE ASSISTANT DIRECTOR OF REGULATION AND  
ENFORCEMENT TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE****15 MAY 2019  
ALL WARDS****REGULATION AND ENFORCEMENT BUSINESS PLANS 2019/23****1. Summary**

- 1.1 This report presents the service planning process for the Regulation and Enforcement Division in terms of the Coroners and Mortuary, Environmental Health, Licensing, the Registration Service and Trading Standards services.
- 1.2 The resultant service plans for the period 2019/23 in respect of Regulation and Enforcement are attached for your Committee's consideration and approval.
- 1.3 The business plans are strategic documents and as such reflect our response to corporate, national, regional and local priorities for those parts of the Regulation and Enforcement Services that report to your Committee.

**2. Recommendation**

- 2.1 That the Committee consider and approve the service plans as presented for 2019/23, namely:
  - Appendix 1 Coroners and Mortuary
  - Appendix 2 Environmental Health
  - Appendix 3 Licensing
  - Appendix 4 Registration Service
  - Appendix 5 Trading Standards

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Assistant Director of Regulation and Enforcement  
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### 3. Background

- 3.1 Each year your Committee receives the business plans in respect of the operational services within Regulation and Enforcement that are accountable to your Committee.
- 3.2 The purpose of the business plans is to set out how corporate, national, regional and local priorities identified for Regulation and Enforcement, together with stakeholders' requirements are to be achieved at a strategic level.

### 4. Regulation and Enforcement Division

- 4.1 Regulation and Enforcement is within the Neighbourhoods Directorate of the City Council. For the Neighbourhoods Directorate our aim is to make a positive difference every day to citizens' lives and deliver an integrated approach to place management.
- 4.2 Within Regulation and Enforcement, our Mission Statement is - locally accountable and responsive fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors.
- 4.3 As a workforce we work to the values of the City Council:
  - **We put citizens first:** We are empathetic and respectful in everything we do
  - **We are true to our word:** When we make promises we keep them
  - **We act courageously:** We lead, we manage and we tackle the difficult issues: every day, every one of us
  - **We achieve excellence:** We get things right. First time every time
- 4.4 Regulation and Enforcement provides an integrated range of services, a 'golden thread', throughout peoples' lives from cradle to grave, for example:
  - The Registration Service provides efficient registration of births.
  - Trading Standards ensure that the toys our children play with are safe.
  - Trading Standards ensure that young people are protected from underage sales of tobacco, alcohol, fireworks, knives and solvents.
  - All services work through advice and assistance to members of the public and businesses which provide the conditions for economic growth in the business sector to ensure a fair and well regulated trading environment. This enables local and national economic growth.
  - All services, through firm, fair and proportionate enforcement, ensure that members of the public and businesses are protected from those who seek to make profit at their expense – be it by removing counterfeit goods from the market place, prosecuting unlicensed 'taxis' or by tackling those who do not adequately protect people in the workplace.

- Environmental Health ensures that everyone's wellbeing is protected, for example, through inspection of food premises, monitoring air pollution levels and acting against those that threaten health.
- The Licensing Service ensures that premises selling alcohol or where regulated entertainment is carried on are properly licensed as are hackney carriage, private hire drivers and those operating such businesses in the city assuring public safety throughout.
- The Pest Control Service protects public health by reducing the number of pests.
- The Registration Service enables marriages and civil partnerships to take place in the City and welcome new citizens through regular citizenship ceremonies.
- The vulnerable, for example, older citizens are protected from rogue builders.
- At the end of life, the Coroners and Mortuary and Registration Service services provide valued caring, empathetic and efficient services to help provide closure for bereaved families assuring that dignity is maintained throughout for the deceased.

#### 4.5 Regulation and Enforcement's work has an impact nationally, regionally, locally and individually, for example:

- Our services are represented on Government and national bodies to influence the direction of legislation to protect our citizens and economic interests. We also host the England Illegal Money Lending Team and the Central England Trading Standards Regional Investigations Team.
- Regionally, services work with other local authorities to address cross boundary issues and we work with other agencies such as the West Midlands Police, Office of the Police and Crime Commissioner and West Midlands Combined Authority. We are also a member of the Central England Trading Standards Authority (CenTSA).
- We work to deliver our services at a local level in a manner responsive to the needs of the community, for example, the no cold calling zones in areas of high distraction burglaries and delivering the services at the point of need.
- Regulation and Enforcement work in partnership at a local level with many organisations in the private, public and voluntary sectors, contributing significantly to enable those organisations to achieve their respective strategic objectives. This includes the Police and Fire Service through to Business Improvement Districts and local volunteering groups.
- Much of our service provision is driven by the needs of individuals who approach us for assistance, either in the form of requests for assistance (complaints), service requests or licence applications.
- We are an important partner in the delivery of the health agenda working closely with Public Health colleagues.

#### 4.6 Regulation and Enforcement – Legislative Framework

As an enforcement body Regulation and Enforcement is itself regulated both in terms of the legislation that is enforced on behalf of your Committee (over 130 Acts of Parliament and many more regulations and Orders) and through specific legislation which governs all investigative activities such as the Police and Criminal Evidence 1984 Act (PACE) and the Regulation of Investigatory Powers 2000 Act (RIPA).

The complex requirements on Regulation and Enforcement in relation to investigating offences, gathering evidence, preparing and presenting cases at Magistrate's and Crown Courts are the same as those applied to the Police. This requires our officers to be suitably qualified and competent to investigate offences and prepare prosecution reports to ensure that at Court the required burden of proof (beyond all reasonable doubt) is met and offenders successfully prosecuted. Any failure of our prosecutions would leave us open to accusations of wasting resources, adverse publicity and the possibility of paying compensation.

Prosecution is often the last resort in relation to dealing with non-compliance. Our published Enforcement Policy, which complies with the Code for Crown Prosecutors and Regulators Compliance Code details how we attempt to achieve compliance with legislation. We advise businesses on how to comply, we assist them in establishing mechanisms to comply, we issue Notices requiring compliance. We also use prevention methods to protect businesses' economic interests.

We operate within the legislative framework that applies to all public bodies including freedom of information legislation, the duty to involve and legislation dealing with equality, diversity and discrimination.

To ensure that we achieve the high standards are required to meet this level of excellence in enforcement, Regulation and Enforcement operates a robust set of policies and procedures within the quality management system Intelligence led enforcement leading to well regulated manufacturing, retail and service sectors creates the environment to benefit the city's economic prosperity and its citizens' wellbeing.

Regulation and Enforcement will continue to maximise the impact of our powers as delegated and build upon the opportunities afforded by Civil sanctions.

The Registration Service is governed by the Registrar General's Regulations and Instructions and we are committed to delivering our services to the highest standards consistent with the requirements of the City Council and the Registrar General.

The Coroners and Justice Act 2009 places a statutory duty on the City Council to appoint and pay a Senior Coroner and where appropriate an Area

Coroner together with self-employed Assistant Coroners to discharge the functions of the Coroner.

The statutory duties on the city council under the Public Health Act 1936 include:

- The provision of a mortuary for the reception and storage of bodies of people who have died in Birmingham and Solihull where the Senior Coroner orders a Post Mortem.
- Additionally the Human Tissue Act 2004 regulates how Post Mortems are conducted and the security of the bodies and associated tissues.

## 5. Business Plans 2019/2023

- 5.1 The business plans of the individual service areas within Regulation and Enforcement, attached at Appendices 1-5, detail the services that are provided together with outcomes, measures and targets in respect of the specific services to be delivered in 2019/2023. They also illustrate the significant numbers of interactions that Regulation and Enforcement have with businesses and members of the public during the year.
- 5.2 Each business plan sets out the priorities for the services to be delivered. The plans also include details of future year's savings to be delivered by the planned services.
- 5.3 Regulation and Enforcement retains ISO 9000 accreditation for Trading Standards and licensing, which provides further assurance and independent assessment of the quality of services delivered.
- 5.4 Over the years ahead Regulation and Enforcement will continue to work with partners on key issues to maximise the use of our resources to deliver the best outcomes for Birmingham.

## 6. Consultation

- 6.1 This report consolidates many different projects and activities. Where consultation is required or appropriate this will be undertaken separately.

## 7. Implications for Resources

- 7.1 The Regulation and Enforcement business plan commitments are designed to be accommodated within the resources currently available to your Committee.
- 7.2 In relation to your Committee these include externally provided ring fenced funding, including:
  - The England Illegal Money Lending Team is funded by HM Treasury.



- The Regional Investigations team is funded through Department for Business, Energy and Industrial Strategy.
- 7.3 Almost all services within Licensing are funded through licence fees which are ring fenced by legislation in compliance with the EU Services Directive.
- 7.4 The savings for 2019/2023 are reflected in the budget set for the Committee.
8. Implications for Policy Priorities
- 8.1 Business plans reflect the Council Plan and other national and corporate priorities.
9. Public Sector Equality Duty
- 9.1 The consideration of the Public Sector Equality Duty is fundamental to business planning arrangements.
- 9.2 This report consolidates many different projects and activities. The need to carry out an equality assessment will be considered for each one.

## **ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT**

Background Papers:

LICENSING AND PUBLIC PROTECTION – REVENUE BUDGET 2019/20

# Coroners and Mortuary Appendix 1



# Vision

What is your vision for your directorate / service in 2022-23?

Locally accountable and responsive, fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, businesses and visitors.’ ?

The Coroner’s and Mortuary Service provide the statutorily required Coroner’s service for Birmingham and Solihull together with the statutorily required Public Mortuary facilities for the city. The work delivered is required by statute and supported by guidance from the Chief Coroner for England and Wales. *It is envisaged that BCC will continue to support the work of the Senior Coroner and her team to meet requirements laid down by the Chief Coroner in his attempt to ‘standardise’ coronial services.*

The Mortuary operates under licence by the Human Tissue authority (HTA), we continue to strive to provide a full Public Mortuary service to the Coroner to enable the Coroner to deliver her statutory function and meet the HTA standards.

Provision of efficient and effective Coroner and Mortuary services supports the City Council’s Plan to ‘Improve the Health and Wellbeing’ of people living in Birmingham and Solihull. In addition this directly supports the Council’s Financial Plan 2019 -2023’s priority of ensuring Birmingham is a ‘city of growth where every child, citizen and place matters’

# Priorities

What are the key priorities for your your directorate / service for 2019-23?

*This is a should be a set of bullet points (5-7 max.) that set out how you will achieve your vision*

Priority	Why is this important?
To provide a full support service to the Coroner to enable the Coroner to deliver her statutory role	<ul style="list-style-type: none"><li>• Supports the City Council's Plan to Improve the Health and Wellbeing of people living in Birmingham and Solihull.</li><li>• The service directly supports the Council's Financial Plan 2019 -2023's priority of ensuring Birmingham is a 'city of growth where every child, citizen and place matters'</li><li>• Ensures that the Coroner is able to release the deceased to families expeditiously having regard for the judicial function of the service and achieves the target s around time to inquest.</li></ul>
To ensure future Court room and office facilities are fit for purpose and meet the Coroners requirements.	<ul style="list-style-type: none"><li>• Supports the Chief Coroners guidance published June 2017 regarding accommodation to be provided in a model Coroner area.</li><li>• Supports the Increased demand for Coroner Inquests.</li></ul>

# Priorities

What are the key priorities for your your directorate / service for 2019-23?

*This is a should be a set of bullet points (5-7 max.) that set out how you will achieve your vision*

Priority	Why is this important?
To provide a full Public Mortuary service to the Coroner to enable the Coroner to deliver her statutory role	<ul style="list-style-type: none"><li>• Supports the City Council's Plan to Improve the Health and Wellbeing of people living in Birmingham and Solihull.</li><li>• The service directly supports the Council's Financial Plan 2019 -2023's priority of ensuring Birmingham is a 'city of growth where every child, citizen and place matters'</li><li>• Ensures that the Coroner is able to release the deceased to families expeditiously having regard for the judicial function of the service</li></ul>
To ensure future Mortuary facilities are fit for purpose and able to meet future demand.	<ul style="list-style-type: none"><li>• To meet requirements set out by the Human Tissue Authority and their national standards who license the Public Mortuary.</li><li>• There is a national shortage of pathologists resulting in potential shortage of them to do traditional post mortems.</li><li>• Supports the consideration of, and exploration of the potential demand for availability of Computed Tomography Post mortems (CTPM) from interested parties.</li></ul>

# Objectives

*These should be specific areas for your directorate / service that you will focus on in order to deliver against your priorities*

Objective	Description
1. To provide a full support service to the Coroner to enable the Coroner to deliver her statutory role	To ensure that all deaths notified to the Coroner are logged on to the CIVICA system on day of receipt and triaged and dealt with as efficiently and effectively as possible in order to enable the Coroner to release the deceased to families expeditiously having regard for the judicial function of the service
	To provide the support required by the Senior Coroner to ensure that investigations and inquests are held in a timely manner and ensures that the Senior Coroner meets the target set by the Chief Coroner regarding Inquests .
	To provide support to enable the Senior Coroner to achieve KPIs in line with national averages
	To provide all statutory returns to the Ministry of Justice as required
	To send records required by the national Archives to a place of deposit.

# Objectives

*These should be specific areas for your directorate / service that you will focus on in order to deliver against your priorities*

Objective	Description
2. To ensure future Court room and office facilities are fit for purpose and meet the Coroners requirements.	<ul style="list-style-type: none"><li>• Works to take place to ensure current building/facilities are fit for use.</li><li>• Continued use of Solihull Civic suite as an additional Court 2 days per week to support the Coroner.</li><li>• Exploration of suitable additional Court facilities in the event that Solihull Civic suite no longer available</li><li>• Sourcing alternative suitable accommodation provision for Court and support staff for medium and long term</li></ul>

# Objectives

*These should be specific areas for your directorate / service that you will focus on in order to deliver against your priorities*

Objective	Description
3. To provide a full Public Mortuary service to the Coroner to enable the Coroner to deliver her statutory role	<ul style="list-style-type: none"><li>• To provide full Mortuary facilities for deceased referred to the Coroner 24 hours a day across 365 days a year.</li><li>• Number of Post Mortems completed within a timescale to ensure 90% of bodies released within 5 days of notification.</li><li>• Storage of bodies</li><li>• Undertaking of histology and toxicology testing, where required by a Coroner.</li></ul>
4. To ensure future Mortuary facilities are fit for purpose and able to meet future demand.	<ul style="list-style-type: none"><li>• To retain Human Tissue Authority Accreditation for Post Mortems.</li><li>• To complete all actions as set out in the Human Tissue Authority Corrective and Preventative Action Plan following their Inspection of the premises in January 2019.</li><li>• Supports the consideration of and exploration of the potential demand for availability of Computed Tomography Post mortems (CTPM) from interested parties.</li></ul>



# What will success look like in 2022-23?

*This section should define clearly – and quantify where possible – the outcomes you will achieve through successful delivery of your business plan. It should link clearly to your vision and priorities.*

Objective	Outcomes
1.To provide a full support service to the Coroner to enable the Coroner to deliver her statutory role	<ul style="list-style-type: none"> <li>• 100% of notifications entered on system on day of receipt or 1st working day if out of hours.</li> <li>• The deceased are released expeditiously having regard for judicial function of service – matching or bettering the release times for 2018.</li> <li>• Processes in place to ensure the requirements of the Coroner are met in relation to key performance indicators around :- <ul style="list-style-type: none"> <li>Time spent on cases</li> <li>Time to certification where there is no post mortem and with a post mortem</li> <li>Number / % of deaths notified</li> <li>% of deaths where Inquest opened , time to inquest and conclusion.</li> <li>% of deaths resulting in post mortem</li> </ul> </li> <li>• Staff are supervised and managed appropriately and effectively in line with Birmingham City Council's policies and procedures i.e. Managing attendance, My Appraisal etc.</li> <li>• Staff work flexibly to meet the needs of the service.</li> <li>• Processes in place to ensure sufficient court availability, expedient communications with witnesses and flexibility of staff to prioritise inquests</li> <li>• Appropriate IT operating systems are in place and working efficiently and effectively.</li> <li>• Timely return of statistics</li> <li>• Records sent to National Archives 'Place of Deposit' by deadline.</li> </ul>

# What will success look like in 2022-23?

*This section should define clearly – and quantify where possible – the outcomes you will achieve through successful delivery of your business plan. It should link clearly to your vision and priorities.*

Objective	Outcomes
2 To ensure future Court room and office facilities are fit for purpose and meet the Coroners requirements.	<ul style="list-style-type: none"><li>• Court room facilities available to meet Coroner requirements and that of the model coroner area as outlined by the chief Coroner</li><li>• Improvement in the timeliness of Inquests</li><li>• Improved future resilience in terms of increasing demand for Inquests</li><li>• Improved communication and joined up working with Solihull</li></ul>

# What will success look like in 2022-23?

*This section should define clearly – and quantify where possible – the outcomes you will achieve through successful delivery of your business plan. It should link clearly to your vision and priorities.*

Objective	Outcomes
3. To provide a full Public Mortuary service to the Coroner to enable the Coroner to deliver her statutory role	<ul style="list-style-type: none"><li>• Adequate Storage facilities available (Fridges and freezers) within the Public mortuary</li><li>• Effective management of service across 24/7, 365 days a year</li><li>• Staff are supervised and managed appropriately and effectively in line with Birmingham City Council's policies and procedures i.e. managing attendance, My Appraisal etc.</li><li>• Staff work flexibly to meet the needs of the service.</li><li>• Adequate pathologists available to provide invasive post mortems.</li><li>• If decided/required , provision of computed tomography digital autopsy (CTPM) in line with the City Council's offer in 2022-23.</li><li>• Undertaking of histology and toxicology testing, where required by a Coroner.</li></ul>

# What will success look like in 2022-23?

*This section should define clearly – and quantify where possible – the outcomes you will achieve through successful delivery of your business plan. It should link clearly to your vision and priorities.*

Objective	Outcomes
4. To ensure future Mortuary facilities are fit for purpose and able to meet future demand.	<ul style="list-style-type: none"><li>• Mortuary provision meets standards set out by Human Tissue authority</li><li>• Back up facilities available</li><li>• If decided/required , provision of computed tomography digital autopsy (CTPM) in line with the City Council's offer in 2022-23.</li></ul>

# KEY WORK PROGRAMMES & PROJECTS



# Summary of Key Initiatives

Objective 1 To provide a full support service to the Coroner to enable the Coroner to deliver her statutory role							
<ul style="list-style-type: none"> <li>• Civica portal – to ensure seamless migration of death referrals from Hospitals/GP's/Police/Ambulance service on to the system on day of receipt.</li> <li>• Training for relevant officers regarding submitting the annual Ministry of Justice return</li> <li>• Improved partnership working with Solihull</li> </ul>							

# Summary of Key Initiatives

Objective 2 To ensure future Court room and office facilities are fit for purpose and meet the Coroners requirements.							
<ul style="list-style-type: none"> <li>Building condition survey undertaken / scaffolding erected to scope works</li> <li>Property services investigating suitable alternative premises to ensure business continuity</li> </ul>							

# Summary of Key Initiatives

Objective 3. To provide a full Public Mortuary service to the Coroner to enable the Coroner to deliver her statutory role							
<ul style="list-style-type: none"> <li>Works to public mortuary as part of - ‘Corrective and Preventative Action Plan’ (CAPA) following the HTA January 2019 inspection</li> <li>Long term provision of Toxicology testing</li> </ul>							



# Summary of Key Initiatives

Objective 4 To ensure future Mortuary facilities are fit for purpose and able to meet future demand.							
<ul style="list-style-type: none"> <li>Corrective and Preventative Action Plan – various projects following the HTA inspection.</li> <li>Mortuary facilities/ building review .</li> </ul>							

To provide a full support service to the Coroner to enable the Coroner to deliver the statutory role



# To provide a full support service to the Coroner to enable the Coroner to deliver her statutory role: Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Roll out and use of Civica Portal	<div>Scope rollout</div> <div>Test system</div> <div>Brief Hospitals and implement across Birmingham/Solihull</div> <div>Rollout incrementally to Registrar GP's Police</div> <div>Review and complete project</div>					<ul style="list-style-type: none"> <li>Seamless migration of death referrals to Civica.</li> <li>Reduced officer time spent on inputting/checking.</li> <li>Coroners ability for early triage maximised.</li> <li>Coroner KPI's regarding release of the deceased improved/maintained</li> </ul>

# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Compatibility with external systems		Potential delays in roll out if issues are found in 1 <sup>st</sup> phase and ongoing with each external agency.	low	<ul style="list-style-type: none"> <li>• Project manager in place</li> <li>• Super users in place</li> <li>• Regular meetings and live testing system in place</li> </ul>

To ensure future court room and office facilities are fit for purpose and meet the Coroners requirements.



# To ensure future Court room and office facilities are fit for purpose and meet the Coroners requirements : Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Building works	Comprehensive Building Survey undertaken					<ul style="list-style-type: none"> <li>Building fit for purpose</li> <li>Ongoing fully supported and monitored action plan in place</li> <li>Ongoing Health and Safety issues monitored and dealt with.</li> </ul>
	Scaffolding and External survey to take place					
	Programme of works devised					
	1 <sup>st</sup> phase-Essential works carried out/monitored and reviewed					
	2 <sup>nd</sup> phase – other works carried out monitored and reviewed					
	Closure of project and ongoing maintenance plan implemented					

# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Building use and viability	Building Failing	Building is very old, ongoing and new issues impact	High	<ul style="list-style-type: none"> <li>Continue to work with Acivico</li> <li>Continue to work with Health and Safety, action Risk Assessment outcomes and ongoing monitoring</li> </ul>
Unforeseen or escalating cost	Financial	Cost of works	medium	<ul style="list-style-type: none"> <li>Continue to raise to and seek Senior managers support for spend</li> <li>Managers to meet regularly with finance reps in terms of monitoring and cost.</li> </ul>

3.To provide a full Public Mortuary service to the Coroner to enable the Coroner to deliver a statutory role

4. To ensure future Mortuary facilities are fit for purpose and able to meet future demand.





**To provide a full Public Mortuary service to the Coroner to enable the Coroner to deliver her statutory role to ensure future Mortuary facilities are fit for purpose and able to meet future demand.**

*Please include a high-level project plan here using the format set out in the table below.*

## **: Key Programmes & Projects /**

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
HTA Corrective and Preventative Action Plan(CAP A)	Action Plan and Timelines created					<ul style="list-style-type: none"> <li>Fully supported and monitored action plan in place</li> <li>All Compliance Information submitted to HTA.</li> <li>Ongoing compliance requirements implemented and monitored.</li> </ul>
	Acivico works & other works/actions with Mortuary scoped					
	Acivico works undertaken					
	Other works/actions within Mortuary undertaken					
	Standard Operating procedures/risk assessments amended & cascaded					
	CAPA plan signed off & ongoing monitoring					

# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
HTA licence removal	Mortuary and Post Mortem Service provision for HM Coroner	Non achievement of all Compliance requirements in HTA CAPA plan.	High	<ul style="list-style-type: none"> <li>Continue to work with Acivico</li> <li>Fully supported and monitored action plan in place</li> </ul>
Unforeseen or escalating cost	Financial	Cost of works	medium	<ul style="list-style-type: none"> <li>Monitoring meetings with senior managers and finance</li> <li>Senior managers to be kept informed</li> </ul>





# Environmental Health and Pest Control Business Plan, 2019-2023



# Vision

## Environmental Health and Pest Control's Mission Statement:

‘Locally accountable and responsive, fair regulation for all – achieving a safe, healthy, clean, green and fair trading city for residents, businesses and visitors.’

# Priorities for 2019-23

Priority	Why is this important?
To investigate complaints of matters that affect the health of the public (residents, visitors and workers in Birmingham)	<p>The public rely on Environmental Health to be their advocate in instances where they are adversely affected by matters which may harm their health e.g. noise nuisance from neighbours, offensive odours, accumulations of hazardous materials, emissions from bonfires and chimneys, etc.</p> <p>This is a statutory duty incumbent on the local authority and failing to undertake this leaves the public vulnerable, whilst the local authority is at risk of challenge via the Ombudsman.</p>
Promote and ensure Food Safety for everyone who lives or visits Birmingham and to enable manufacturers to trade on national and international markets	Safe food protects the health of individuals from food borne illnesses and enables our businesses to trade locally, nationally and internationally. It is a national priority to prevent food related incidents that damage the trading reputation of the UK.
Promote Health and Safety in relevant businesses to protect workers from accidents and businesses from claims and reputational damage	Ensuring businesses are compliant with Health and Safety legislation protects workers from unnecessary injury and long term ill health.

# Priorities for 2019-23

Priority	Why is this important?
To improve air quality within the city through the delivery and supporting of strategic outcomes	<p>Clean air is a national priority for the Government, evidenced through the National Clean Air Strategy and impending changes to primary legislation.</p> <p>Clean air is a Council priority under Priority 4 of Outcome 4 of the Council Plan 2018-22.</p> <p>The adverse health outcomes from poor air quality are well documented and remain priorities for Public Health and Public Health England.</p> <p>Local Air Quality Management is a statutory duty incumbent on the local authority whilst the Clean Air Zone is a mandated activity under Ministerial Direction.</p>
To provide an effective and efficient pest control service	<p>There is a statutory duty to rid council land of rodents and to cause others to do so under the Prevention of Damage by Pests Act 1949. Eradicating vermin reduces transmission of diseases as well as the fear of rodents that many people suffer from.</p>
Animal Welfare and Stray Dogs	<p>Removing stray dogs from the street prevents road traffic accidents and reduces harassment, alarm and distress to the public caused by roaming dogs. Providing licences for Zoos, pet shops and other establishments ensure animals are not badly treated and checking on importation and pet passports reduces the risks of zoonotic diseases e.g. rabies.</p>



# Objectives

Objective	Description
<b>Requests for Assistance</b>	To support the strategic priorities such Birmingham is an entrepreneurial city to learn, work & invest in and a great city to live in by offering advice to and responding to requests for assistance from residents, businesses and elected Members on Environmental Health issues including the resolution of neighbourhood issues, statutory nuisances and advice to businesses.
<b>Food Safety</b>	To support the strategic priorities such Birmingham is an entrepreneurial city to learn, work & invest in and a great city to live in by promoting and ensuring Food Safety, including a programme of food inspections and the investigation of food related complaints, food fraud and minimising the incidences of food poisoning.
<b>Health and Safety</b>	To support the strategic priorities of an entrepreneurial city to learn, work & invest in and a great city to live in by Promoting and ensuring healthy and safe working environments via a programme of health and safety inspections and focussed visits, investigation of serious accidents and complaints concerning working conditions.
<b>Air Quality</b>	Support and assist strategic priorities such as the CAZ and CAS, whilst undertaking monitoring and reporting on the state of the air in Birmingham and proactively inspecting the most polluting industries, both in line with Government guidance and legislative duties.
<b>Pest Control</b>	To provide an effective and efficient pest control service to support the strategic priority of making Birmingham a great place to grow up in.
<b>Animal Welfare</b>	To Undertake inspections and issue licences to relevant animal establishments and to remove stray dogs from the street to support the strategic priority of making Birmingham a great place to grow up in.

# What will success look like in 2022-23?

Objective	Outcomes
<b>Requests for Assistance</b>	<p>The Service will;</p> <ul style="list-style-type: none"> <li>• To protect the health and wellbeing of citizens and visitors and safeguard businesses</li> <li>• To support compliant businesses from unfair competition</li> </ul>
<b>Food Safety</b>	<p>The Service will;</p> <ul style="list-style-type: none"> <li>• comply with the Food Standards Agency's Statutory Guidance</li> <li>• discharge the local authority's duty in meeting the Food Law Enforcement Plan</li> <li>• protect the health and wellbeing of citizens, employees of businesses and visitors</li> <li>• maintain a high level of consumer confidence in food businesses in Birmingham</li> <li>• take appropriate enforcement action against food businesses where the health of the public is put at risk</li> <li>• protect good businesses from being disadvantaged by non-compliant traders</li> <li>• assist businesses to remain competitive</li> <li>• assist food businesses to remain competitive</li> <li>• ensure that resources are targeted to the poorest performing businesses</li> </ul>
<b>Health and Safety</b>	<p>The Service will;</p> <ul style="list-style-type: none"> <li>• ensure that the Local Authority complies with the Section 18 Health and Safety at Work etc Act 1974.</li> <li>• protect employees and members of the public from unsafe practices.</li> <li>• ensure that employers meet their statutory responsibilities in relation to health and safety</li> </ul>
<b>Air Quality</b>	<p>The Service will;</p> <ul style="list-style-type: none"> <li>• have assisted in delivering the councils priority of Clean Air</li> <li>• there will be quantifiable measurements of air quality in the CAZ to inform changes if required</li> <li>• emissions from the most polluting businesses will be minimised via an inspection programme</li> </ul>

# What will success look like in 2022-23?

Objective	Outcomes
<b>Pest Control</b>	The Service will; <ul style="list-style-type: none"><li>• protect the health and wellbeing of citizens, employees of businesses and visitors.</li><li>• improve the environmental quality of local areas.</li></ul>
<b>Animal Welfare</b>	The Service will; <ul style="list-style-type: none"><li>• To protect the health and wellbeing of the public</li><li>• To reduce the incidence of road traffic accidents and dog bites involving stray dogs</li><li>• To protect and promote animal health and welfare</li></ul>

# KEY WORK PROGRAMMES & PROJECTS



# Summary of Key Initiatives

Request for Assistance	Description	RO / SRO	Governance	Reporting Frequency
Respond to all requests for advice and assistance (RFA)	Percentage of all RFAs responded to within the performance target deadline (normally 5 days)	Head of Environmental Health	Licensing & Public Protection Committee	Annual – Annual report to LPPC

Food Safety	Description	RO / SRO	Governance	Reporting Frequency
To develop the statutory Food Law Enforcement Plan (FLEP)	To produce a plan as to how the city will meet its statutory food inspection programme for 2019/20	Head of Environmental Health Operations Manager (Food Lead)	Licensing & Public Protection Committee Food Standards Agency	Monthly to FSA Annually
To undertake a statutory food intervention programme to ensure that new and existing food businesses comply with food safety legislation	Undertake Food hygiene and Food standards Inspections and respond to food complaints.	Head of Environmental Health Operations Manager (Food Lead)	Licensing & Public Protection Committee Food Standards Agency	Monthly to FSA Annually

# Summary of Key Initiatives

Health and Safety	Description	RO / SRO	Governance	Reporting Frequency
To develop the Health and Safety Law Enforcement Plan (HSLEP)	Produce a health and safety inspection plan in line with Health and Safety Executive guidance.	Head of Environmental Health Operations Manager (H&S Lead)	Licensing & Public Protection Committee Health and Safety Executive	Annual – Annual report to LPPC
Investigation of work place related accidents and incidents, including those resulting in serious injuries and fatalities.	100% of mandatory (serious) incidents investigated.	Head of Environmental Health Operations Manager (H&S Lead)	Licensing & Public Protection Committee Health and Safety Executive	Annual – Annual report to LPPC
To undertake a programme of targeted inspections of high risk activities, in accordance with the National Local Authority Enforcement Code.	100% of high risk health and safety risk activities inspected.  To take appropriate action in line with the departmental Enforcement Policy.	Head of Environmental Health Operations Manager (H&S Lead)	Licensing & Public Protection Committee Health and Safety Executive	Annual – Annual report to LPPC

# Summary of Key Initiatives

Air Quality	Description	RO / SRO	Governance	Reporting Frequency
Monitoring & Evaluation (M&E) of the CAZ	CAZ M&E in line with Government guidelines	Mark Wolstencroft / Phil Edwards	Brum Breathes Programme Board / Defra	Quarterly
Local Air Quality Management (LAQM) function	Review and assessment of air quality under the LAQM regime including coordinating outputs for action	Mark Wolstencroft / Mark Croxford	Brum Breathes Programme Board / Defra	Annual return - Defra
Environmental Permitting Inspection programme	Inspecting industries who pollute to atmosphere under the Environmental Permitting Regulations, enforcing to deliver compliance and formal reporting to Government	Mark Wolstencroft / Mark Croxford	Licensing & Public Protection Committee	Annual return - Defra

Pest Control	Description	RO / SRO	Governance	Reporting Frequency
To respond to all requests for assistance (RFA) and advice regarding pest control	Percentage of all RFAs responded to within the performance target deadline (normally 5 days)	Head of Environmental Health Pest Control Team Leader	Licensing & Public Protection Committee	Annual – Annual report to LPPC

# Summary of Key Initiatives

Animal Welfare	Description	RO / SRO	Governance	Reporting Frequency
To provide a dog warden service to seize and detain stray dogs	95% of all RFAs to be responded to within the performance deadline target	Animal Welfare Team Leader Head of Environmental Health	Licensing and Public Protection Committee  Defra	Annually
To respond to requests for assistance regarding welfare issues, dog fouling, conduct inspections, erect signage, issue FPNs and undertake proactive dog fouling exercises	95% of all RFAs to be responded to within the performance deadline target  100% of proactive exercises undertaken (40 planned)	Animal Welfare Team Leader Head of Environmental Health	Licensing and Public Protection Committee  Defra	Annually
Undertake a programme of inspections of licensed animal establishments	100% of licensed animal establishments inspected	Animal Welfare Team Leader Head of Environmental Health	Licensing and Public Protection Committee  Defra	Annually
To enforce legislation in relation to dog control, including the Public Space Protection Orders and Microchipping of Dogs Regulations.	Numbers of enforcement activities (Fixed Penalty Notices served, Notices served, level of compliance, number of prosecutions taken)	Animal Welfare Team Leader Head of Environmental Health	Licensing and Public Protection Committee  Defra	Annually



# Environmental Health and Pest Control Objectives



# RFAs and Food Safety: Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Requests for assistance	Investigation of matters affecting the health of the public	Responding to Public Health matters and using powers of negotiation and enforcement to resolve issues appropriately				Citizens and businesses protected from public health issues

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Food Safety	Comply with Statutory Food Programme	FLEP & Annual Food Interventions	FLEP & Annual Food Interventions	FLEP & Annual Food Interventions	FLEP & Annual Food Interventions	Inspection Programme completed  Compliance with FSA requirements  Consumer confidence

# Health and Safety: Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Health and Safety	Provision of a competent work force to undertake inspections and investigations in Local Authority enforced businesses	<p>Responding to Inspection priorities both locally and nationally</p> <p>Investigation of all Fatal and other Serious Health and Safety accidents</p> <p>Investigation of all Fatal and other Serious Health and Safety accidents</p> <p>Investigation of all Fatal and other Serious Health and Safety accidents</p> <p>Investigation of all Fatal and other Serious Health and Safety accidents</p>				<p>Health of workers and reputation of businesses protected</p> <p>Reduction in work days lost to Health and Safety Accidents; Healthier workforce; businesses protected from litigation</p>

# Air Quality: Key Programmes & Projects

Project / Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Monitoring & Evaluation (M&E) of the CAZ	Scoping and preparation. Commencement at 01/01/20	Quarterly reporting on calendar year schedule.	Quarterly reporting on calendar year schedule.	Quarterly reporting on calendar year schedule.	Report effectiveness of CAZ and provide evidence to direct further action as appropriate.
Local Air Quality Management (LAQM) function	Monitor & review AQ and reporting. Update AQAP	Monitor & review AQ and reporting.	Monitor & review AQ and reporting.	Monitor & review AQ and reporting.	Contribution to compliance with AQ limits
Environmental Permitting Inspection programme	Annual inspection programme & reporting	Annual inspection programme & reporting	Annual inspection programme & reporting	Annual inspection programme & reporting	Industry compliance with legal duties

# Pest Control & Animal Welfare: Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Pest Control	Investigation of matters affecting the health of the public	Efficiently responding to all rat complaints and other pests in the city				Protection of health of citizens  Reduced environmental dissatisfaction by citizens  Reduced damage by pests

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Animal Welfare	Stray dogs	Seize stray dogs; investigate animal welfare complaints and illegal importation of animals from abroad				Reduced Road accidents and control of diseases transmitted by animals outside of quarantine rules
		Inspect all animal establishments and issue licences as appropriate				Protect animals and compliant businesses from unfair competition  Complete national statutory inspection regime

# Risks

Risk Title	Category	Description	Score	Mitigating Actions
Inability to complete Statutory Food Programme	Statutory duty	<p>Insufficient resources to undertake food programme</p> <p>Year on year Increased numbers of premises in statutory food programme each year</p> <p>No resource to deal with new requirements such as allergen intervention</p>	High/High	<p>Inspections are being risk rated and prioritised however there is an increasing number of inspections that are overdue.</p> <p>Some inspections are outsourced however these inspectors will not undertake enforcement or food standards inspections</p>
Pest Control Fleet	Financial	The pest control fleet is not compliant with the CAZ requirements	High/High	<p>Consider relocation from city centre</p> <p>Purchase a new fleet without sufficient resource to deliver</p>

# Risks

Risk Title	Category	Description	Score	Mitigating Actions
Staffing	Resources	<p>Insufficient suitably qualified officers to deliver increased work demand due to BREXIT and Commonwealth Games</p> <p>Changes to national EHO qualification will lead to newly qualified officers not being able to deliver full role</p>	Low/high	<p>Bid for extra resources</p> <p>Consideration being given to “intern” or “student apprentices”</p>

# SUMMARY OF SAVINGS





# Summary of savings 2019/20

*PL 115a - Reduction of £300k and move of Waste Enforcement Unit to Waste Management – Complete, saving delivered*

*PL 110 – Charging for rat treatments - Saving Reversed - Complete*

# Licensing Business Plan, 2019-2023



# Vision

- The key aim of the Licensing Service is to raise standards of people, vehicles and premises licensed in Birmingham. Everything that we do is done with reference to this objective. Our overarching priority is to protect the safety of people using licensed premises or vehicles and to ensure that the licensed trade operates fairly.

# Priorities

What are the key priorities for your your directorate / service for 2019-23?

Priority	Why is this important?
Administer licensing functions efficiently and effectively	To ensure licence applications and associated tasks are dealt with in a timely and accurate manner. Moving to an online system will allow people to make payments and upload documents at a time suitable for them, which will also afford greater flexibility in our resourcing needs.
Ensuring compliance with licensing requirements	To protect the safety of people using licensed premises or vehicles and to ensure the licensed trade operates fairly
Responding to customer enquiries and complaints	To ensure the licensed trade operates fairly and safely.
All Policies, Conditions byelaws and processes are revised and up to date	To ensure the work we do remains relevant and legally compliant, reacting to changes in legislation and the wider economy.

# Objectives

Objective	Description
To provide effective administration on all licensing applications	Applications will be dealt with in a timely manner and will be processed accurately, with all statutory deadlines and service standards complied with.
To deliver a programme of inspections of premises, people and vehicles	Annual inspection schedules to be prepared, we will prioritise premises under the Licensing Act 2003 that have not paid their annual licence renewal fee, as the Act now places a duty upon us to suspend the licences of premises that have not paid. We will continue to carry out stop checking exercises for vehicle/driver compliance.
To deliver effective enforcement action against those contravening licensing requirements	In accordance with the enforcement policy, we will take appropriate enforcement action against those found to be in breach of regulatory requirements. This could be prosecution or referral to Committee or both.
To provide an efficient and expedient service for dealing with customer enquiries and complaints	Complaints will be dealt with in a timely manner in accordance with our service standards.
Identify and take appropriate enforcement action against drivers illegally plying for hire	We will continue to carry out stop checking exercises and pro active enforcement exercises and test purchases.
High profile deterrent & advisory presence: "Yellow Coating"	Officers will be deployed in areas of high demand in order to act as a deterrent against illegal plying for hire and illegal ranking.
To review Policies, procedures Conditions etc.	All relevant policies legally compliant and up to date All controlled legislation .

# What will success look like in 2022-23?

Objective	Outcomes
To provide effective administration on all licensing applications	Channel shift All applications processed in accordance with service standards
To deliver a programme of inspections of premises, people and vehicles	Inspection programme delivered. Improved compliance levels.
To deliver effective enforcement action against those contravening licensing requirements	Prosecution success rates within acceptable limits.
To provide an efficient and expedient service for dealing with customer enquiries and complaints	Complaints dealt with in accordance with service standards.
Identify and take appropriate enforcement action against drivers illegally plying for hire	All planned exercises completed.
High profile deterrent & advisory presence: "Yellow Coating"	All planned exercises completed. Deterrent effect achieved.
To review Policies, procedures Conditions etc.	All relevant policies legally compliant and up to date.

# KEY WORK PROGRAMMES & PROJECTS



# Summary of Key Initiatives

Improving systems and processes	Compliance exercises	Inspection Programme	Review of Policies and other regulatory controls		
<ul style="list-style-type: none"> <li>Replacement licensing system will improve efficiency</li> <li>Training of staff will reduce likelihood of error and improve confidence</li> <li>Channel shift</li> <li>Greater flexibility for service users.</li> </ul>	<ul style="list-style-type: none"> <li>Identify problems</li> <li>Encourage compliance</li> </ul>	<ul style="list-style-type: none"> <li>Identify problems</li> <li>Encourage compliance</li> </ul>	<ul style="list-style-type: none"> <li>Statutory reviews required of :                             <ul style="list-style-type: none"> <li>Statement of Licensing Policy</li> <li>Cumulative Impact Zones</li> <li>Statement of Gambling Principles</li> <li>Scrap Dealers Policy</li> </ul> </li> <li>Taxi &amp; PH Policies</li> <li>Review of Birmingham City Council Act</li> </ul>		



## Improving systems and processes



# Improving systems and processes:

## Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
		<div>Replacement of Licensing Software System</div> <div>Staff training: PLPQ or similar</div> <div>New operating model – reflecting changes brought about by channel shift</div> <div>Review office accommodation</div> <div> <ul style="list-style-type: none"> <li>IT capability</li> <li>Other BCC departments will be on same system</li> </ul> </div>				<p>Channel shift Greater flexibility for service users Replacement licensing system will improve efficiency</p> <p>Training of staff will reduce likelihood of error and improve confidence</p> <p>Online transactions will change the ways in which we interact with service users.</p>

# Compliance exercises



# Compliance exercises:

## Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
						<ul style="list-style-type: none"><li>• Identify problems</li><li>• Encourage compliance</li><li>• Take appropriate enforcement action against those not compliant</li><li>• Deterrent effect</li></ul>
		Stop check exercises (HCPH Vehicle & driver compliance) (Scrap metal collector compliance)				
		Plying for hire exercises				
		'Yellow Coating' exercises				

# Inspection Programme



# Inspection Programme:

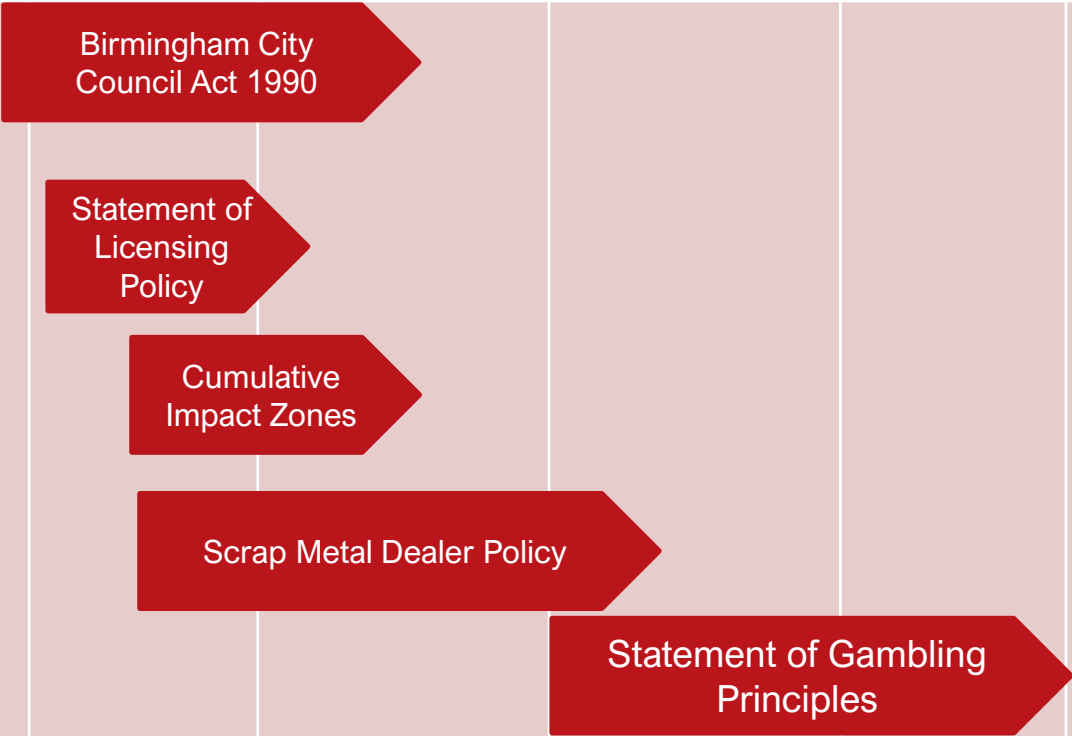
## Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
		Targeted inspections on various service areas including: Operators, licensed premises, gambling premises, scrap metal etc				<ul style="list-style-type: none"> <li>Identify problems</li> <li>Encourage compliance</li> <li>Take appropriate enforcement action against those not compliant</li> </ul>

## Review of Policies and other regulatory controls



# Review of Policies and other regulatory controls: Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
						All relevant policies legally compliant and up to date.
		Birmingham City Council Act 1990				
		Statement of Licensing Policy				
		Cumulative Impact Zones				
		Scrap Metal Dealer Policy				
		Statement of Gambling Principles				



# Risks

What are the major risks to the delivery of this initiative?  
What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions

# SUMMARY OF SAVINGS



# Summary of savings

- The Licensing Service receives no corporate funding for its budget which is ring-fenced.
- Other than those specified by statute, fees are set in order to ensure full cost recovery. They are set according to known previous year expenditure. Carry forward balances are legally required to remain ring-fenced to the budget area.
- The Licensing Act 2003 fees are set centrally by Government and remain unchanged since first implemented in 2005. These fees do not reflect the true cost of delivering the service. Technically the service should run in deficit due to the fact that it is required to administer House to House collection permits and Charitable Street Collection permits, for which it cannot charge a fee. The costs therefore have to be absorbed by other licence fees. This is not a permitted use of resources and is open to challenge. The administration of these permits should be funded by the City Council.
- The fee setting process and the management of income/carry forward balances is subject to significant scrutiny by the trade, particularly following the high profile case of R (Hemming (t/a Simply Pleasure Ltd) & Ors) v Westminster City Council [2017] UKSC 50
- Any surplus income must be carried forward as a ring fenced budget and used when calculating the next year's fees. Income cannot be used to subsidise other areas of the service.

# Registration Service – Appendix 4

## Priorities

What are the key priorities for your your directorate / service for 2019-23?

*This is a should be a set of bullet points (5-7 max.) that set out how you will achieve your vision*

Priority	Why is this important?
To achieve national priority key statutory performance targets –	Birmingham Register Office have been unable to facilitate timely registrations due to significant increases in the volume of birth and death registrations following the closure of hospitals and maternity units in two neighbouring registration districts. Parents have a legal duty to register the birth of a child within 42 days. A birth certificate gives a child an identity, bestows rights such as nationality, health care, education and is vital for local planning.
98% of births registered within 42 days	
95% of notice of marriage and civil partnership appointments available within 10 days	Due to the increase in the volume of birth and death registrations, and the Service has had to prioritise the timeliness of key services and compromise its ability to provide notice of marriage and civil partnership appointments. Delays in appointment provision have the potential to impact on when a couple can marry or enter into a civil partnership and may result in a loss of marriage and civil ceremony bookings at the Register Office. Birmingham Register Office is the only designated Register Office in the West Midlands and due to a lack of appointment availability is losing bookings for the taking of notices of marriage and ceremonies by foreign nationals who are going to designated register offices in other regions where there is earlier availability. This is resulting in a loss of income.
Deaths with MCCDs no coronial involvement – 90% registered within 5 days	Delays in death registration cause delays in funerals and in ability of families to administer the deceased's estate. They also lead to delays in ceasing payments to the deceaseds i.e. pensions, benefits etc.

# Priorities

What are the key priorities for your your directorate / service for 2019-23?

*This is a should be a set of bullet points (5-7 max.) that set out how you will achieve your vision*

Priority	Why is this important?
To look for opportunities to deliver discretionary services to supplement costs of delivery of statutory services	The costs of delivering statutory services outweigh the income received by the Service area due to the statutory fee structure. The delivery of linked discretionary services will support the costs of service delivery
To improve efficiencies within the various areas of service delivery	Improving efficiencies will improve the customer journey in all areas of service provision by speeding up access to services and releasing resources to other areas within the Service. An online booking services for notices of marriage and civil partnership will bring a parity with the birth and death registration areas of service delivery.

# Objectives

*These should be specific areas for your directorate / service that you will focus on in order to deliver against your priorities*

Objective	Description
<b>Increase appointment availability of birth and death registration and notices of marriage and civil partnerships appointments</b>	The births, still – births, death, corrections and re-registration appointments diaries are to be reconfigured to ensure that there is adequate capacity for seasonal fluctuations in demand and timely appointments.
<b>Provide a self check in service</b>	Providing service users with this facility will speed up check in times and reduce delays in attendance at their appointment on time. This in turn will reduce the need to re-book appointments due to lateness and improve appointment availability. It will allow reception resources to be used more effectively elsewhere.
<b>Develop targeted training packages and succession planning</b>	Targeted training packages for birth and death registration and taking notices of marriage will be developed and delivered over reduced timescales .Training in these areas will be delivered to more staff which will reduce the pressure on trained employees and improve the flexibility of the service to respond to peaks and troughs and strengthen its resilience.

# Objectives

*These should be specific areas for your directorate / service that you will focus on in order to deliver against your priorities*

Objective	Description
<b>Work with the hospital trusts to improve issue times of Medical Certificates Of Cause of Death</b>	Set up working parties with relevant hospitals to explore ways in which the running of hospital medical examiner schemes will not impede the statutory duty of families to register a death(where there is no coronial involvement) within 5 days.
<b>Deliver additional income streams to mitigate cost of service delivery</b>	To explore the potential for and deliver a range of discretionary services which will enhance the customer experience when using statutory services. These additional services will mitigate the cost of service delivery. Planned additional services include Saturday private citizenship ceremonies, photography packages, floral packages, a change of name service, room hire, expansion of keepsake ranges and participation in any United Kingdom Visa and Passport initiatives.
<b>Provide an online appointments booking service for notices of marriage</b>	The provision of an online booking service these services will improve the customer journey and efficiencies within the ceremonies area. This will enable resources to be released to other areas within the Register Office. It will bring a parity with the birth and death registration areas of service delivery.

# Objectives

*These should be specific areas for your directorate / service that you will focus on in order to deliver against your priorities*

Objective	Description
<b>Provide a facility to take payments online for notices of marriage and civil partnership bookings</b>	This facility will improve the customer journey and reduce the volume of missed appointments
<b>Streamline processes within the certificates production and ceremonies areas</b>	Streamline the processes within the certificate production area with a view to improving the customer journey, reduce workloads and release resources for use elsewhere within the Service.  Online Ordering of copy certificates
<b>Digitise records</b>	Digitisation of older registers to reduce workloads, preserve statutory registers, free up storage space in the repository.



# What will success look like in 2022-23?

*This section should define clearly – and quantify where possible – the outcomes you will achieve through successful delivery of your business plan. It should link clearly to your vision and priorities.*

Objective	Outcomes
Increase appointment availability of birth and death registration and marriage and civil partnership appointments	<ul style="list-style-type: none"><li>• Greater number of appointments available on a daily basis</li><li>• Ability to respond to increases in demand at short notice</li><li>• Achievement of national key performance targets</li></ul>
Provide a self check in service	<ul style="list-style-type: none"><li>• Greater customer choice</li><li>• Reduce waiting times</li><li>• Upwards trend in improving national statutory waiting times</li><li>• Redeployment of reception staff to other reception duties throughout the Service where resources are currently stretched.</li></ul>
Develop targeted training packages and succession plan	<ul style="list-style-type: none"><li>• Greater flexibility within the workforce to redeploy staff according to demand and available resources</li><li>• Greater resilience of service to respond to epidemics and seasonal increases in demand</li><li>• Reduction of stress levels within the workforce currently dealing with the high demand for registrations</li><li>• Shorter training periods more in line with national periods</li></ul>

# What will success look like in 2022-23?

*This section should define clearly – and quantify where possible – the outcomes you will achieve through successful delivery of your business plan. It should link clearly to your vision and priorities.*

Objective	Outcomes
Work with the hospital trusts to improve issue times of Medical Certificates Of Cause of Death	<ul style="list-style-type: none"> <li>Families able to book death registrations appointments sooner</li> <li>Improvement in death registration KPT</li> <li>Improved working relationship with hospital trusts</li> </ul>
Deliver additional income streams to mitigate cost of service delivery	<ul style="list-style-type: none"> <li>Provision of linked services</li> <li>More choice</li> <li>Improved ability of service to mitigate costs of delivery of statutory services</li> </ul>
Provide an online appointments booking service for notices of marriage and civil partnership	<ul style="list-style-type: none"> <li>Additional route for customers to access the service</li> <li>Easier for customers to access the service</li> <li>Improve ability of service to react to customer demand</li> <li>Deployment of employee to other tasks</li> </ul>

# What will success look like in 2022-23?

*This section should define clearly – and quantify where possible – the outcomes you will achieve through successful delivery of your business plan. It should link clearly to your vision and priorities.*

Objective	Outcomes
<b>Provide a facility to take payments online for notices of marriage and civil partnership bookings</b>	<ul style="list-style-type: none"> <li>• Improved efficiencies</li> <li>• More convenient for customers as they will be able to book appointments outside of office opening hours</li> <li>• Additional route for customers to access the service</li> <li>• Deployment of employees to other tasks</li> </ul>
<b>Streamline processes within the certificates production and ceremonies areas</b>	<ul style="list-style-type: none"> <li>• Improved efficiencies as bottle necks which currently create delays in certificate production will be addressed</li> <li>• Fairer distribution of tasks within the teams</li> <li>• Improvement in workflows and customer journey</li> <li>• Reduction of duplication of work</li> <li>• Redeployment of staff to other areas within the Service area</li> </ul>
<b>Digitise records</b>	<ul style="list-style-type: none"> <li>• Reduce workloads</li> <li>• Preserve statutory registers</li> <li>• Release storage space in the repository</li> </ul>

# KEY WORK PROGRAMMES & PROJECTS



Increase appointment availability of birth and death registration appointments and notices of marriage and civil partnership



# Summary of Key Initiatives

Objective – Increase appointment availability of birth and death registration and marriage and civil partnership appointments							
<ul style="list-style-type: none"><li>Set up working party to review birth, death appointment diaries</li><li>Set up working party to review notices appointment diaries</li><li>Review of staff programming</li></ul>							

# Increase appointment availability of birth and death registration appointments and notices of marriage and civil partnership : Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
<ul style="list-style-type: none"> <li>working party to review birth, death appointment diaries</li> <li>working party to review notices appointment diaries</li> <li>Review of staff programming</li> </ul>	Solutions for more appointments in place					<ul style="list-style-type: none"> <li>Customers able to access the appointment service in a more timely manner</li> <li>Service able to be more responsive to customer demand for timely birth, death, notices of marriage and civil partnership appointments</li> </ul>
	Solutions for more appointments in place					
	Solutions for more appointments in place					

# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Staffing resource	Resources	High sickness levels may compromise ability of Service to provide adequate appointments	medium	Robust adherence to the managing attendance policy/process.
Staffing resource	Resources	Delay in training relevant staff due to workloads	low	Training packages being developed to speed up training



Provide a self check in service

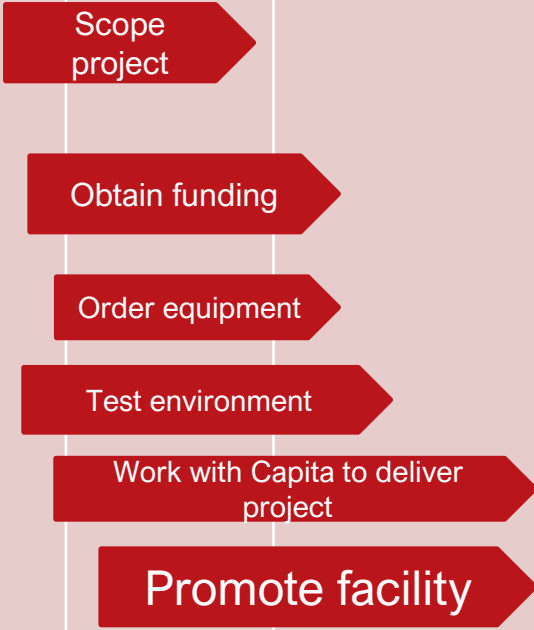


# Summary of Key Initiatives

Objective -Provide a self check in service							
<ul style="list-style-type: none"> <li>Self service check in facilities provided in birth and death and ceremonies departments.</li> <li>Pilot in births and deaths department</li> <li>Promotion of facility</li> </ul>							

# Provide a self check in service : Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Roll out of Self service check in facilities in three department s- pilot in births and deaths department						<ul style="list-style-type: none"> <li>• Quicker check in</li> <li>• Reduction in delays in appointments</li> <li>• Reduction in rebooking of appointments</li> <li>• Redeployment of staff to other tasks</li> </ul>

# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Challenge to provision of funding	Financial	Business case for funding to deliver the project and purchase equipment may be rejected	medium	Identify positive outcomes in business case
Allocated funding may be removed	Financial	Due to more pressing needs for funding elsewhere within the Division there is a risk that allocated funding will be withdrawn	medium	Identify positive outcomes

# Develop targeted training packages and succession plan



# Summary of Key Initiatives

Objective -Develop targeted training packages							
<ul style="list-style-type: none"> <li>Identify officers to devise individual training packages</li> <li>Review and agree draft packages</li> <li>Identify employees to be trained and officers to train</li> <li>Deliver training and incorporate into annual training plans</li> <li>Develop succession plan and training</li> <li>Monitor and Review training</li> </ul>							

# Develop targeted training packages : Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Training packages	<div>Identify officers to devise individual training packages and succession plan</div> <div>Review and agree draft packages</div> <div>Identify employees to be trained and officers to train</div> <div>Deliver training</div> <div>Monitor and review training</div>					<ul style="list-style-type: none"> <li>• More trained staff</li> <li>• Greater resilience</li> <li>• More flexibility within the service</li> </ul>

# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Lack of staffing resource	Resources	Due to workloads there may be delays to delivery of the projects	low	The benefits of delivery outweigh the disadvantages and time in lieu will be offered to ensure the training packages are developed.



Work with the hospital trusts to improve issue times  
of Medical Certificates Of Cause of Death



# Summary of Key Initiatives

Objective -Work with the hospital trusts to improve issue times of Medical Certificates Of Cause of Death							
<ul style="list-style-type: none"> <li>Set up regular meetings with key representatives</li> <li>Develop action plan</li> <li>Implement actions</li> <li>Monitor and review actions</li> </ul>							

# Work with the hospital trusts with aim of improving issue times of Medical Certificates Of Cause of Death : Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Improving issue times of MCCDs		meetings with key representatives				<ul style="list-style-type: none"> <li>Reduction in delays to issue of MCCDs</li> <li>Higher percentage of deaths registered within 5 days where no coronial involvement</li> </ul>
		Develop action plan				
		Open dialogue with trusts who have yet to establish a Medical examiner scheme with a view to influencing the processes				
		Implement actions				
		Monitor and review actions				

# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Limited capacity to influence	Customer engagement	As a stakeholder , only able to comment on Hospital Medical Examiner schemes and internal processes	medium	Objective feeds into General Register Office improvement plan, potential for GRO to become involved.

Deliver additional income streams to mitigate cost of service delivery



# Summary of Key Initiatives

Objective -Deliver additional income streams to mitigate cost of service delivery							
<ul style="list-style-type: none"><li>• Annual review of fees and charges</li><li>• Photography packages</li><li>• Saturday private citizenship ceremonies</li><li>• Floral packages</li><li>• Increase range of keepsakes</li><li>• Introduce change of name service</li><li>• Room Hire/conferencing</li><li>• Explore additional services which may be delivered on behalf of UK Visa and Immigration Service and implement where possible</li></ul>							

# Summary of Key Initiatives

Objective -Deliver additional income streams to mitigate cost of service delivery							
<ul style="list-style-type: none"> <li>Officer identified to project manage and deliver each work stream</li> <li>Implement actions for each work stream</li> <li>Monitor and review actions</li> </ul>							

## Deliver additional income streams to mitigate cost of service delivery : Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Additional Income streams		Allocation of identified projects				<ul style="list-style-type: none"><li>• Greater range of linked services available to service users</li><li>• Easier access to linked services for service users</li><li>• Generation of income to mitigate costs of Service area delivery</li></ul>
		Implementation of actions				
		Monitor and review				



# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Staffing resources	Resources	High demand for statutory services will compromise the allocation of staffing resources to delivery of discretionary services	Medium	<ul style="list-style-type: none"><li>• Emphasis is placed on introduction of discretionary services which naturally link to statutory services currently delivered to enable them to be delivered in tandem</li><li>• Where appropriate services will be contracted out or delivered in partnership to reduce drain on resources</li></ul>
Demand	Income	Service users tend to require lower priced services from the Register Office	medium	<ul style="list-style-type: none"><li>• Market research and benchmarking are continually conducted to understand customer needs</li></ul>
Legality of service provision	Legal	The Service area is highly regulated and not a trading service, which restricts its ability to generate income from discretionary services. Page 113 of 258	medium	<ul style="list-style-type: none"><li>• Advice is sought from Legal services are necessary</li><li>• Pricing structure set within permitted parameters</li></ul>

Provide an online appointments booking service for notices of marriage and civil partnership



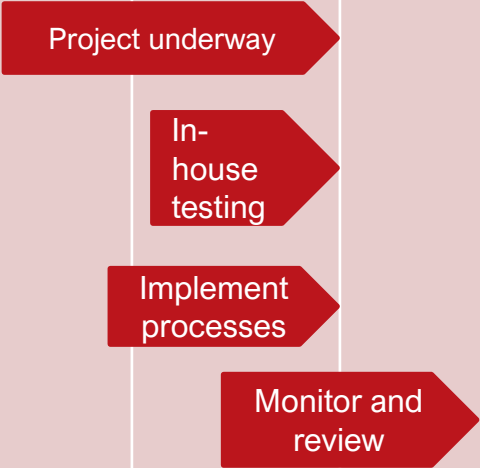
# Summary of Key Initiatives

Objective -Provide an online appointments booking service for notices of marriage and civil partnership							
<ul style="list-style-type: none"> <li>Project accepted and underway – managers working with IT service provider to deliver the project</li> <li>In-house testing of diary</li> <li>Drafting and Implementation of revised processes</li> <li>Monitor and review</li> </ul>							

# Provide an online appointments booking service for notices of marriage and civil partnership

## : Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Online notices/civil partnership appointments	 <p>Project underway</p> <p>In-house testing</p> <p>Implement processes</p> <p>Monitor and review</p>					<ul style="list-style-type: none"> <li>• Improved customer journey</li> <li>• Self- service and access to service out of standard office hours</li> <li>• Redeployment of resources elsewhere within the Service area</li> </ul>

# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Delays caused by IT provider	Supplier	This project is long overdue as a result of delays caused by IT service provider	low	Issues have been escalated and the project has been bolted onto a priority project

Provide a facility to take payments online for notices of marriage and civil partnership bookings



# Summary of Key Initiatives

Objective -Provide a facility to take payments online for notices of marriage and civil partnership bookings							
<ul style="list-style-type: none"> <li>Projects underway</li> <li>Working with IT and supplier</li> <li>In-house testing</li> <li>Draft and Implement procedures</li> <li>Monitor and review</li> </ul>							

# Provide an online payments facility for notices of marriage and civil partnership

## : Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Online payments		<div>Project underway</div> <div>In- house testing</div> <div>Implement new procedures</div> <div>Monitor and review</div>				<ul style="list-style-type: none"> <li>Improved customer journey service users can access the service outside of standard hours</li> <li>Redeployment of staff elsewhere within the Service area</li> <li>Improve efficiencies</li> </ul>



# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Delays caused by IT provider	Supplier	This project is long overdue as a result of delays caused by IT service provider	low	Issues have been escalated and the project has been bolted onto a priority project

Streamline processes within the certificates  
production and ceremonies areas



# Summary of Key Initiatives

Objective - Streamline processes within the certificates production area							
<ul style="list-style-type: none"> <li>Review online payments</li> <li>Review counter applications</li> <li>Review certificate production processes</li> <li>Review ceremonies processes</li> <li>Draft and implement revised processes</li> <li>Monitor and review</li> </ul>							

## Streamline processes within the certificates production and ceremonies areas : Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Review of Certificates production and ceremonies processes			<div>Identify projects and allocate project managers</div> <div>Review processes</div> <div>Draft and implement revised processes</div> <div>Monitor and review</div>			<ul style="list-style-type: none"> <li>• Improved efficiencies</li> <li>• Fairer distribution of tasks within the teams</li> <li>• Improvement in workflows and customer journey</li> <li>• Reduction of duplication of work</li> <li>• Redeployment of staff within the Service area</li> </ul>

# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Level of demand for services	Workload	Overall demand for statutory services provided is high due to demand for services from customers living in neighbouring districts	medium	<ul style="list-style-type: none"> <li>Review of appointment availability project is underway</li> <li>Accelerated training programme is underway</li> </ul>
Available resources	Workload	The service area has high sickness levels	medium	<ul style="list-style-type: none"> <li>Robust compliance with managing attendance process</li> </ul>

# Digitise records



## Summary of Key Initiatives

Objective -Digitise records							
<ul style="list-style-type: none"><li>• Scope project</li><li>• Complete IT and funding business cases</li><li>• Draft tender specification</li><li>• Tender contract</li><li>• Evaluate and award contract</li><li>• Monitor and review contract</li><li>• Source alternative storage of historic register</li><li>• Organise deposit of historic register in alternative location</li></ul>							

## Digitise records

### : Key Programmes & Projects

*Please include a high-level project plan here using the format set out in the table below.*

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
Digitisation of registers		<div>Scope project</div> <div>Obtain approval of IT and funding business cases</div>	<div>Draft specification</div> <div>Tender and award contract</div> <div>Source alternative storage</div> <div>Monitor and review</div>			<ul style="list-style-type: none"> <li>• Preservation of historic statutory records</li> <li>• Additional space available in repository</li> <li>• Redeployment of resources within the Service area</li> </ul>



# Risks

What are the major risks to the delivery of this initiative?

What mitigations are being put in place?

Risk Title	Category	Description	Score	Mitigating Actions
Provision of funding	Funding	The project is likely to cost a significant amount and will not generate income, it may not therefore be considered of sufficient priority for funding to be awarded	medium	<ul style="list-style-type: none"> <li>Robust business case setting out the positive outcomes</li> </ul>
Lack of staffing resources	Resources	This work stream requires a considerable amount of resourcing at management level. The Service is a front line service with high demands on managers, resourcing the required management time will be a challenge	medium	<ul style="list-style-type: none"> <li>Project will be broken down into various workstreams</li> <li>Flexi and lieu schemes in operation</li> </ul>

# SUMMARY OF SAVINGS



# Summary of savings (1)

	2019/20	2020/21	2021/22	2022/23	2023/24
Photography Packages	£5,000	£5,000	£5,000	£5,000	£5,000
Wedding Floral Packages	£2,000	£2,000	£2,000	£2,000	£2,000
Change of Name Service	£8,000	£8,000	£8,000	£8,000	£8,000
Room Hire	£3,000	£3,000	£3,000	£3,000	£3,000
Increased range of keepsakes and additional products	£3,000	£3,000	£3,000	£3,000	£3,000
Review of Non-Statutory Fees and Charges	£19,000	£19,000	£19,000	£19,000	£19,000
<b>PL101 Savings Total</b>	<b>£40,000</b>	<b>£40,000</b>	<b>£40,000</b>	<b>£40,000</b>	<b>£40,000</b>

## Summary of savings (2)

- Service users will benefit from being able to buy linked products or services rather than have to source them independently.
- Estimated additional income has been based on Register Offices who offer similar schemes, researching potential supplier costs, and market research.

# Trading Standards Business Plan, 2019-2023



# Vision

Locally accountable and responsive fair regulation for all - achieving a safe, clean, green and fair trading city for residents, business and visitors

# Priorities

Priority	Why is this important?
Deliver statutory responsibilities: there are 250 different pieces of legislation that place a statutory duty on the Council for which Trading Standards Officers are authorised to enforce.	<p><b>Unsafe goods</b> - consumer products must be safe &amp; comply with requirements of the Consumer Protection Act 1987, and the General Product Safety Regulations 2005.</p> <p><b>Fair trading</b> - the aim is to ensure truthfulness in trade to prevent consumers being misled during contractual negotiations for goods and services. This is done by ensuring compliance with the Consumer Rights Act 2015 and the Consumer Protection from Unfair Trading Regulations 2008. Investigations can lead to the discovery of serious fraud issues.</p> <p><b>Counterfeit goods</b> - Counterfeit goods infringe the intellectual property rights of a trade mark holder by using a trade mark which is either identical to a registered trade mark or by using an identification mark. This criminal activity is often on a national scale and considered and often linked to serious organized crime. Enforcing legislation ensures that legitimate businesses that provide employment and economic benefits are protected. Priority is given where infringing goods present a safety risk to consumers .</p> <p><b>Underage sales</b> – enforcement of legislation related to the sale of age restricted products e.g.. alcohol, tobacco products, knives, fireworks &amp; DVDs to underage consumers.</p> <p><b>Pricing of goods and services</b> - trading standards law requires that the price of goods should be made known to consumers in a clear and legible manner. We investigate complaints that allege false and misleading price indications.</p> <p><b>Weights and measures</b> - Ensure that all relevant goods are correctly weighed and measured in accordance with the Weights and Measures Act 1985. This is done by checking the accuracy of weighing/measuring equipment; checking goods in stock are of the correct weight; and investigating complaints of short measure.</p> <p><b>Alcohol control</b> – we are a Responsible Authority under the Licensing Act 2003. In addition we work to control the supply of illicit alcohol and instigate licence reviews where there has been a breach of legislation.</p>

# Priorities

Priority	Why is this important?
Protect vulnerable and socially isolated adult citizens from financial abuse	<p>Rogue traders target these citizens and use persuasion or pressure selling to defraud them or mislead them into having unnecessary or poor quality work carried out on their premises. On occasions the work can also be unsafe. It is known that victim's health often deteriorates after such crime and may lead to the early demise of the victim. In addition victims are more likely to need medical and care services without funds to support them.</p> <p>Directive 2005/29/EC on unfair commercial practices places a direct duty on enforcing authorities to protect certain population groups due to their vulnerability or credulity.</p> <p>The Care Act 2014 places significant duties upon local authorities including in relation to preventing abuse and the role of the trading standards service in preventing financial abuse must be considered in the context of supporting the vulnerable citizens of Birmingham.</p>
Providing a level playing field for businesses and consumers	<p>Legitimate businesses thrive when operating in a level playing field where all businesses are subject to complying with relevant consumer legislation. This prevents unfair competition. The aim is to ensure truthfulness in trade to prevent consumers being misled during contractual negotiations for goods and services. This is done by ensuring compliance with the Consumer Rights Act 2015 and the Consumer Protection from Unfair Trading Regulations 2008. Investigations can lead to the discovery of serious fraud issues.</p>



# Priorities

Priority	Why is this important?
Ensuring product safety within the market place	<p>Unsafe products endanger not only the health of consumers but confidence in businesses operating in Birmingham and the UK.</p> <p>There is a wide range of safety legislation to cover all types of goods. Trading Standards ensures that consumer products are safe and comply with the requirements of the Consumer Protection Act 1987, and the General Product Safety Regulations 2005 in addition to product specific regulations.</p>
Protect children from age restricted products	<p>It is essential to protect children from harm that may occur from purchasing age restricted products. That harm may manifest itself through direct public health risks such as smoking and alcohol poisoning or from health and safety/antisocial behaviour matters relating to alcohol, fireworks and knives.</p> <p>Trading standards enforce legislation related to the sale of age restricted products such as alcohol, tobacco products, knives, fireworks and DVDs to underage consumers.</p>
Controlling the supply of illicit alcohol and tobacco	<p>Illicit alcohol and tobacco relates to both counterfeit and non duty paid products. These products may have significant negative health implications. This criminality again undermines fair trading and often indicates involvement in other criminality often linked to organised crime groups.</p> <p>Trading Standards have duties as a Responsible Authority under the Licensing Act 2003. This enables us to request a licencing review, thus ensuring licence holders have due regard for the licensing objectives particularly Crime And Disorder and Protecting Children from Harm. Our work controls the supply of illicit alcohol and tobacco thus protecting public health.</p>

# Objectives

Objective	Description
Utilise an intelligence operating model to ensure activities reflect priorities and deliver statutory duties and enforcement	<p>Produce a quarterly tasking document to identify which traders with Birmingham are causing the most consumer detriment either through number of complaints, engagement in significant criminality or involvement in criminality in one of our priority areas. This enables targeted intervention.</p> <p>By ensuring we consider all complaints and intelligence received by Birmingham City Council in relation to consumer criminality we ensure that we are meeting our statutory duties. Trading Standards and Legal Services work in concert to ensure that we have met the requirements of both Regulation and Enforcement's Enforcement Policy and the Crown Prosecution Code of Practice before authority to prosecute is given. We also take proceedings under the Proceeds of Crime Act for all successful prosecutions.</p> <p>Engage with police and other regulatory agencies to identify organised crime groups.</p>
Reduce Doorstep Crime and protect vulnerable/socially isolated residents	<ul style="list-style-type: none"> <li>• Maintenance of current 'no cold calling zones'</li> <li>• Investigate complaints alleging financial abuse of the vulnerable/socially isolated</li> <li>• Provide rapid response service to deal with rogue traders/active threats to vulnerable residents</li> <li>• Use intelligence to identify and tackle rogue builders</li> <li>• Provide information and training to Adults Social Care and those engaged in looking after adults to identify at victims or potential victims</li> <li>• Joint Collaboration with partners who also interact with vulnerable adults e.g.. West Midlands Fire Service</li> <li>• Partnership with the National Scams Team to receive 10 referrals per month of potential victims of mass marketing scams; visits are undertaken to those who have a social care record and those who may be repeat victims and most at risk. Make appropriate safe-guarding referrals to Social Services.</li> </ul>

# Objectives

Objective	Description
Supporting legitimate businesses	<ul style="list-style-type: none"> <li>• Primary Authority – agreeing partnership arrangements with businesses who have their HQ located in Birmingham</li> <li>• Develop Better Business for All with Regulatory Partners (BEIS, Office for Product Safety and Standards)</li> <li>• Maintain collaboration with a local trader approval scheme</li> <li>• Provide an up to date and informative website</li> </ul>
Protect children from harm – prevent the sale of age restricted products to underage consumers	<ul style="list-style-type: none"> <li>• Respond to complaints alleging sales of age restricted products: alcohol, fireworks, knives, spray paints/solvents, sunbeds, DVD's, tobacco and nicotine inhaling products</li> <li>• Deliver intelligence led underage test purchase exercises for age restricted products.</li> <li>• Trading Standards will work with the Police and other agencies to identify hotspots within the city where the sale of alcohol, tobacco products, fireworks and knives may have contributed to anti social behaviour among youth.</li> <li>• Trading Standards to submit Licensing reviews and pursue other enforcement actions</li> </ul>
Community safety – prevent the sale of illicit/counterfeit alcohol and tobacco	<ul style="list-style-type: none"> <li>• Intelligence led enforcement activity and partnership working with Environmental Health/Licensing, HMRC, CEnTSA, Community Safety Partnership, Public Health and Police.</li> <li>• Identify and target high risk premises</li> <li>• Trading Standards to submit Licensing reviews and pursue other enforcement actions</li> </ul>

# Objectives

Objective	Description
<b>Ensure products sold in Birmingham are safe (e.g.. cosmetics, blinds, toys, furniture, electrical products,)</b>	<ul style="list-style-type: none"> <li>• Receive referrals and intelligence from the port authorities and intervene and prevent the supply of potentially unsafe products into Birmingham.</li> <li>• Respond to complaints about unsafe products and investigate as appropriate.</li> <li>• Intelligence led inspections at retail, wholesale and importers level.</li> <li>• Partnership working with trade mark holders and other agencies.( FACT, FAST, IPO, UKIE, Police &amp; HMRC, ACG, GAIN, OPSS)</li> <li>• Providing advice to businesses.</li> <li>• Sampling and testing of products.</li> <li>• Use of media to inform consumers</li> <li>• Removal of non-compliant products</li> <li>• Participate in market surveillance projects through OPSS and Central England Trading Standards Authorities</li> </ul>
<b>Investigate allegations of misdescribed and unroadworthy vehicles.</b>	<ul style="list-style-type: none"> <li>• Use of intelligence to identify businesses/individuals who may potentially be selling misdescribed, unroadworthy or 'clocked' vehicles.</li> <li>• Carry out investigations and take enforcement action as necessary including consultation under the Enterprise Act</li> </ul>

# Objectives

Objective	Description
<b>Investigation of consumer fraud/misleading descriptions; e.g.. Hajj travel fraud, hallmarking</b>	<ul style="list-style-type: none"> <li>• Intelligence/complaint led enforcement actions</li> <li>• Investigation of complaints</li> <li>• Proactive visits to retail premises where intelligence suggests possible infringements (e.g. jewellers, off-licences, letting agents, newsagents etc.)</li> <li>• Quarterly tasking meetings using intelligence model to identify those causing most consumer detriment</li> <li>• Effective partnerships with City of London Police</li> <li>• Annually inspect agents offering Hajj and Umrah Package Travel</li> <li>• Annual inspection of jewellers in relation to hallmarking</li> <li>• Pursue offenders for proceeds of crime</li> </ul>
<b>Promote consumer awareness</b>	<ul style="list-style-type: none"> <li>• Provide up to date and informative website</li> <li>• Promote National Consumer Week</li> <li>• Promote National Scams Awareness Month</li> <li>• Promote Rogue Trader Week</li> <li>• Media Engagement especially through consumer television shows, news interviews and newspapers to highlight successful prosecutions</li> <li>• Make use of social media platforms to relay messages such as Twitter</li> </ul>

# What will success look like in 2022-23?

Objective	Outcomes
Utilise an intelligence operating model to ensure activities reflect priorities and deliver statutory duties and enforcement	<ul style="list-style-type: none"> <li>Using intelligence to direct resources to those businesses causing the most consumer detriment , reflect priorities and successful interventions will mean that enforcement will occur in those areas that ensure: a fair trading environment is created; vulnerable people are protected from financial abuse; children are protected from harm, and consumers are protected from being misled, defrauded or from purchasing potentially dangerous products.</li> <li>Increased compliance with relevant legislation</li> <li>Support legitimate businesses</li> <li>Businesses and consumers have confidence that Birmingham City Council are meeting their statutory obligations to protect them from criminality. This results in confident consumers when purchasing goods and services in Birmingham.</li> </ul>
Reduce Doorstep Crime and protect vulnerable/socially isolated residents	<ul style="list-style-type: none"> <li>Vulnerable/socially isolated citizens will be better protected in their homes. Partnership working will help early identification of potential victims and enable joint plans to be made to protect victims of crime. Potential benefits in reducing reliance on public sector services (NHS, Social Care) which are more likely in the event of a person becoming a victim of financial abuse</li> </ul>
Supporting legitimate businesses	<ul style="list-style-type: none"> <li>Increased compliance with relevant legislation</li> <li>Informed and successful business's</li> <li>Quick access to information</li> <li>Improved levels of consumer confidence</li> </ul>

# What will success look like in 2022-23?

Objective	Outcomes
<b>Protect children from harm – prevent the sale of age restricted products to underage consumers</b>	<ul style="list-style-type: none"> <li>• By identifying and preventing the sale of age restricted products to underage consumers we help protect the health of these individuals and protect them from harm</li> <li>• Improved business compliance</li> <li>• Reduce access to age restricted products by children.</li> <li>• Contribute towards health and wellbeing of young people</li> <li>• Contribute toward reduction in anti-social behaviour</li> </ul>
<b>Community safety – prevent the sale of illicit/counterfeit alcohol and tobacco</b>	<ul style="list-style-type: none"> <li>• Illicit alcohol and tobacco are contributory to both the potential for ill health and detrimental financial impact on legitimate businesses. By tackling this issue we protect health and are able to pursue the proceeds of crime in most instances.</li> <li>• Reduce availability of illicit/counterfeit tobacco and alcohol</li> <li>• To instigate premises licence reviews where a breach of the licensing objectives discovered.</li> <li>• Compliant businesses</li> <li>• Improved health outcomes by removal of cheap and illegal tobacco</li> <li>• Protect public health and prevent anti-social behaviour from the effects of such alcohol</li> </ul>
<b>Ensure products sold in Birmingham are safe (e.g.. cosmetics, blinds, toys, furniture, electrical products,)</b>	<ul style="list-style-type: none"> <li>• Increased business compliance</li> <li>• Improved levels of consumer safety</li> <li>• Raised levels of consumer awareness of the risks of using the products</li> <li>• Primary Authority Partnerships established where appropriate</li> </ul>

# What will success look like in 2022-23?

Objective	Outcomes
Investigate allegations of misdescribed and unroadworthy vehicles.	<ul style="list-style-type: none"> <li>• Used car complaints continue to be in the top two most complained issues year on year. Well publicised prosecutions will :</li> <li>• Act as a deterrent to criminal traders and act a warning for consumers to be careful.</li> <li>• Ensure increased compliance with relevant legislation</li> <li>• Support legitimate businesses</li> <li>• Removal of unsafe vehicles from the market place</li> </ul>
Investigation of consumer fraud/misleading descriptions; e.g.. Hajj travel fraud, hallmarking	<ul style="list-style-type: none"> <li>• Improved local economic prosperity</li> <li>• Support legitimate business by ensuring a fair trading environment</li> <li>• Improved consumer confidence</li> <li>• Identify those engaged in Organised Crime Groups and appropriate action taken</li> <li>• Pursue proceeds of crime to ensure crime does not pay</li> </ul>
Promote consumer awareness	<ul style="list-style-type: none"> <li>• Informed consumers</li> <li>• Quick access to information</li> <li>• Publication of outcomes to raise consumer awareness</li> </ul>



# KEY WORK PROGRAMMES & PROJECTS



**Knife crime – underage test purchases**

**Quarterly Intelligence led tasking**

**Alcohol – underage test purchases**

**Hajj package tour fraud inspections**

**Illicit alcohol and tobacco inspection programme**



# Summary of Key Initiatives

Knife crime – tackle the supply of products to under eighteens	Quarterly Intelligence led tasking	Alcohol - tackle the supply of products to under eighteens	Hajj package tour fraud inspections	Illicit alcohol and tobacco inspection programme
<ul style="list-style-type: none"> <li>• Work in partnership with the Police to identify hotspots for knife crime and potential premises where knives are sold to underage consumers</li> <li>• Deliver a programme of underage test purchase exercises with the Police and local schools</li> </ul>	<ul style="list-style-type: none"> <li>• Use intelligence to identify those businesses that are causing the most consumer detriment and develop intervention plans</li> </ul>	<ul style="list-style-type: none"> <li>• Work in partnership with the Police to identify hotspots for youth related anti-social behaviour related to alcohol</li> <li>• Deliver a programme of underage test purchase exercises with the Police</li> </ul>	<ul style="list-style-type: none"> <li>• Carry out an annual inspection programme to ensure package tour operators are compliant with legislation</li> <li>• Work in partnership with the City of London Police</li> </ul>	<ul style="list-style-type: none"> <li>• Deliver at least 2 intelligence led programmes per year visiting multiple premises using tobacco detection dogs where appropriate</li> </ul>

# Key Programmes & Projects

Project	Description	2019-20	2020-21	2021-22	2022-23	Outcomes
		Knife crime – Underage Test Purchasing				
		Quarterly intelligence led tasking				
		Alcohol - underage test purchasing				
		Hajj fraud inspections	Hajj fraud inspections	Hajj fraud inspections		
		Illicit alcohol and tobacco inspections				

# Risks

Risk Title	Category	Description	Score	Mitigating Actions
Delivery of statutory duties	Legal Reputational Financial	Resources with the service are at a minimal level. Any reduction in staff or emergence of a major consumer issue may result in statutory duties not being met	Medium/ high	Trading standards has implemented an intelligence operating model that will direct service to the areas of greatest consumer detriment, risk or priority
Brexit	Legal Reputational Financial	The impact of a no deal Brexit will affect the importation and exportation of goods, potential product safety issues, an increase in Brexit related scams, requirement for market surveillance	Medium/ high	Birmingham Trading Standards is the regional TS lead for Brexit for the Combined Authority. We are engaged with the Brexit contingency Working Group and the regional Brexit Commission to plan and manage risks associated with no deal Brexit

# Risks

Risk Title	Category	Description	Score	Mitigating Actions
Commonwealth Games 2022	Legal Reputational Financial	The CWG requires protection of the CWG brand including goods and services. TS does not have counterfeiting as a priority unless it is a product safety matter. Any diversion of resources into this area will put vulnerable people and children at risk of harm and exploitation	High/high	Dialogue has commenced between CWG leads and Trading Standards and other regulatory services to identify the level of intervention required. If substantial resources are required then there may be opportunities for financial support.

# SUMMARY OF SAVINGS



# Summary of savings (1)

	2019/20	2020/21	2021/22	2022/23	2023/24
Part funding of 2 members of staff whose roles include the oversight and authorisation of criminal investigations into acquisitive crime.	£70,000	£70,000	£70,000	£70,000	£70,000
<b>PL111 Savings Total</b>	<b>£70,000</b>	<b>£70,000</b>	<b>£70,000</b>	<b>£70,000</b>	<b>£70,000</b>



**BIRMINGHAM CITY COUNCIL**

**REPORT OF THE ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT  
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

**16 MAY 2019**  
**ALL WARDS**

**UPDATE REPORT ON UNAUTHORISED ENCAMPMENTS**

1. Summary

- 1.1 This report provides Committee with an update on work being undertaken to improve the response to unauthorised encampments in the city since the last report on the 8<sup>th</sup> January 2019.

2. Recommendations

- 2.1 That the report is noted and outstanding minute number XXXX be discharged.
- 2.2 That Committee requests a further report to be brought in 3 months to update on the various work items contained within this report.

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### 3. Background

- 3.1 This report is an update on activities since the last report to your Committee on 8<sup>th</sup> January 2019.
- 3.2 An unauthorised encampment is one which is established on land without the express permission of the landowner. The groups responsible generally comprise elements of Gypsy, Romany, Traveller or other ethnic groupings and are collectively known colloquially as “travellers” or more correctly GRT.

### Proposed Transit Sites

- 4.1 As previously reported, colleagues in Housing and Economy Directorates have applied for capital funding to bring the two transit sites in the BDP forward and into operational use, Proctor Street and Hubert Street, Nechells. Currently £50k has been approved from the Homes England Grant and a further capital expenditure of £290k has been identified for 2019/20 and 2020/21 to bring all of this work forward.
- 4.2 The relevant authorities to spend the capital monies and draw down on the grant monies have been sort and are now in place. At the end of April, an order was placed with contractors to initiate the 16 week project to deliver the Proctor Street development. It is anticipated that the Proctor Street transit site should be commissioned and operational in July 2019.
- 4.3 The work stream to bring Tameside Drive transit site back into operational use proceeds slowly. As previously advised, this matter has now been forwarded to Legal Services as it does not appear to be able to be completed by way of negotiated agreement. A formal procedure has now started with initial letters going to the residents occupying Tameside Drive. The intention is to accommodate the existing residents on the site with permanent tenancy agreements and the remainder of the site to be converted to a transit site. This can only be delivered once appropriate tenancy agreements are in place.
- 4.4 Further investigations have been made into Aston Brook Street, where there is one caravan on this proposed site too. It has been confirmed that there has been a caravan on this site for more than 10 years. Therefore similar to Tameside Drive, we have tried to make contact with the resident with a view to understanding who is occupying the caravan and, if necessary, formalizing a tenancy there and then the remainder of the site will be developed.

### 5. Injunctive Action

- 5.1 An injunction is a legal remedy obtained in a civil or criminal court. It takes the form of a Court Order that compels a named person or an identified group to refrain from specific acts. All of the injunctions currently obtained by your officers have been obtained under antisocial behavior powers and have the power of arrest attached. A person that fails to comply with an injunction may be fined, imprisoned or have their assets seized.

- 5.2 Currently all of the injunctions that your officers have applied for have been obtained from the High Court in Birmingham. The injunctions for the 9 parks will expire on the 14<sup>th</sup> July 2019. However we have sufficient evidence of the success of this injunction in protecting the named parks from unauthorised encampments to make an application for this injunction to be extended by a further 2 years.
- 5.3 During this application every effort will be made to also extend the coverage of the injunction so that it covers all of the city's open spaces as the opening of a transit site will give an alternative stopping facility to the GRT community visiting Birmingham.

## 6 Gypsy, Romany, Traveller Needs Assessment

- 6.1 A GRT needs assessment was undertaken for inclusion in the 2014 Birmingham Development Plan (BDP). The Gypsy and Traveller Accommodation Assessment is attached in the appendix to this report. The Gypsy and Traveller Accommodation Assessment identifies at 8.2 (Page 59 of the appendix) that;

“In summary there is a need for 19 additional pitches in Birmingham over the GTAA period to 2033 for Gypsy and Traveller households that met the planning definition”.

This need therefore will almost be met by the Proctor Street development with sixteen predicted pitches. The project work for both Aston Brook Street and Tameside Drive will need to be completed as soon as practicable between now and 2033.

- 6.2 This report will assist in the proportionality assessment for the city-wide injunction in 5.3 above that is aimed at protecting all our parks as it will enable us to demonstrate there are sufficient alternative and more appropriate space is available to be used by the GRT community.

## 7. Consultation

- 7.1 The report is for information and, therefore, no consultation has been undertaken.
- 7.2 Information continues to be made available to MPs and elected members to offer support in reducing the impact on communities that unauthorised encampments have and to reduce the burden on land owning departments.

## 8. Implications for Resources

- 8.1 Regulation and Enforcement is responsible for the assessments leading up to legal action, the service of notices and arrangement of resources for an eviction to occur. The default costs (bailiff actions), the repair of land and its cleansing, is borne by the land owning departments. The Environmental Health resources employed in

carrying out the work detailed in this report are contained within the approved budget available to your Committee.

9. Implications for Policy Priorities

- 9.1 This work supports the Regulation and Enforcement Division's mission statement to provide 'locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors'.

10. Public Sector Equality Duty

- 10.1 The management of unauthorised encampments is a process that affects groups and individuals who are (mostly) from specific and defined ethnic minorities e.g. Romany Gypsies, Irish Travelers.

**ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT**

Background Papers: Nil



# **Birmingham City Council**

## **Gypsy and Traveller Accommodation Assessment**

**Final Report**

February 2019



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# 1. Executive Summary

## Introduction and Methodology

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is twofold. Firstly, it will seek to provide a robust updated assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Birmingham. As well as updating the previous GTAA that was published in May 2014, another key reason for updating the study is the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes. The key change that was made was the removal of the term *“persons...who have ceased to travel permanently”*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA (see Paragraph 2.7 for the full definition). Secondly, it will provide a robust assessment of the need for additional transit provision in Birmingham and determine whether current and proposed transit provision can meet the increasing needs of the transient population. This is in response to significant increases in the number of encampments and caravans recorded in Birmingham since the previous GTAA. The assessment of transit need will also seek to identify whether any households on encampments in Birmingham have a need for permanent pitches in the local area and the type of provision that is sought.
- 1.2 The GTAA provides a credible evidence base which can be used to aid the implementation of Development Plan Policies and, where appropriate, the provision of new Gypsy and Traveller pitches and Travelling Showpeople plots for the 15-period to 2033 as required by the PPTS, with a break to 2031 in line with Birmingham Development Plan (BDP) 2011-2031. The outcomes of this study supersede the outcomes of any previous Traveller and Travelling Showpeople Accommodation Needs Assessments completed in Birmingham.
- 1.3 The previous GTAA covered the period 2014-2031. In order to meet the BDP time period from 2011-31 this assessment assumes that supply and demand for the period 2011-18 net to zero and that the new assessment starts with a new site and population baseline. As such no need from previous assessments has been carried forward, and a complete new assessment of need has been completed.
- 1.4 The GTAA has sought to understand the accommodation needs of the Gypsy, Traveller and Travelling Showpeople population in Birmingham through a combination of desk-based research, stakeholder interviews and engagement with members of the travelling community living on all known sites and yards and, where possible, with households living on unauthorised encampments. A total of 1 interview was completed with Gypsies and Travellers living on private sites; Interviews were completed covering 46 households living on unauthorised encampments; interviews were completed covering 8 Travelling Showpeople households; and no interviews were completed with Travellers living in bricks and mortar, despite efforts that were made to identify them. In addition, a Focus Group was held with 7 Officers from the Council and a representative from the Police, and a separate telephone interview was conducted with a Birmingham Council Officer. Nine additional telephone interviews were completed with Officers from neighbouring Planning Authorities.
- 1.5 The fieldwork for the study was completed between June and September 2018 as these are the peak months for unauthorised encampments in the City. The baseline date for the study is September 2018.

## Key Findings

### Additional Pitch Needs – Gypsies and Travellers

- 1.6 Overall the additional pitch needs for Gypsies and Travellers from 2018-2033 are set out below. Additional needs are set out for those households that met the planning definition of a Gypsy or Traveller; for those undetermined households<sup>1</sup> where an interview was not able to be completed (either due to households refusing to be interviewed, or not being present despite up to three visits to each site) who may meet the planning definition; and for those households that did not meet the planning definition – although this is no longer a requirement for a GTAA.
- 1.7 Only the need from those households who met the planning definition and a proportion of need from undetermined households who can demonstrate that they meet the definition should be formally considered as need arising from the GTAA.
- 1.8 The need arising from households that met the planning definition should be addressed through site allocation/intensification/expansion as appropriate.
- 1.9 The Council will need to carefully consider how to address the needs associated with undetermined Travellers as it is unlikely that all this need will have to be addressed through the provision of conditioned Gypsy or Traveller pitches. In terms of Local Plan Policies, the Council should use the criteria-based *Policy TP34 Provision for Gypsies, Travellers and Travelling Showpeople* in the adopted Local Plan for any planning applications from undetermined households.
- 1.10 In general terms, the need for those households who did not meet the planning definition will need to be addressed as part of general housing need and through separate Local Plan Policies (including any plans that have already been adopted, as all Travellers will have been included as part of the overall Objectively Assessed Need - OAN).
- 1.11 This approach is specifically referenced in the revised National Planning Policy Framework (February 2019). Paragraph 60 of the NPPF sets out that in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment conducted using the standard method in national planning guidance. Paragraph 61 then states that [emphasis added] *‘Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, **travellers**, people who rent their homes and people wishing to commission or build their own homes’*. The footnote to this section states that *‘Planning Policy for Traveller Sites sets out how travellers’ housing needs should be assessed for those covered by the definition in Annex 1 of that document.’*
- 1.12 It is recognised that the Council already have in place an adopted Local Plan that sets out overall housing need, as well as the need for members of the Travelling Community. When this plan is reviewed, or a new plan prepared, the findings of this report should be considered as part of future housing mix and type within the context of the assessment of overall housing need in relation to those households that do not meet the planning definition of a Traveller.
- 1.13 There were 49 Gypsy or Traveller households identified living on sites and on unauthorised encampments in Birmingham that met the planning definition; no undetermined households that may

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<sup>1</sup> See Paragraph 3.22 for further information on undetermined households.

meet the planning definition; and 1 household living on a private site that did not meet the planning definition.

- 1.14 Analysis of the outcomes of the interviews with households living on encampments indicates that not all these households have permanent accommodation needs in Birmingham and that many are transient and seasonal and have a permanent base in another local authority.
- 1.15 Need for additional permanent pitches in Birmingham arises from the residents on the private site; residents on the former public transit site at Tameside Drive that is currently occupied on a permanent basis; and from residents on 2 of the 8 unauthorised encampments who have travelled continually around Birmingham for many years. There is also potential need from households that were interviewed on 2 other encampments, although this needs to be tested further to determine if there is a need for permanent pitches. Overall need is set out in Chapter 7.
- 1.16 In summary, for those households that meet the planning definition there is a need for **19 additional pitches** over the GTAA period to 2033. This is made up of 3 households on unauthorised pitches at Tameside Drive; 9 households who have been living on unauthorised encampments in Birmingham for many years and need a permanent pitch; 3 teenagers living on one of the encampments who will need a pitch of their own in the next 5 years; and new household formation of 4 pitches based on the demographics of the households on the encampments.
- 1.17 There were no undetermined households in Birmingham as information was collected on residents on all the site and encampment occupiers.
- 1.18 Whilst not now a requirement to include in a GTAA there is a need for **1 additional pitch** for households that do not meet the planning definition. This is made up of 1 teenager living on the private site who will be in need of a pitch of their own in the next 5 years.
- 1.19 Overall the need identified in Birmingham for Gypsies and Travellers is for 20 additional pitches. Figure 1 summarises the identified need and Figure 2 breaks down the figure for those that meet the planning definition by time periods for the potential delivery of new pitches.
- 1.20 It is recommended that the Council establish a waiting list for a potential new public site(s) to establish if there is any additional need for permanent pitches and that the levels of interest are considered after a period of 12 months.

**Figure 1 – Additional need for Gypsy and Traveller households in Birmingham (2018-2033)**

Status	Total
Meet Planning Definition	<b>19</b>
Undetermined	<b>0</b>
Do not meet Planning Definition	<b>1</b>

**Figure 2 – Additional need for Gypsy and Traveller households in Birmingham that meet the Planning Definition by year periods**

Years	0-5	6-10	11-13	13-15	Total
	2018-2023	2023-2028	2028-2031	2031-2033	
	15	1	1	2	<b>19</b>

## Additional Plot Needs - Travelling Showpeople

- 1.21 There was one established Travelling Showpeople yard identified in Birmingham. The residents feel that they would be able to meet all of their current and future accommodation needs on the yard, together with continuing to deliver seasonal transit capacity for other Showmen households visiting Birmingham

for a range of events throughout the year, if they could find secure off-site storage space for the equipment for Winter Wonderland (a large big wheel and an ice rink) that is currently taking up approximately half of the yard to store each year when it is not being used.

## Transit Recommendations

- 1.22 There is a small public transit site with 4 pitches in Birmingham that was granted planning permission in August 2018 and a larger transit site with 15 pitches that was granted planning permission in September 2018. In addition, the Council are looking at options to bring back into operational use between 15-18 public transit pitches on the former transit site at Tameside Drive. A total of up to 37 transit pitches which more than exceeds the recommendations made by the previous GTAA for between 10-15 transit pitches.
- 1.23 It is considered that once delivered, these levels of transit provision should be sufficient to either deal with smaller groups of Travellers stopping off in Birmingham or as a means of requiring households to leave Birmingham. It is therefore recommended that priority is given to develop these sites and that the use of the sites either to provide short-term accommodation for transient households visiting Birmingham or used by the Police to move on households from Birmingham, is closely monitored for an initial period of 24 months. This will enable the Council to determine whether the potential available levels of transit provision are sufficient to deal with households on unauthorised encampments.
- 1.24 It is not felt that these smaller sites will be suitable to deal with the small numbers of larger encampments that have been recorded in Birmingham in more recent years. As such it is recommended that the Council consider establishing a larger overspill transit site(s) that can be used either to relocate households on larger encampments, or as a means of requiring these households to leave Birmingham. This is an approach similar to that in Sandwell and Officers at the Focus Group suggested that the Council are keen to consider the Sandwell approach.
- 1.25 In addition, the Council should also consider the use of High Court Injunctions to prevent groups of Travellers from moving onto specific areas of public land known to be popular for encampments in Birmingham. Consideration should also be given to putting in place Injunctions preventing specific named individuals from setting up encampments in Birmingham where they have found to have caused problems in the past as a result of fly-tipping or other anti-social behaviour.
- 1.26 Given that a number of households that were interviewed on encampments stated that they would not move to a transit site due to the associated costs and lack of proper facilities, the Council should also consider other management-based approaches such as short-term toleration or Negotiated Stopping Agreements.
- 1.27 Overall, the situation relating to levels of unauthorised encampments should continue to be carefully monitored whilst these changes are implemented and annual monitoring and recording of encampments should continue. Whilst the current monitoring does record the broad location of each encampment, it is recommended that additional information such as a nearby postcode or grid reference/northing-easting is also recorded to allow for the movement of encampments to be spatially monitored using GIS software.
- 1.28 Whilst it is understood that improving the current situation regarding increasing numbers of encampments and caravans is of critical importance to the Council, it needs to be understood that the implementation of a wider package of measures to deal with the encampments may take some time to put in place.

- <sup>1.29</sup> It is also recommended that the Council establish a waiting list for households both on encampments and living in bricks and mortar to establish levels of potential interest for a new public site(s) in Birmingham.
- <sup>1.30</sup> In addition, it is recommended that the Council explore opportunities for land to set up seasonal temporary stopping places that can be made available at times of increased demand during the peak summer months or due to fairs or other cultural celebrations that are attended by Gypsies and Travellers.

## 2. Introduction

- 2.1 The primary objective of this Gypsy and Traveller Accommodation Assessment (GTAA) is to provide a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Birmingham. The outcomes of the finalised study will supersede the outcomes of the previous GTAA completed in Birmingham that was published in 2014.
- 2.2 The study provides an evidence base to enable the Council to comply with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, the Housing and Planning Act (2016), and the revised National Planning Policy Framework (NPPF) 2019.
- 2.3 The GTAA will provide a robust assessment of need for Gypsy, Traveller and Travelling Showpeople accommodation in the study area. It is a credible evidence base which can be used to aid the implementation of Local Plan Policies and the provision of Traveller pitches and plots in five-year increments covering the period 2018 to 2033, including a break-down to 2031 to meet the current Local Plan. As well as identifying current and future permanent accommodation needs, the study has also included in-depth work to identify any need for the provision of additional transit sites or emergency stopping places following a substantial increase in the number of encampments recorded in Birmingham since the previous GTAA was published.
- 2.4 We would note at the outset that the study covers the needs of Gypsies (including English, Scottish, Welsh and Romany Gypsies), Irish Travellers, New (Age) Travellers, and Travelling Showpeople, but for ease of reference we have referred to the study as a Gypsy and Traveller (and Travelling Showpeople) Accommodation Assessment (GTAA).
- 2.5 The baseline date for the study is September 2018.

### Definitions

- 2.6 The current planning definition for a Gypsy, Traveller or Travelling Showperson is set out in PPTS (2015). The previous housing definition set out in the Housing Act (2004) was repealed by the Housing and Planning Act (2016).

### The Planning Definition in PPTS (2015)

- 2.7 For the purposes of the planning system, the definition was changed in PPTS (2015). The planning definition is set out in Annex 1 and states that:

*For the purposes of this planning policy “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 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.*

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- 2.8 The key change that was made to both definitions was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will no longer fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA.

## Definition of Travelling

- 2.9 One of the most important questions that GTAAs need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘*nomadic*’.
- 2.10 **R v South Hams District Council (1994)** – defined Gypsies as “persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.
- 2.11 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.
- 2.12 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 2.13 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family’s recently approved Gypsy site sought judicial review of the local authority’s decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 2.14 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.



- 2.15 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 2.16 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes, or for seeking work, and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as *visiting* horse fairs and visiting friends or relatives. It will not cover those who commute to work daily from a permanent place of residence (see APP/E2205/C/15/3137477).
- 2.17 It may also be that within a household some family members travel for work purposes on a regular basis, but other family members stay at home to look after children in education, or other dependents with health problems etc. In these circumstances the household unit is defined as travelling under the planning definition.
- 2.18 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational, health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past and that they plan to travel again for work in the future.
- 2.19 This approach was endorsed by a Planning Inspector in Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267) that was issued in December 2016. A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work' also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose. In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

- 2.20 This was further reinforced in a more recent Decision Notice for an appeal in Norfolk that was issued in February 2018 (Ref: APP/V2635/W/17/3180533) that stated:

*As discussed during the hearing, although the PPTS does not spell this [the planning definition] out, it has been established in case law (R v South Hams DC 1994) that the nomadism must have an economic purpose. In other words, gypsies and travellers wander of travel for the purposes of making or seeking their livelihood.*

## Legislation and Guidance for Gypsies and Travellers

- 2.21 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 key pieces of legislation and guidance are relevant when developing policies relating to Gypsies, Travellers and Travelling Showpeople:

- » Planning Practice Guidance<sup>2</sup> (PPG), 2014
- » Planning Policy for Traveller Sites (PPTS), 2015
- » The Housing and Planning Act, 2016
- » National Planning Policy Framework (NPPF), 2019

<sup>2.22</sup> In addition, Case Law, Ministerial Statements, the outcomes of Local Plan Examinations and Planning Appeals, and Judicial Reviews need to be taken into consideration. Relevant examples have been included in this report.

<sup>2.23</sup> The primary guidance for undertaking the assessment of housing need for Gypsies, Travellers and Travelling Showpeople is set out in PPTS (2015). It should be read in conjunction with the National Planning Policy Framework (NPPF). In addition, the Housing and Planning Act (2016) makes provisions for the assessment of need for those Gypsy, Traveller and Travelling Showpeople households living on sites and yards who do not meet the planning definition – as part of the wider assessment of all households living in caravans and on houseboats.

## Planning Policy for Traveller Sites (2015)

<sup>2.24</sup> PPTS (2015), sets out the direction of Government policy. As well as introducing a revised planning definition of a Traveller, PPTS is closely linked to the NPPF. Among other objectives, the aims of the policy in respect of Traveller sites are (PPTS Paragraph 4):

- » *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.*

<sup>2</sup> With particular reference to the sections on Housing and Economic Development Needs Assessments

- » *For local planning authorities to have due regard to the protection of local amenity and local environment.*

2.25 In practice, the document states that (PPTS Paragraph 9):

- » *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.*

2.26 PPTS goes on to state (Paragraph 10) that in producing their Local Plan local planning authorities should:

- » *Identify and annually update 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 6-10 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 strategic 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.*

2.27 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 in Paragraph 11 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.*

## Revised National Planning Policy Framework (2019)

2.28 The revised National Planning Policy Framework was issued in February 2019. Paragraph 60 of the revised NPPF sets out that in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment conducted using the standard method in national planning guidance.

2.29 Paragraph 61 then states that [emphasis added] '*Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, **travellers**, people who rent their homes and people wishing to commission or build their own homes*'. The footnote to this section states that '*Planning Policy for Traveller Sites sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 of that document.*'

2.30 This essentially sets out that the needs of households that meet the planning definition should be addressed under the PPTS, and that the needs of households that are not found to meet the planning definition should be addressed as part of the wider housing needs of an area.

## 3. Methodology

### Background

3.1 Over the past 10 years, ORS has continually refined a methodology for undertaking robust and defensible GTAAs. This has been updated in light of the introduction of the PPG in 2014, changes to PPTS in August 2015, the Housing and Planning Act (2016), and the revised NPPF (2019). It has also responded to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.

3.2 PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.

3.3 The approach currently used by ORS was considered in April 2016 and July 2017 by the Planning Inspector for the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy. She concluded in her final Examination Report that was published in October 2017:

*'The methodology behind this assessment incorporates a full demographic study of all occupied pitches, a comprehensive effort to undertake interviews with Gypsy and Traveller households, and consideration of the implications of the new national policy. I am satisfied that the GTAA provides a robust and credible evidence base and I accept its findings.'*

3.4 In addition, the Inspector for the East Herts District Plan also found the evidence base in relation to Gypsies and Travellers to be sound in her Inspection Report that was issued in July 2018. She concluded:

*The need of the travelling community has been carefully and robustly assessed and locations to meet identified needs have been allocated for the plan period. Policy HOU9 sets out the need for 5 permanent pitches for Gypsies and Travellers... the approach to the provision of housing is comprehensive, positively prepared, appropriate to the needs of the area and consistent with national policy.*

3.5 The methodology has also been found to be sound following Local Plan Examinations in Cambridge, Cotswold, Maldon, Newham and South Cambridgeshire.

3.6 The stages below provide a summary of the methodology that was used to complete this study. More information on each stage is provided in the appropriate sections of this report.

### Glossary of Terms/Acronyms

3.7 A Glossary of Terms/Acronyms can be found in **Appendix A**.

## Desk-Based Review

3.8 ORS collated a range of secondary data that was used to support the study. This included:

- » Census data.
- » Traveller Caravan Count data.
- » Records of unauthorised sites/encampments.
- » Information on planning applications/appeals.
- » Information on enforcement actions.
- » Previous GTAAs and other relevant local studies.
- » Existing national and local policy, guidance and best practice.

## Stakeholder Engagement

3.9 Engagement was undertaken with key Council Officers and with wider stakeholders through a combination of a Focus Group and telephone interviews. Prior to commencing work on the GTAA and the assessment of transit need, a Focus Group was held with 7 Officers from the Council and a representative from West Midlands Police. The purpose of the Focus Group was to identify any changes that have taken place in Birmingham since the previous GTAA was published, and to explore the reasons why numbers of encampments have increased in recent years and to determine how best to assess the needs of households on encampments in Birmingham. Further telephone interviews were completed after the Focus Group to follow-up on the key outcomes from the discussions.

## Working Collaboratively with Neighbouring Planning Authorities

3.10 To help support the Duty-to-Cooperate and provide background information for the study, telephone interviews were conducted with Planning Officers in neighbouring planning authorities. These interviews will help to ensure that wider issues that may impact on this project are fully understood. This included interviews with Officers from the Councils set out below. An interview topic guide was agreed with the Council prior to the interviews taking place.

- » Bromsgrove District Council and Redditch Borough Council.
- » Dudley Metropolitan Borough Council.
- » Lichfield District Council.
- » Sandwell Metropolitan Borough Council.
- » Solihull Metropolitan Borough Council.
- » Walsall Council.
- » City of Wolverhampton Council.

## Survey of Travelling Communities

3.11 Through the desk-based research and the stakeholder interviews, ORS sought to identify all authorised and unauthorised sites/yards in the study area and attempted to complete an interview with the residents on all occupied pitches and plots. In order to gather the robust

information needed to assess households against the planning definition of a Traveller, up to 3 visits were made to households where it was not initially possible to conduct an interview because they were not available at the time.

- 3.12 Our experience suggests that an attempt to interview households on all pitches is more robust. A sample-based approach often leads to an under-estimate of need – and is an approach which is regularly challenged by the Planning Inspectorate and at planning appeals.
- 3.13 ORS worked closely with the Council to ensure that the interviews collected all the necessary information to support the study. The site interview questions that were used have been updated to take account of recent changes to PPTS and to collect the information ORS feel is necessary to apply the planning definition. All sites were visited by members of our dedicated team of experienced Researchers who attempted to conduct semi-structured interviews with residents to determine their current demographic characteristics, their current and future accommodation needs, whether there is any over-crowding or the presence of concealed or doubled-up households or single adults and travelling characteristics. Researchers also sought to identify contacts living in bricks and mortar to interview, as well as an overall assessment of each site/yard to determine any opportunities for intensification or expansion to meet future needs.
- 3.14 Interviewers also sought information from residents on the type of pitches they may require in the future – for example private or socially rented, together with any features they may wish to be provided on a new pitch or site.
- 3.15 Where it was not possible to undertake an interview, interviewers sought to capture as much information as possible about each pitch from sources including neighbouring residents and site management (if present).
- 3.16 Interviewers also distributed copies of an information leaflet that was prepared by Friends, Families and Travellers explaining the reasons for the need to complete the household interview as part of the GTAA process.



Figure 3 – Friends, Families and Traveller Leaflet

**fft**  
Friends Families and Travellers

We are writing to you from Friends, Families and Travellers (FFT) a national charity working on behalf of Gypsies and Travellers  
www.gypsy-traveller.org

# MORE PITCHES PLEASE!

Councils are currently carrying out new Accommodation Needs Assessments. The assessments are being done to work out if there is a need for more Gypsy/Traveller sites in your area and it is really important that you take part in the process so that your Council identifies the true level of need for sites in your area.

Your council will almost certainly employ consultants to carry out the assessment and you will probably be asked to complete a questionnaire.

How you answer the assessment questions is really important as it will affect the number of pitches required in an area.

Questions about travelling are particularly important.

In 2015 the Government changed the planning definition of what it means to be a 'Gypsy or Traveller' and it now reads as follows:

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.

This means that if you have completely stopped travelling, even if it is as a result of ill-health or old age or because you care for people who are too old or too ill to travel then you will be unlikely to meet the planning definition and any need you or your dependants have for a caravan site will no longer be included in the Council's assessment of its need for Gypsy/Traveller sites in your area.

So, if you are still travelling for work, even if it is only for part the year or in order to be and sell goods at any of the traditional horse fairs etc. then it is essential you make that clear to your Council when it assesses its need for sites in your area.

We have already seen some examples of questionnaires being used by consultants to assess needs and have some concerns about the way in which the questions have been worded and the limited space on forms to give answers.

For example, on a form produced by ORS questionnaire there is a section in the questionnaire about travelling (Section F) which could cause people to give misleading answers.

For example, one question asks 'How many trips you have made in the last 12 months'.

If you answer '0' to this question then you will probably not be deemed a Gypsy or Traveller according to the new planning definition, so don't forget to include trips such as for work, looking for work, going to horse fairs etc.

Another question asks 'When did you stop travelling'.

Please think carefully before answering such a question. Have you stopped travelling for good? If so then you could be judged not to be a Gypsy or Traveller in planning terms.

Another question asks 'Have you or family members ever travelled?'.

If you answer 'No' to this question then you will be probably be judged not to be a Gypsy or Traveller in planning terms. So again don't forget to include trips looking for work, visiting horse fairs etc.

Finally, a question asks 'Do family members plan to travel in the future?'.

Again, please bear in mind that if you answer 'No' you will be judged not to be a Gypsy or Traveller in planning terms, so think carefully about whether you are ever likely to be travelling again in the future.

If you want to speak to us further please do not hesitate to call FFT on 01273 234 777 or your local Gypsy/Traveller group.

- 3.17 ORS also worked closely with Officers from the Council's Enforcement Team to identify when unauthorised encampments had been set up, so the Researchers could visit them and attempt to complete interviews with the households that made up the encampments. The purpose of this was to seek to identify the reasons that households had set up an encampment in Birmingham; whether they had any permanent accommodation need in Birmingham; and whether they would consider making use of transit provision if they did not have any permanent needs.

## Engagement with Bricks and Mortar Households

- 3.18 The 2011 Census recorded 149 households that identified as Gypsy or Irish Traveller who live in a house or flat in Birmingham.
- 3.19 ORS apply a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan Examinations and Planning Appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards, intelligence from the stakeholder interviews, information from housing registers and other local knowledge from stakeholders and adverts on social media. Through this approach ORS endeavoured to do everything within our means to give households living in bricks and mortar the opportunity to make their views known to us.
- 3.20 As a rule, ORS do not make any assumptions on the overall needs from households in bricks and mortar based on the outcomes of any interviews that are completed as in our experience this leads to a significant over-estimate of the number of households wishing to move to a site or a yard. We work on the assumption that all those wishing to move will make their views known to

us based on the wide range of publicity we will put in place. Thus, we are seeking to shift the burden of responsibility on to those living in bricks and mortar through demonstrating rigorous efforts to make them aware of the study.

- 3.21 ORS worked with the Traveller Education Officer but were unable to make contact with families living in bricks and mortar.

## Timing of the Fieldwork

- 3.22 ORS are fully aware of the transient nature of many travelling communities and subsequent seasonal variations in site and yard occupancy. ORS would normally aim to complete fieldwork during the non-travelling season, and also avoid days of known local or national events. However, one of the key aims of this study was to engage with unauthorised encampments which historic data shows are higher through the summer months and autumn months. As such the fieldwork commenced in June 2018 and was completed in September 2018.

## Applying the Planning Definition

- 3.23 The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:

- » Whether any household members have travelled in the past 12 months.
- » Whether household members have ever travelled.
- » The main reasons for travelling.
- » Where household members travelled to.
- » The times of the year that household members travelled.
- » Where household members stay when they are away travelling.
- » When household members stopped travelling.
- » The reasons why household members stopped travelling.
- » Whether household members intend to travel again in the future.
- » When and the reasons why household members plan to travel again in the future.

- 3.24 When the household survey was completed, the answers from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses, households need to provide sufficient information to demonstrate that household members travel for work purposes, or for seeking work, and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future. The same definition applies to Travelling Showpeople as to Gypsies and Travellers.

- 3.25 Households that need to be considered in the GTAA fall under one of three classifications. Only those households that meet, or may meet, the planning definition will form the components of need to be formally included in the GTAA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.



» Households where an interview was not possible who *may* fall under the planning definition.

- 3.26 Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTAA, they will be assessed to provide the Council with components of need to consider as part of their work on wider housing needs assessments. This is consistent with the revised NFFP.

## Undetermined Households

- 3.27 As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period) need to be assessed as part of the GTAA where they are believed to be Gypsies and Travellers who *may* meet the planning definition. Whilst there is no guidance that sets out how the needs of these households should be addressed; an approach has been taken that seeks a best estimate of potential need from these households. This will be a maximum additional need figure over and above the need identified for households that do meet the planning definition.
- 3.28 The estimate of potential need from undetermined households seeks to identify potential current and future need from any pitches known to be temporary or unauthorised, and through new household formation. For the latter, the ORS national formation rate of 1.50% has been used in the absence of any demographics information on residents.
- 3.29 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any *firm* assumptions about whether or not households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.
- 3.30 However, data that has been collected from over 3,500 household interviews that have been completed by ORS across England since the changes to PPTS in 2015 suggests that overall, approximately 25% of households who have been interviewed meet the planning definition – and in some local authorities, particularly London Boroughs, no households meet the planning definition.
- 3.31 ORS are not implying that this is an official national statistic - rather a national statistic based on the outcomes of our fieldwork since the introduction of PPTS (2015). It is estimated that there are up to 14,000 Gypsy and Traveller pitches in England and ORS have interviewed households on 25% of them at a representative range of sites. It is ORS' view therefore that this is the most comprehensive national statistic in relation to households that meet the planning definition in PPTS (2015) and should be seen as a robust statistical figure.
- 3.32 This would suggest that it is likely that only a proportion of the potential need identified from undetermined households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed as part of wider general housing need alongside need from households that do not meet the planning definition and through separate Local Plan Policies.
- 3.33 An assessment of need for undetermined households can be found in **Appendix B**.

- 3.34 The ORS methodology to address the need arising from undetermined households was supported by the Planning Inspector for a Local Plan Examination for Maldon District Council, Essex. In his Report that was published on 29th June 2017 he concluded:

150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, **MM242h** is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.

## Households that Do Not Meet the Planning Definition

- 3.35 Households who do not travel for work purposes now fall outside the planning definition of a Traveller. However Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act 2010. In addition, provisions set out in the Housing and Planning Act (2016) include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>3</sup> related to this section of the Housing and Planning Act has been published setting out how the Government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be considered as part of the wider housing needs of the area and will form a subset of the wider need arising from households residing in caravans. This is echoed in the revised NPPF (February 2019).
- 3.36 Paragraph 61 of the revised NPPF states that [emphasis added] '*Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, **travellers**, people who rent their homes and people wishing to commission or build their own homes*'. The footnote to this section states that '*Planning Policy for Traveller Sites sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 of that document.*'
- 3.37 An assessment of need for Travellers that do not meet the planning definition can be found in **Appendix C**.

<sup>3</sup> "Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats." (March 2016)

## Calculating Current and Future Need

- 3.38 The primary change introduced by PPTS (2015) in relation to the assessment of need was the change to the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS sought to collect information necessary to assess each household against the planning definition. Several relevant appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied (see chapter 2). These decisions support the view that households need to be able to demonstrate that they travel for work purposes, or for seeking work, to meet the planning definition and stay away from their usual place of residence when doing so, or have ceased to travel temporarily for education, health or old age.
- 3.39 To identify need, PPTS (2015) requires an assessment of 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 is to compare the supply of pitches available for occupation with the current and future needs of the population.

## Supply of Pitches

- 3.40 The first stage of the assessment sought to determine the number of occupied, vacant and *potentially available* supply in the study area:
- » Current vacant pitches.
  - » Pitches currently with planning consent due to be developed within 5 years.
  - » Pitches vacated by people moving to housing.
  - » Pitches vacated by people moving to other sites in the area.
  - » Pitches vacated by people moving from the study area (out-migration).
- 3.41 It is important when seeking to identify supply from vacant pitches that they are in fact available for general occupation – i.e. on a public or social rented site, or on a private site that is run on a commercial basis with anyone being able to rent a pitch if they are available. Typically, vacant pitches on small private family sites are not included as components of available supply but can be used to meet any current and future need from the family living on the site.

## Current Need

- 3.42 The second stage was to identify components of current need, which is not necessarily the need for additional pitches because they may be able to be addressed by space already available in the study area. This is made up of the following. It is important to address issues of double counting:
- » Households on unauthorised developments for which planning permission is not expected.
  - » Concealed, doubled-up or over-crowded households (including single adults).
  - » Households in bricks and mortar wishing to move to sites.
  - » Households in need on waiting lists for public sites.

## Future Need

- 3.43 The final stage was to identify components of future need. This includes the following four components:
- » Teenage children in need of a pitch of their own.
  - » Households living on sites with temporary planning permissions.
  - » New household formation.
  - » In-migration.
- 3.44 Household formation rates are often the subject of challenge at appeals or examinations. ORS agrees with the position set out by DCLG in the Ministerial Statement of 2014 and firmly believe that any household formation rates should use a robust local evidence base, rather than simply relying on precedent. Our approach is set out in more detail later in this report.
- 3.45 All of these components of supply and need are presented in tabular format which identify the overall net need for current and future accommodation for both Gypsies and Travellers and Travelling Showpeople. This has proven to be a robust model for identifying needs. The residential and transit pitch and plot needs are identified separately, and the needs are identified in 5-year periods to 2033, with a split to 2031 to meet the Local Plan period.

## Pitch Turnover

- 3.46 Some assessments of need make use of pitch turnover as an ongoing component of supply. ORS do not agree with this approach or about making any assumptions about annual turnover rates. This approach frequently ends up significantly under-estimating need as, in the majority of cases, vacant pitches on sites are not available to meet any additional need. The use of pitch turnover has been the subject of a number of Inspectors Decisions, for example APP/J3720/A/13/2208767 found a GTAA to be unsound when using pitch turnover and concluded:

*West Oxfordshire Council relies on a GTAA published in 2013. This identifies an immediate need for 6 additional pitches. However, the GTAA methodology treats pitch turnover as a component of supply. This is only the case if there is net outward migration, yet no such scenario is apparent in West Oxfordshire. Based on the evidence before me I consider the underlying criticism of the GTAA to be justified and that unmet need is likely to be higher than that in the findings in the GTAA.*

- 3.47 In addition, a recent GTAA Best Practice Guide produced jointly by organisations including Friends, Families and Travellers, the London Gypsy and Traveller Unit, the York Travellers Trust, the Derbyshire Gypsy Liaison Group, Garden Court Chambers and Leeds GATE concluded that:

*Assessments involving any form of pitch turnover in their supply relies upon making assumptions; a practice best avoided. Turnover is naturally very difficult to assess accurately and in practice does not contribute meaningfully to additional supply so should be very carefully assessed in line with local trends. Mainstream housing assessments are not based on the assumption that turnover within the existing stock can provide for general housing needs.*

- 3.48 As such, other than current vacant pitches on sites that are known to be available, or pitches that are known to become available through the household interviews, pitch turnover has not been considered as a component of supply in this GTAA.

## Unauthorised Encampments and Transit Provision

- 3.49 PPTS also requires an assessment of the need for any transit sites or stopping places. While the majority of Gypsies, Travellers have permanent bases either on Gypsy and Traveller sites or in bricks and mortar and no longer travel, other members of the community either travel permanently or for part of the year. Due to the mobile nature of the population, a range of sites or management approaches can be developed to accommodate Gypsies and Travellers as they move through different areas, and to reduce the number of households setting up on unauthorised encampments, including
- » Transit Sites.
  - » Temporary/Emergency Stopping Places.
  - » Temporary (seasonal) Sites.
  - » Negotiated Stopping Agreements.
- 3.50 In the previous GTAA ORS recommended that the Council consider providing a suitably located, public transit site of between 10 and 15 pitches. ORS also recommended that the Council provide an Emergency Stopping Site to accommodate a total of 5 caravans.
- 3.51 Since the completion of the previous GTAA the Council have reported a significant increase in both the number of recorded encampments and the number of caravans on these encampments. As such, alongside work to identify the potential need for additional transit provision, the Council also requested that ORS complete work to try and determine the reasons for the increased number of encampments; whether households on encampments would make use of any transit provision; whether there were any levels of more permanent need associated with households setting up encampments; and whether the recommendations in the previous GTAA are still fit-for-purpose and sufficient to meet current pressures.
- 3.52 In order to investigate unauthorised encampments and the potential need for transit provision when undertaking work to support the study, ORS sought to undertake analysis of any records of unauthorised sites and encampments, as well as information from the Ministry of Housing, Communities and Local Government (MHCLG)<sup>4</sup> Traveller Caravan Count. The outcomes of Focus Group with Council Officers and interviews with Officers from neighbouring planning authorities, together with the outcomes of interviews completed with households living on encampments, were also taken into consideration when determining this element of need in the study area.

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<sup>4</sup> Formerly the Department for Communities and Local Government (DCLG).

## 4. Gypsy, Traveller & Travelling Showpeople Population

### Introduction

- 4.1 One of the main considerations of this study is to provide evidence to support the provision of pitches and plots to meet the current and future accommodation needs of Gypsies, Travellers and Travelling Showpeople. A pitch is an area normally occupied by one household, which typically contains enough space for one or two caravans but can vary in size<sup>5</sup>. A site is a collection of pitches which form a development exclusively for Gypsies and Travellers. For Travelling Showpeople, the most common descriptions used are a plot for the space occupied by one household and a yard for a collection of plots which are typically exclusively occupied by Travelling Showpeople. Throughout this study the main focus is upon how many extra pitches for Gypsies and Travellers and plots for Travelling Showpeople are required in the study area.
- 4.2 The public and private provision of mainstream housing is also largely mirrored when considering Gypsy and Traveller accommodation. One common form of a Gypsy and Traveller site is the publicly-provided residential site, which is provided by a Local Authority or by a Registered Provider (usually a Housing Association). Pitches on public sites can be obtained through signing up to a waiting list, and the costs of running the sites are met from the rent paid by the licensees (similar to social housing).
- 4.3 The alternative to public residential sites are private residential sites and yards for Gypsies, 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. Generally, the majority of Travelling Showpeople yards are privately owned and managed.
- 4.4 The Gypsy, Traveller and Travelling Showpeople population also has other forms of sites due to its 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 days or weeks to a period of months. An alternative to a transit site is an emergency or negotiated stopping place. This type of site also has restrictions on the length of time someone can stay on it but has much more limited facilities. Both of these two types of site are designed to accommodate, for a temporary period, Gypsies, Travellers and Travelling Showpeople whilst they travel. A number of authorities also operate an accepted encampments policy where short-term stopovers are tolerated without enforcement action.
- 4.5 Further considerations for the Gypsy and Traveller population are unauthorised developments and encampments. Unauthorised developments occur on land which is owned by the Gypsies and Travellers or with the approval of the land owner, but for which they do not have planning

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<sup>5</sup> Whilst it has now been withdrawn, Government Guidance on Designing Gypsy and Traveller Sites recommended that, as a general guide, an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan, parking space for two vehicles and a small garden area.



permission to use for residential purposes. Unauthorised encampments occur on land which is not owned by the Gypsies and Travellers.

## Sites and Yards in Birmingham

- 4.6 In Birmingham, at the base date for the GTAA, there were no public residential sites; 1 private Gypsy and Traveller site with planning permission for a total of 4 caravans; 2 unimplemented public transit sites with 4 pitches and 15 pitches respectively; 1 former public transit site with 18 pitches that is occupied permanently by 3 households; and 1 Travelling Showpersons yard with planning permission for a maximum of 48 caravans and approximately 8 permanent plots and 25 transit plots. In addition, there were 8 longer-term unauthorised encampments identified that were interviewed and comprised approximately 46 household groups. See **Appendix D** for further details.

**Figure 4 - Total amount of provision in Birmingham (August 2018)**

Category	Sites/Yards	Pitches/Plots
Public sites	0	0
Private with permanent planning permission	1	1
Private with temporary planning permission	0	0
Unauthorised sites <sup>6</sup>	1	18
Unauthorised encampments	8	46
Public transit provision	2	19
Travelling Showpeople (private)	1	8
Travelling Showpeople (private transit)	1	25

## MHCLG Traveller Caravan Count

- 4.7 Another source of information available on the Gypsy, Traveller and Travelling Showpeople population is 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 MHCLG. This is a statistical count of the number of caravans on both authorised and unauthorised sites across England. With effect from July 2013 it was renamed the Traveller Caravan Count due to the inclusion of data on Travelling Showpeople.
- 4.8 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. The count is merely a 'snapshot in time' conducted by the Local Authority on a specific day, and any unauthorised sites or encampments which occur on other dates will not be recorded. Likewise, any caravans that are away from sites on the day of the count are not included. As such it is not considered appropriate to use the outcomes from the Traveller Caravan Count in the calculation of current and future need as the information collected during the site visits is seen as more robust and fit-for-purpose. However, the Caravan Count data has been used to support the identification of the need to provide transit provision and this is set out later in this report.

<sup>6</sup> Unauthorised use of the former public transit site.

## 5. Stakeholder Engagement

### Introduction

- 5.1 Prior to commencing the GTAA and assessment of unauthorised encampments in Birmingham a Focus Group was held with 7 Officers from Birmingham City Council and a representative from the Police whose role is to work in partnership with Council to resolve issues with unauthorised encampments issue. A further interview was completed after the group.
- 5.2 In addition, to explore issues relating to cross-boundary working, ORS sought to interview a representative from eight neighbouring local authorities. Interviews have been completed with Officers from 7 of the 8 neighbouring authorities:
- » Bromsgrove District Council and Redditch Borough Council.
  - » Metropolitan Borough of Dudley.
  - » Lichfield District Council.
  - » Sandwell Council.
  - » Solihull Metropolitan Borough Council.
  - » Walsall Council.
  - » City of Wolverhampton Council.
- 5.3 Due to issues surrounding data protection, and to protect the anonymity of those who took part, this section presents a summary of the views expressed by interviewees and verbatim comments have not been used. The views expressed in this section of the report represent a balanced summary of the views expressed by stakeholders, and on the views of the individuals concerned, rather than the official policy of their Council or organisation.

### Views of Stakeholders at the Focus Group

#### Accommodation for Gypsies and Travellers

- » There are 4 sites in Birmingham with planning permission; Hubert Street (permanent), Tameside Drive (see below), Aston Brook Street East (transit) and Proctor Street/Rupert Street (transit).
- » Tameside Drive was originally granted planning permission as a transit site. However, following many years of legal challenges, the current occupants have assumed permanent occupation rights through a High Court Judgment. It is estimated that only 3 of the 18 pitches on Tameside drive are currently occupied by members of the family. Historic imagery also suggests that the site has never been fully occupied. The residents have stated to the Council that they would be happy to move to an alternative smaller site within the City. However, they do not wish to enter into any formal agreement which would mean they would pay rent. They were offered a piece of land next to the permanent residential site on Hubert



Street, however they declined this offer (this land now has planning permission for four transit pitches that was granted in August 2018). Should an alternative site be identified for the residents of Tameside Drive, the Council intends on using the pitches for transit provision.

- » The site at Hubert Street is a small family site and is located next to the new transit site for four pitches at Aston Brook Street East.
- » In addition, planning permission was recently granted for 15 additional transit pitches on the site of a Council owned carpark on Proctor Street/Rupert Street.

## Short-term roadside encampments and transit provision

- » This year, as in recent years the number of unauthorised encampments has been high. Included in the figures are two family groups who travel continually around Birmingham and are keen to have a permanent site in the area.
- » Stakeholders agreed that it is likely that the main reason for encampments setting up in Birmingham is for work purposes.
- » Another key issue is that groups setting up encampments are now often considerably larger and involve more caravans and other vehicles than they used to.
- » Some neighbouring authorities have been taking action to reduce the numbers of encampments in their areas. Sandwell have developed a transit site to allow the Police to move on households on encampments if they refuse to move there. Sandwell and Walsall have also been successful in obtaining an injunction preventing encampments from setting up in all the parks in their areas. This has reduced the opportunities to camp in these areas and Officers felt that this has contributed towards the higher numbers setting up in Birmingham.
- » Based on local experience many of the encampments cause a number of issues including anti-social behaviour associated; fly-tipping; criminal damage caused by entering a site; and clean-up costs when encampments are moved on.
- » The transit site at Tameside Drive is occupied by a small number of households on a permanent basis and is not available for transit use. The residents have stated that they would consider moving to a smaller site and this would allow the use as a transit site with 15-18 pitches to resume.
- » The Council granted planning permission for 4 transit pitches on a small site in August 2018 and permission was granted in September 2018 for a further 15 transit pitches on the site of a former Council carpark.
- » As such in summary there could be as many as 37 transit pitches available in Birmingham in the near future.

## Managing unauthorised encampments

- » Birmingham City Council and West Midlands Police have a Joint Protocol for Managing Unauthorised Encampments. Where circumstances do not warrant the making of a request to West Midlands Police, or the Police deem circumstances are such that currently there is no justification for the use of Police powers (Section 62A), the Council Enforcement Team serve a 'Notice to Vacate Land (2 day)' or a 'Notice to Vacate Land (7 day)'.<sup>7</sup>
- » There is also an Injunction in place which prevents one named travelling family from entering the area and setting up an encampment.

## The strategy for Managing Unauthorised Encampments

- » The overall strategy for Birmingham is to provide sufficient spaces on transit sites to either accommodate households on unauthorised encampments or to allow the Police to use Section 62A powers to move households on and away from Birmingham. Consideration is also being given for the introduction of Injunctions throughout to prevent Travellers camping on specific areas including parks and other Council owned land.
- » However, there is a limited amount of available land in the area to develop any further transit sites as most have been sold for residential development and works associated with the HS2 development. It is felt that in the majority of cases where there is available land, any sort of transit provision (however temporary) would be unacceptable to the settled community. It is felt that this could also impede any attempts to adopt Negotiated Stopping as a more management-based approach to dealing with unauthorised encampments. However, consideration is being given to identify some areas of land that could possibly provide an overspill site during busy periods and where the volume of caravans exceeds the number of transit pitches available.
- » The Council is committed to providing additional transit pitches through the following:
  - Reclaiming pitches on the Tameside Drive site.
  - Providing 4 pitches on Aston Brook Street East.
  - Providing 15 pitches on the carpark on Rupert Street.
- » The City are considering replicating the 'Sandwell Transit Model' and have visited the site and had discussions with those involved in providing this site. Sandwell Council currently manages a newly developed transit site. Pitches can be used for a maximum of 28 days and the rates for each pitch are a refundable deposit of £250 per caravan and a weekly rent of £80 per caravan.
- » Transit site facilities in Sandwell include the following:
  - A combination lock.

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<sup>7</sup>[https://www.birmingham.gov.uk/downloads/file/5735/joint\\_protocol\\_for\\_managing\\_unauthorised\\_encampments](https://www.birmingham.gov.uk/downloads/file/5735/joint_protocol_for_managing_unauthorised_encampments)

- Toilet facilities.
  - Pitches each allowing for one caravan and one vehicle.
  - Monitored CCTV.
  - General rubbish collection (residents must use the bins provided).
- » Experience in Sandwell suggests that they had 49 Unauthorised Encampments who had been in the area for half the year, and on providing the transit site this was reduced to 7 and the associated problems were significantly reduced. However, it is also understood that few, if any, of these households have actually made use of the transit site and that the vast majority had simply left Sandwell and set up encampments in other local authorities.
- » The West Midlands Police and Crime Commissioner has agreed that if Birmingham were to provide sufficient transit provision, they would be willing to use Section 62 powers to move households on from unauthorised encampments.
- » Stakeholders at the Focus Group were concerned whether the number of transit pitches that the Council are seeking to provide in the short to medium-term, which are proposed to be used for a maximum of 28 days, will be enough provision considering:
- The needs of those families that are currently in transit that have been living and moving within the City for up to 12 months of the year and have been doing so for a considerable length of time.
  - The trends that are being experienced towards increasing numbers of caravans per encampment.

## Views of neighbouring authorities

- 5.4 ORS interviewed a representative from the following neighbouring local authorities: Bromsgrove District Council and Redditch Borough Council, Dudley, Lichfield, Sandwell, Solihull, Walsall and Wolverhampton.

## Unauthorised encampments in neighbouring areas

- » With the exception of Sandwell more recently, there has been an increase in the numbers of encampments in these neighbouring areas, and most said that they have experienced a steady rise over the last five years. Numbers appear to have been particularly high in 2016 and 2017.
- » When asked about trends Officers said the following:
- They tend to be Irish Travellers.
  - They have seen larger groupings with a higher number of caravans.
  - The levels of toleration have come down as the numbers of encampments has risen and as a result Travellers are now being moved on quicker than they once were.

- » Officers provided a number of reasons why they feel encampments have increased, but pointed out that these are assumptions, and not based on any firm evidence:
  - The Midlands area has always attracted Travellers.
  - There are good road networks across the area.
  - There are a lot of work and employment opportunities in the area.
  - Changes to the planning definition means that more households are travelling to demonstrate that they meet the definition.
  - Changes to legislation in Ireland.
  - A feud in Ireland concerning land meaning some Travellers cannot return and have to remain in England and Wales throughout the year.
  - Fewer brown field sites are now available so Travellers are now forced to use more sensitive areas where they would not previously have moved on to (parks, schools etc.) and therefore needing to be moved on more quickly.
  - A new transit site and Injunctions in neighbouring areas - Sandwell provided a new transit site in 2017 and there was a difference of opinion about the extent to which this has pushed Travellers into other areas.

## Transit provision in neighbouring authorities

- » Many of the neighbouring areas have either provided a transit site, or are hoping to soon:
  - Sandwell provided a new transit site in 2017 and this has only been used twice since it opened.
  - Wolverhampton are looking into providing a new transit site.
  - Dudley has planning permission for a new transit site for 40 caravans.
  - Lichfield's GTAA identified a need for five transit pitches.
  - There are no plans to provide a transit site in Bromsgrove, Redditch and Solihull, but the latter is monitoring the situation in neighbouring areas.
  - Up until six months ago Walsall was actively looking for a site, but since a change in political leadership it is uncertain whether these plans will be progressed.

## 6. Survey of Travelling Communities

### Interviews with Gypsies and Travellers

- 6.1 One of the major components of this study were the efforts that were made to conduct interviews with residents on all sites, yards and longer-term encampments, and also efforts to engage with the bricks and mortar community.
- 6.2 Through the desk-based research and stakeholder interviews ORS identified no permanent public sites; 1 private site with planning permission for 4 caravans; 1 former public transit site with 18 pitches thought to be occupied permanently by 3 households from 1 extended family; and 1 Travelling Showpeople's yard that has planning permission for 48 caravans and has approximately 8 permanent plots and 25 private transit plots. There are also 2 unimplemented public transit sites with 4 pitches and 15 pitches. The table below sets out the number of pitches/plots, the number of interviews that were completed, and the reasons why interviews were not completed or why there were any additional interviews completed.
- 6.3 Overall, interviews were completed that covered 55 households. Whilst it was not possible to complete interviews with residents on the former public transit site, it was possible to determine that they would consider moving to a smaller public site, thus freeing up occupied and vacant pitches on the site for future use as transit provision again.

Figure 5 – Sites, yards and encampments visited in Birmingham

Status	Pitches/Plots/ Caravans	Interviews	Reasons for not completing interviews/additional interviews
<b>Public Sites</b>			
None	-	-	-
<b>Private Sites</b>			
Hubert Street	1	1	-
<b>Temporary Sites</b>			
None	-	-	-
<b>Tolerated Sites</b>			
None	-	-	-
<b>Unauthorised Sites</b>			
Tameside Drive	18	0	3 x refusals, no other residents
<b>Public Transit Sites</b>			
Aston Brook Street	4	0	4 x unimplemented pitches
Proctor Street/Rupert Street	15	0	15 x unimplemented pitches
<b>Unauthorised Encampments<sup>8</sup></b>			
Baverstock	6	6	-
Bleak Hill Park	1	1	-
City Road	5	5	-
Myddleton Street	4	4	-
New John Street West	3	3	-

<sup>8</sup> Interviews were completed covering all of the households living on these encampments.

Sandwell Recreation Ground	4	4	-
St Peters Park	20	20	-
Various	3	3	-
<b>TSP Yards</b>			
Shipway Road (private)	8	8	-
Shipway Road (private transit)	25	0	Unoccupied off-season transit pitches.
<b>TOTAL</b>	<b>98</b>	<b>55</b>	

## Summary of Interview Outcomes

- 6.4 Due to the nature of the Travelling Community that ORS were able to make contact with in Birmingham it was not possible to complete full interviews with all of the households that were present on sites and encampments. As such a summary of the discussions that took place on each site, yard and encampment are set out below. This approach is consistent with that taken when reporting on the previous GTAA.

### Hubert Street – Private Site

- 6.5 The private site at Hubert Street has planning permission for a total of four caravans. ORS Researchers visited the site in August 2018 and were able to gain access to speak with residents. Researchers spoke to one resident who was able to provide the following information about the site:

- » The resident that was interviewed has lived on the site for 21 years.
- » The site is occupied by 4 adults and 1 teenager and they travel and work locally.
- » They would rather live on a site and have enough space at the moment where they are currently living. However, the teenager will need a pitch of his own shortly and there is not enough space.
- » The resident objected to proposals (now granted planning permission) for a 4-pitch transit site on vacant land adjacent to the site, as they were keen for the land to provide for additional pitches for their family.
- » **In summary:** No current need for additional pitches; a future need for 1 additional pitch in Birmingham for a teenager living on the site.

### Tameside Drive – Unauthorised Site<sup>9</sup>

- 6.6 Researchers visited this site in June 2018 and whilst they were able to speak to some of the residents, they refused to be interviewed. Observations on vehicles on the site suggested business usage.
- » The site at Tameside Drive is a former public transit site with 18 pitches that has been occupied by a single extended family on a permanent basis for a lengthy period of time and has been the subject of a lengthy legal dispute between the Council and the occupiers. The outcomes of the previous GTAA suggested that the

<sup>9</sup> This is a former public transit site which has been occupied on an unauthorised basis by members of an extended family group.

site was not being effectively managed and was under-occupied, with 6 households living there, and that they wanted to live there on a permanent basis.

- » Information from the Focus Group that was held with Officers to support this GTAA suggested that occupation levels have fallen to just 3 pitches, and that the residents have suggested that they would be willing to move to a smaller, more suitable site, in Birmingham if one were to be identified.
- » **In summary:** A current need for 3 additional pitches that would free up the site at Tameside Drive to be used as transit provision.

## Shipway Road – Private Travelling Showpeople Yard

6.7 ORS Researchers spoke with a representative from the Travelling Showpeople Yard in September 2018. The representative set out that the business run from the yard has expanded in recent years and now includes the Birmingham Winter Wonderland Big Wheel and Ice Rink, along with other large new rides. Due to the short seasonal nature of Winter Wonderland they are now using 50% of the yard to store equipment associated with it between late January and November. This has reduced the seasonal transit space available on the yard from 25 to 5 families.

- » There are currently 8 households who consider the yard to be their permanent residence comprising 20 adults, 4 teenagers and 1 younger child.
- » The residents feel that they would be able to meet their current and future accommodation needs on the yard, together with increasing the seasonal transit capacity for other Showmen households visiting Birmingham for a range of events throughout the year, if they could find secure off-site storage space for the equipment for Winter Wonderland.
- » **In summary:** The number of families on the yard needing accommodation of their own has increased since the previous GTAA. Whilst they could accommodate their current and future need on the yard, along with providing vital transit space for Showpeople visiting Birmingham for events throughout the year, this will be dependent on working with the Council to find secure off-site storage for their Big Wheel and Ice Rink which form a vital part of the city's Winter Wonderland and attract thousands of visitors to the city.

## Baverstock – Unauthorised Encampment

6.8 ORS Researchers visited this encampment in June 2018 and whilst they were unable to complete a full interview with the residents, they were able to ascertain the following:

- » The resident that was interviewed is on the encampment with her sons and daughters and their respective family members. In total 9 adults, 3 teenagers and 10 younger children. They travel for a combination of work and holidays, and the children attend local schools whenever possible.
- » They have lived on encampments in Birmingham for about 30 years. They do tarmac and brickwork for work. They are not planning to move out of Birmingham and have been at their current location for approximately 2 months.

- » They only move around as an extended family group. They do not want to live on a site with other families and they would like to purchase their own land to develop a private family site. They have looked for land, but nobody has been willing to sell to them.
- » They believe that they have a good relationship with the Council and always bag up refuse for collection etc.
- » They are against living on a transit site due to regular moving of households on and off such sites, and they do not want to live in a house as they do not want to deprive the children of their heritage. They did move on to the transit site in Sandwell once but left immediately when they found out the cost of staying there.
- » **In summary:** Need for land for a private family site with 6 pitches in Birmingham and room for expansion to meet future needs of their children; will not consider using transit sites or larger public sites.

## Bleak Hill Park – Unauthorised Encampment

<sup>6.9</sup> ORS Researchers visited this encampment in June 2018 and whilst they were unable to complete a full interview with the residents, they were able to ascertain the following:

- » The residents have a permanent base in Leicester and have been coming to Birmingham for about 25 years. At the time of the visit they were returning from the Appleby Horse Fair. They travel for work across the area.
- » They were aware that there is a short period allowed by the Council before being moved on and were planning to stay until they were asked to move on.
- » Previously they had set up encampments in Redditch and Solihull before being moved on.
- » They stated that nobody they knew of would pay the type of fees being asked for in Sandwell to stay on a transit site (understood to be £80 per week plus a deposit for each caravan) when it is free to set up an encampment. They did however say that they would be open to considering Negotiated Stopping.
- » They said that they can use local facilities to get a shower that there is usually a launderette in every town.
- » They said that the reasons that they travel are that it is their traditional way of life, but that a travelling life can be a hardship.
- » **In summary:** No need for any permanent pitches in Birmingham; residents would not use a transit site due to pitch fees; would consider a Negotiated Stopping Agreement.



## City Road/Myddleton Street – Unauthorised Encampment

<sup>6.10</sup> ORS Researchers visited this encampment at City Road in June 2018, and again at a different location at Myddleton Street in September 2018, and whilst they were unable to complete a full interview with the residents, they were able to ascertain the following:

- » The residents have been visiting Birmingham for around 10 years and tend to stay for around 6-9 months at a time and comprise a total of 5 households with 6 children under the age of 11.
- » They travel for work across the Midlands and they want to settle somewhere so the children can go to school. They did purchase land in Leicester but couldn't get planning permission.
- » They would consider living on a public site if it was just their family living there or would preferably want land to develop a private family site. They would require approximately 10 pitches.
- » They would consider living on transit sites providing the facilities were good enough.
- » **In summary:** *Potential* need for permanent 5 pitches in Birmingham, plus room to expand to meet the future needs of their children (approximately 10 pitches); would consider a small public site with no other families, or land to develop a private site; would use a transit site in the short term if the facilities were good enough.

## Myddleton Street – Unauthorised Encampment

<sup>6.11</sup> ORS Researchers visited this encampment in September 2018 and whilst they were unable to complete a full interview with the residents, they were able to ascertain the following:

- » This encampment was occupied by up to 4 families.
- » They have a permanent base in London and regularly visit Birmingham.
- » **In summary:** No need for permanent pitches in Birmingham; may use transit provision.

## New John Street West – Unauthorised Encampment

<sup>6.12</sup> ORS Researchers visited this encampment in September 2018 and whilst they were unable to complete a full interview with the residents, they were able to ascertain the following:

- » This encampment was occupied by 3 families.
- » They are from the London area and travel regularly around the Midlands and are not looking for a permanent site as they travel all year round.
- » They would stop on a transit site if the price and facilities were right. The site at Sandwell is too expensive and lacks all but the most basic facilities.

- » **In summary:** No need for permanent pitches in Birmingham; may use transit provision.

## Sandwell Recreation Ground – Unauthorised Encampment

<sup>6.13</sup> ORS Researchers visited this encampment in September 2018 and whilst they were unable to complete a full interview with the residents, they were able to ascertain the following:

- » The encampment was occupied by 4 families.
- » They are from the London area and travel regularly around the Midlands and are not looking for a permanent site as they travel all year round.
- » They have a permanent base in Dublin and visit Birmingham once a year for between 1-2 months.
- » They would stop on a transit site but have never stayed on one before so were unsure about how suitable it would be.
- » They would like a permanent site in Nuneaton as they have spent a lot of time there and things are becoming difficult for Travellers in Ireland.
- » **In summary:** No need for permanent pitches in Birmingham; may use transit provision.

## St Peters Park – Unauthorised Encampment

<sup>6.14</sup> ORS Researchers visited this encampment in June 2018 and whilst they were unable to complete a full interview with the residents, they were able to ascertain the following:

- » This was a larger encampment of Irish Travellers comprising approximately 20 caravans and 20 cars.
- » They had been there of approximately 3-4 weeks and were about to be moved on.
- » They have no fixed site and travel for work all year round.
- » They were just passing through Birmingham on a holiday and would have stopped at a transit site if there was one big enough to accommodate them all as they see transit sites as safer for their children. They would be willing to pay to stay on a transit site and think that more need to be provided as they reduce the hassle of stopping on the roadside.
- » They usually travel during the summer months staying on the roadside or anywhere else they can find. They would be happy to move to a more acceptable location if asked to do so by a Council.
- » They would like to settle more permanently and see Birmingham as a nice area to settle down. They would like a public site as they cannot afford to buy land to develop a private site.

- » **In summary:** *Potential* current need for 20 pitches on a public site but no apparent links to Birmingham as this is their first visit; potential future need for children but numbers undetermined; would use a transit site if one were available.

## Various Locations – Unauthorised Encampment

<sup>6.15</sup> ORS Researchers visited this encampment in August 2018 and whilst they were unable to complete a full interview with the residents, they were able to ascertain the following:

- » The 3 households stay on the roadside for up to a week and then must move on. They have been travelling around the areas for 20-30 years and the 2 sons travel for work. They consider themselves to be residents of Birmingham.
- » They would not use a transit site as they want to settle more permanently in Birmingham.
- » They think that the Council needs to build a new public site, take deposits from tenants and move people off if they cause any damage or trouble.
- » They would be happy to move to a public site in Birmingham with other families, but they would prefer just their family, and they would also like a disability adapted bungalow/caravan, as well as space for 2 caravans.
- » **In summary:** Need for 3 permanent pitches in Birmingham; would consider a public site but would prefer a private site; would not use a transit site.

## Interviews with Gypsies and Travellers in Bricks and Mortar

<sup>6.16</sup> Despite all the efforts that were made, it was not possible to interview any households living in bricks and mortar at the time of this report.

## 7. Current and Future Pitch Provision

### Introduction

- 7.1 This section focuses on the additional pitch and plot provision that is needed in the study area currently and to 2033 – with a break to 2031 in line with the Adopted Local Plan period. This includes both current unmet need and need which is likely to arise in the future<sup>10</sup>. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- 7.2 We would note that this section is based upon a combination of the on-site surveys, planning records and stakeholder interviews. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- 7.3 This section concentrates not only upon the total additional provision, which is required in the area, but also whether there is a need for any transit sites and/or emergency stopping place provision.
- 7.4 Due to the nature of the sites and encampments in Birmingham during the fieldwork period, the identification of need takes the form of a narrative assessment for each of the sites and encampments that was visited, by planning status.

### New Household Formation Rates

- 7.5 Nationally, a household formation and growth rate of 3.00% net per annum has been commonly assumed and widely used in local Gypsy and Traveller assessments<sup>11</sup>, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically. In this context, ORS has prepared a *Technical Note on Household Formation and Growth Rates (2015)*. The main conclusions are set out here and the full paper is in **Appendix F**.
- 7.6 Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only proper way to project future population and household growth is through demographic analysis.
- 7.7 The Technical Note concludes that in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic

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<sup>10</sup> See Paragraphs 3.32 and 3.33 for details of components on current and future need.

<sup>11</sup> Page 25, Gypsy and Traveller Accommodation Needs Assessments – Guidance (DCLG – 2007) *Now withdrawn*.

assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.

- 7.8 The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and Travellers (in addition research by ORS has identified a national growth rate of 1.00% for Travelling Showpeople) and this has also been adjusted locally based on site demographics.
- 7.9 This view has been supported by Planning Inspectors in a number of Decision Notices. The Inspector for an appeal in Doncaster that was issued in November 2016 (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate, the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.50% but that a 2.50% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.50% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.50% figure is justified in the case of Doncaster.*

- 7.10 Another more recent case was in relation to an appeal in Guildford that was issued in March 2018 (Ref: APP/W/16/3165526) where the agent acting on behalf of the appellant again claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*There is significant debate about household formation rates and the need to meet future growth in the district. The obvious point to make is that this issue is likely to be debated at the local-plan examination. In my opinion, projecting growth rates is not an exact science and the debate demonstrates some divergence of opinion between the experts. Different methodologies could be applied producing a wide range of data. However, on the available evidence it seems to me that the figures used in the GTAA are probably appropriate given that they are derived by using local demographic evidence. In my opinion, the use of a national growth rate and its adaptation to suit local or regional variation, or the use of local base data to refine the figure, is a reasonable approach.*

- 7.11 In addition, the Technical Note has recently been accepted as a robust academic evidence base and was published by the Social Research Association in its journal Social Research Practice in December 2017.
- 7.12 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys, and the 'baseline' includes all current authorised households, all households identified as in current need (including concealed households, movement from bricks and mortar and those on waiting lists not currently living on a pitch or plot), as well as households living on tolerated unauthorised pitches or plots who are

not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates, and in-/out-migration.

- 7.13 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence has been used to adjust the national growth rate of 1.50% up or down based on the proportion of those aged under 18 (by travelling status).
- 7.14 In certain circumstances where the numbers of households and children are low it may not be appropriate to apply a percentage rate for new household formation. In these cases, a judgement will be made on likely new household formation based on the age and gender of the children. This will be based on the assumption that 50% of likely households to form will stay in the area. This is based on evidence from other GTAA's that ORS have completed across England and Wales.
- 7.15 In the case of Birmingham, either the numbers of households and children are low, or information about the number of households is vague, so therefore a judgement has been made on levels of potential new household formation.

## Breakdown by 5 Year Bands

- 7.16 In addition to tables which set out the overall need for Gypsies and Travellers, the overall need has also been broken down by 5-year bands as required by PPTS (2015). The way that this is calculated is by including all current need (from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, 5 year need from older teenage children, and net movement from bricks and mortar) in the first 5 years. In addition, the total net new household formation is split across the 5-year bands based on the compound rate of growth that was applied rather than being spread evenly over time.

## Applying the Planning Definition

- 7.17 The outcomes from the household interviews were used to determine the status of each household against the planning definition in PPTS (2015). Only need from those households that meet the planning definition (in that ORS were able to determine that they travel for work purposes and stay away from their usual place of residence when doing so, or have ceased to travel temporarily due to education, ill health or old age) need to be formally considered in the GTAA. Households where an interview was not completed who may meet the planning definition have also been included as a potential additional component of need from undetermined households. Whilst they do not need to be formally considered in the GTAA, need from households that do not meet the planning definition has been assessed to provide the Council with information on levels of need that will have to be addressed through separate Local Plan Policies.
- 7.18 The information used to assess households against the planning definition included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future. The table below sets out the planning status of households living on sites, yards and encampments in Birmingham.

**Figure 6 – Planning status of households in Birmingham**

Status	Meet Planning Definition	Undetermined	Do Not Meet Planning Definition
<b>Gypsies and Travellers</b>			
Public sites	-	-	-
Private sites	0	0	1
Unauthorised sites <sup>12</sup>	3	0	0
Unauthorised encampments	46	0	0
Travelling Showpeople	8	0	0
<b>Sub-Total</b>	<b>57</b>	<b>0</b>	<b>1</b>

7.19 Figure 6 shows that for Gypsies and Travellers 49 households and for Travelling Showpeople 8 households met the planning definition of a Traveller in that ORS were able to determine that they travel for work purposes, or for seeking work, and stay away from their usual place of residence or have ceased to travel temporarily. A total of 1 Gypsy and Traveller household did not meet the planning definition as they were not able to demonstrate that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age.

## Interviews with Gypsies and Travellers in Bricks and Mortar

7.20 Despite the efforts that were made, at the time of reporting it had not been possible to complete any interviews with households living in bricks and mortar.

## Migration

7.21 The study has also sought to address in-migration (households requiring accommodation who move into the study area from outside) and out-migration (households moving away from the study area). Site surveys typically identify only small numbers of in-migrant and out-migrant households and the data is not normally robust enough to extrapolate long-term trends. At the national level, there is nil net migration of Gypsies and Travellers across the UK, but the assessment has taken into account local migration effects on the basis of the best evidence available.

7.22 Evidence drawn from stakeholder and household interviews – including those with households on unauthorised encampments - has been considered alongside assessments of need that have been completed in other nearby local authorities. Apart from households on unauthorised encampments, ORS have also found no evidence of any households wishing to move to Birmingham on a permanent basis. Therefore, apart from those households on encampments, net migration to the sum of zero has been assumed for the GTAA – which means that net pitch requirements are driven by locally identifiable need rather than speculative modelling assumptions. Should any households from outside of Birmingham wish to develop a new site the proposal will need to be considered by a criteria-based Local Plan Policy.

<sup>12</sup> Former public transit site now occupied on a permanent unauthorised basis.

## Pitch Needs – Gypsies and Travellers that meet the Planning Definition

- 7.23 The 49 households that met the planning definition were found on the unauthorised site at Tameside Drive, and on the 8 unauthorised encampments that were visited during the fieldwork period.
- 7.24 Analysis of the outcomes of the fieldwork indicate that not all these households have permanent accommodation needs in Birmingham and a summary of need by site/encampment is set out below:

### No Permanent Need

- 7.25 **Bleak Hill Park (encampment):** The households that were interviewed on the unauthorised encampment at Bleak Hill Park stated that they have a permanent base in Leicester and have been travelling to Birmingham for work purposes for the past 25 years. As such they should not be considered as being in need for permanent pitches in Birmingham and should be considered alongside wider transit need. Whilst they have stated that they would not stop on transit sites due to high pitch fees, they are mindful of the need to stop in appropriate locations and would consider Negotiated Stopping Agreements.
- 7.26 **Myddleton Street (encampment):** The households that were interviewed on the unauthorised encampment at Myddleton Street stated that they have a permanent base in London and regularly travel to Birmingham for work purposes. As such they should not be considered as being in need for permanent pitches in Birmingham and should be considered alongside wider transit need.
- 7.27 **New John Street West (encampment):** The households that were interviewed on the unauthorised encampment at New John Street West stated that they have a permanent base in London and regularly travel around the Midlands for work purposes and that they are not looking for a permanent base. They would consider using a transit site if the price and facilities were acceptable. As such they should not be considered as being in need for permanent pitches in Birmingham and should be considered alongside wider transit need.

### Permanent Need Not in Birmingham

- 7.28 **Sandwell Recreation Ground (encampment):** The households that were interviewed on the unauthorised encampment at Sandwell Recreation Ground stated that they have a permanent base in London and regularly travel around the Midlands for work purposes and that they are not looking for a permanent base as they travel all year round, they would consider a permanent site in Nuneaton as they have spent a lot of time there. They would consider using a transit site if the price and facilities were acceptable. As such they should not be considered as being in need for permanent pitches in Birmingham and should be considered alongside wider transit need.
- 7.29 **St Peters Park (encampment):** Whilst the (approximately 20) households that were interviewed on the unauthorised encampment at St Peters Park did suggest that they would like to settle on a more permanent basis, this was their first visit to Birmingham and they could not demonstrate any local links to the area. Therefore, they should not be considered as being in need for permanent pitches in Birmingham and should be considered alongside wider transit need as they did state that they would stop on a transit site if one were available.



## Potential Permanent Need in Birmingham

- 7.30 **City Road/Myddleton Street (encampment):** The 5 households that were interviewed on the unauthorised encampments at City Road and Myddleton Street have been visiting Birmingham for over 10 years and usually stay for between 6-9 months and would like to settle on a permanent basis. They also travel across the Midlands. Whilst some further work should be undertaken to determine their needs, initially they should be considered as being in need for permanent pitches in Birmingham. They have an initial need for 5 pitches, together with additional pitches in the future for younger children. They would consider a public site if there were no other residents, or more preferably assistance to find land to develop a private family site.
- 7.31 It is recommended that any need for permanent pitches for these households is tested by establishing a waiting list for a public site and monitoring whether these households, and other households living on encampments, request to join the waiting list. It is recommended that the initial monitoring period should be 12 months before further consideration is given to identifying need for additional permanent pitches.

## Permanent Need in Birmingham

- 7.32 **Tameside Drive:** Whilst it was not possible to complete a formal interview with the residents of the unauthorised site at Tameside Drive, it was possible to determine through information provided by the Council that there are 3 households living on the site who are in need of a smaller, more suitable permanent site in Birmingham.
- 7.33 **Baverstock (encampment):** The 6 households that were interviewed on the unauthorised encampment at Baverstock have been living on unauthorised encampments in Birmingham for the past 30 years, using them as a base for travelling for work and holidays. They have been continually looking for land to develop as a private family site but have been unsuccessful to date. Given the length of time they have been living in Birmingham they should be considered as being in need for permanent accommodation in Birmingham. The households have always lived as an extended family group and would like this to continue. There is current need for 6 pitches from existing households and single adults, and a future need for 3 teenagers who will be in need of a pitch of their own in the next 5 years, and a need for 4 additional pitches through new household formation towards the latter part of the GTAA period, based on the demographics of the households.
- 7.34 **Various Locations (encampment):** The 3 households that were interviewed on this unauthorised encampment consider themselves to be residents of Birmingham as they have been travelling around the area for 20-30 years, and they would like to settle on a permanent basis in Birmingham. Therefore, they should be considered as being in need for permanent pitches in Birmingham. They have a need for 3 pitches and would consider a public site. They also have a need for 1 of the pitches to have a disability adapted caravan or bungalow.
- 7.35 Therefore, the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for **19 additional pitches** over the GTAA period.

**Figure 7 – Additional need for Gypsy and Traveller households in Birmingham that meet the Planning Definition (2018-33)**

<b>Gypsies and Travellers - Meeting Planning Definition</b>	<b>Pitches</b>
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	3
Households on unauthorised encampments	9
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>12</b>
<b>Future Need</b>	
5 year need from teenage children	3
Households on sites with temporary planning permission	0
In-migration	0
New household formation	4
<i>(Formation based on household demographics)</i>	
<b>Total Future Needs</b>	<b>7</b>
<b>Net Pitch Need = (Current and Future Need – Total Supply)</b>	<b>19</b>

**Figure 8 – Additional need for Gypsy and Traveller households in Birmingham that meet the Planning Definition by 5-year periods**

<b>Years</b>	<b>0-5</b>	<b>6-10</b>	<b>11-13</b>	<b>13-15</b>	<b>Total</b>
	<b>2018-2023</b>	<b>2023-2028</b>	<b>2028-2031</b>	<b>2013-33</b>	
	15	1	1	2	19

## Pitch Needs – Undetermined Gypsies and Travellers

<sup>7.36</sup> It was possible to make contact with all residents of all permanent site and longer-term encampments in Birmingham during the fieldwork period so there are no undetermined households in Birmingham.

## Pitch Needs - Gypsies and Travellers that do not meet the Planning Definition

<sup>7.37</sup> It is not now a requirement for a GTAA to include an assessment of need for households that do not meet the planning definition. However, this assessment is included for illustrative purposes and to provide the Council with information on levels of need that will have to be addressed through separate Local Plan policies. On this basis, it is evident that whilst the needs of the 1 household that did not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs.

- 7.38 Overall there is a need for 1 additional pitch for the household that did not meet the planning definition. This is made up of 1 teenager who will be in need of a pitch of their own in the next 5 years. The site visit indicated that there is unlikely to be sufficient room to accommodate this pitch on the existing site. There was no other current or future need identified on this site.
- 7.39 A summary of this need for households that do not meet the planning definition can be found in **Appendix C**.

## Travelling Showmen's Needs

- 7.40 There is one large Showmen's yard in Birmingham and ORS Researchers spoke with a representative from the Yard in September 2018. The representative set out that the business run from the yard has expanded in recent years and now includes the Birmingham Winter Wonderland Big Wheel and Ice Rink, along with other new rides. Due to the short seasonal nature of Winter Wonderland they are now using 50% of the yard to store equipment associated with it between late January and November. This has reduced the seasonal transit space available on the yard from 25 to 5 families.
- 7.41 There are currently 8 households who consider the yard to be their permanent residence comprising 20 adults, 4 teenagers and 1 younger child. They all met the planning definition.
- 7.42 The residents feel that they would be able to meet their current and future accommodation needs on the yard, together with increasing the seasonal transit capacity for other Showmen households visiting Birmingham for a range of events throughout the year, if they could find secure off-site storage space for the equipment for Winter Wonderland.

## Transit Requirements and Unauthorised Encampments

- 7.43 The previous GTAA recommended that the Council should provide a public transit site with between 10-15 short-term pitches, based on the levels of recorded unauthorised encampments and caravans at the time of the assessment. The Council subsequently allocated 2 transit sites in its now adopted Local Plan – 5 pitches on a site on Aston Brook Street that was granted planning consent in August 2018 and 15 pitches on a site at Proctor Street/Rupert Street that was granted planning permission in September 2018.
- 7.44 Since the previous GTAA the Council have reported significant increases in both the numbers of encampments and the numbers of caravans and have asked ORS to seek to determine the possible reasons for these increases, along with whether current and proposed levels of transit provision will be sufficient to either meet the need of transient household, or to act as a robust means to move households on and away from Birmingham.
- 7.45 As such, when determining the potential need for transit provision the assessment has looked at the outcomes from interviews with households on encampments during the fieldwork period; data from the MHCLG Traveller Caravan Count; the outcomes of the Focus Group and stakeholder interviews; records on numbers of unauthorised encampments; and the potential wider issues related to changes made to PPTS in 2015.

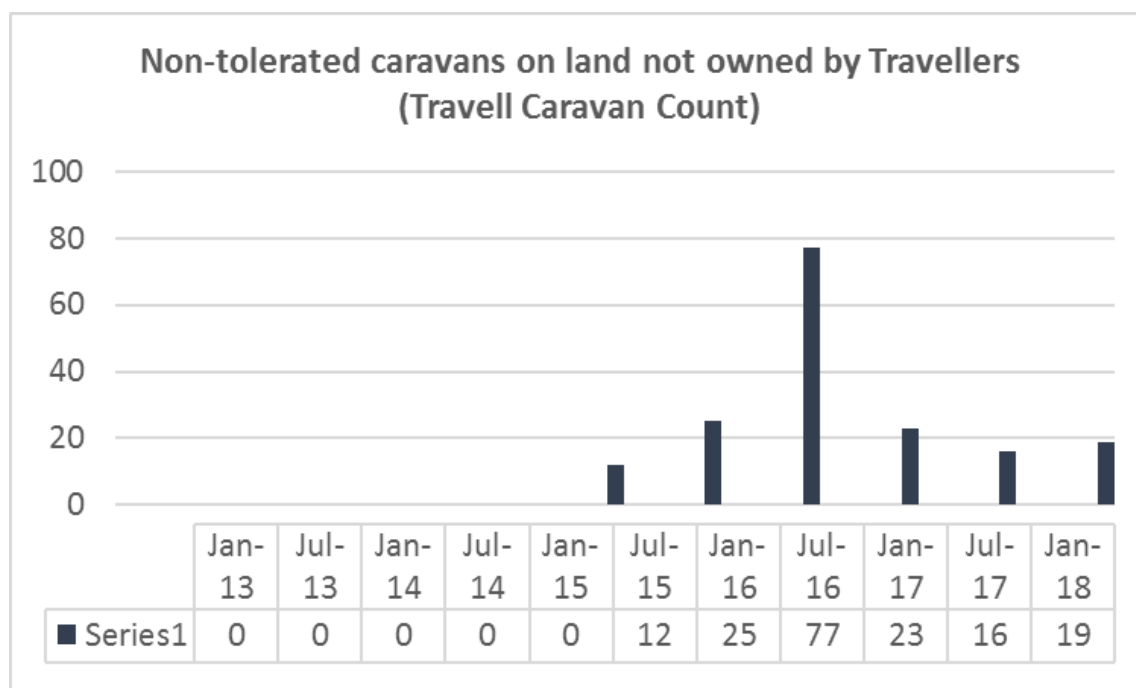
## Interviews with Residents of Encampments in Birmingham

- 7.46 During the GTAA fieldwork ORS were able to speak with residents on a total of 8 longer-term unauthorised encampments in Birmingham. As set out earlier in this Chapter need for permanent pitches was only identified from residents on 2 of these encampments who were able to demonstrate that they have been moving around Birmingham for 20-30 years and consider themselves to be residents of Birmingham.
- 7.47 Whilst residents on a further 3 encampments did suggest that they would like to settle permanently, this was on a wider geographic basis given that the households travel for work all over the wider-Midlands area and could not provide any clear links to Birmingham.
- 7.48 A further 3 households stated that they have a permanent site elsewhere in England and that they have no permanent need for pitches in Birmingham.
- 7.49 Therefore, the transit needs of the majority of these households need to be considered against the current and planned levels of transit provision that the Council are providing or considering in Birmingham.

## MHCLG Traveller Caravan Count

- 7.50 Whilst it is considered to be a comprehensive national dataset on numbers of authorised and unauthorised caravans across England, it is acknowledged that the Traveller Caravan Count is a count of caravans and not households. It also does not record the reasons for unauthorised caravans. This makes it very difficult to interpret in relation to assessing future need because it does not count pitches or resident households. The count is also only a twice yearly (January and July) 'snapshot in time' conducted by local authorities on a specific day, and any caravans on unauthorised sites or encampments which occur on other dates are not recorded. Likewise, any caravans that are away from sites on the day of the count are not included. As such it is not considered appropriate to use the outcomes from the Traveller Caravan Count in the assessment of future transit provision. It does however provide valuable historic and trend data on whether there are instances of unauthorised caravans in local authority areas.
- 7.51 Data from the Traveller Caravan Count shows that up until the time of the last GTAA in 2014, there had been no non-tolerated unauthorised caravans on land not owned by Travellers recorded in the study area in recent years. However, following the publication of the last GTAA the Caravan Count suggests that there have been significant increases in the numbers that have been recorded, albeit with a peak in the summer of 2016 and a decrease since that date. This is consistent with concerns raised by Council Officers and through the data obtained from the wider recording of unauthorised encampments and numbers of caravans.

Figure 9 – Traveller Caravan Count January 2013-January 2018



## Local Encampment Data

7.52 The Council provided ORS with records of unauthorised encampments in Birmingham since 2007. Initial analysis identified that comparable data on the total number of recorded encampments on public and private land by month, the total number of recorded caravans on public and private land by month and the average number of caravans per encampments on public and private land were available from 2008 to the current time. The charts below provide a summary of:

- » All encampments and caravans on public and private land by year 2008-09 to 2017-18.
- » Total encampments and caravans on public and private land by month 2008-2018.
- » Average number of caravans per encampment by year 2008-09 to 2017-18.
- » Average number of caravans per encampment by month 2008-2018.
- » Total number of encampments by number of caravans 2015-16 to 2018 to date.

7.53 A high-level analysis of the charts suggests the following broad trends in Birmingham:

- » That overall the number of encampments and caravans have increased significantly since 2008, with the greatest increases recorded between 2013 and 2018.
- » That overall the number of encampments and caravans increases between January and July and then drops down by December. This could suggest that the households on the encampments have a permanent base(s) where they return to during the winter months
- » That the average number of caravans per encampment has increased between 2008 and 2016 and has then decreased slightly between 2016 and 2018.

- » That the average number of caravans per encampment by month is higher between March and October, with a peak of 12-13 caravans per encampment between April and July.
- » That the majority of encampments (78% or 336 encampments) were made up of 20 or less caravans and that only 6% (or 26 encampments) were made up of more than 30 caravans.

Figure 10 – All recorded encampments and caravans in Birmingham (2008-2018)

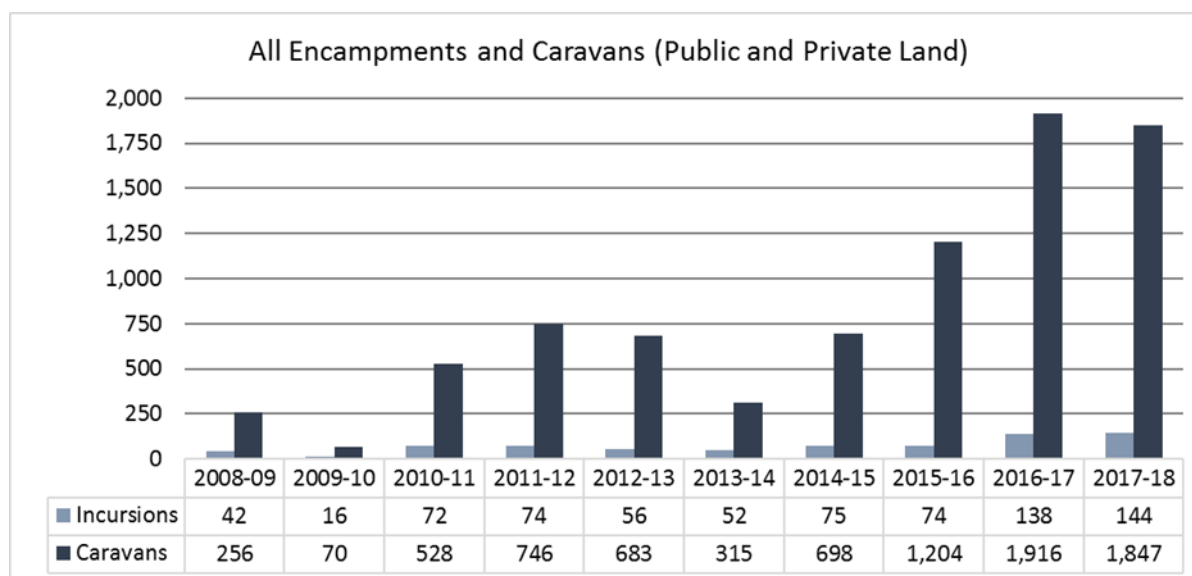


Figure 11 – Total recorded encampments and caravans in Birmingham by month (2008-2018)

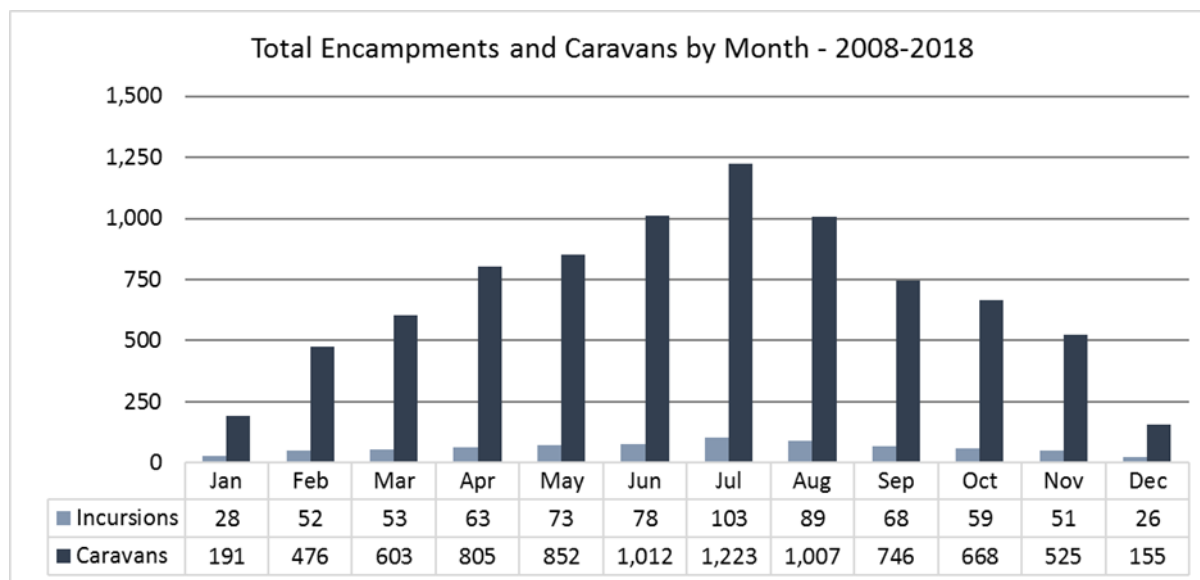


Figure 12 – Average number of caravans per encampment in Birmingham by year (2008-2018)

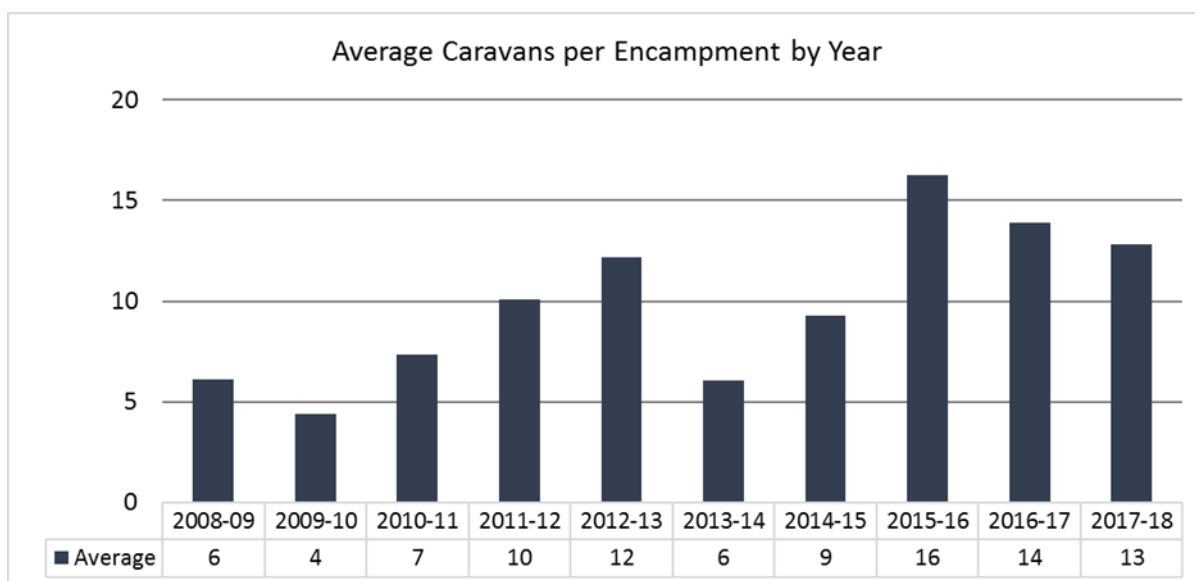
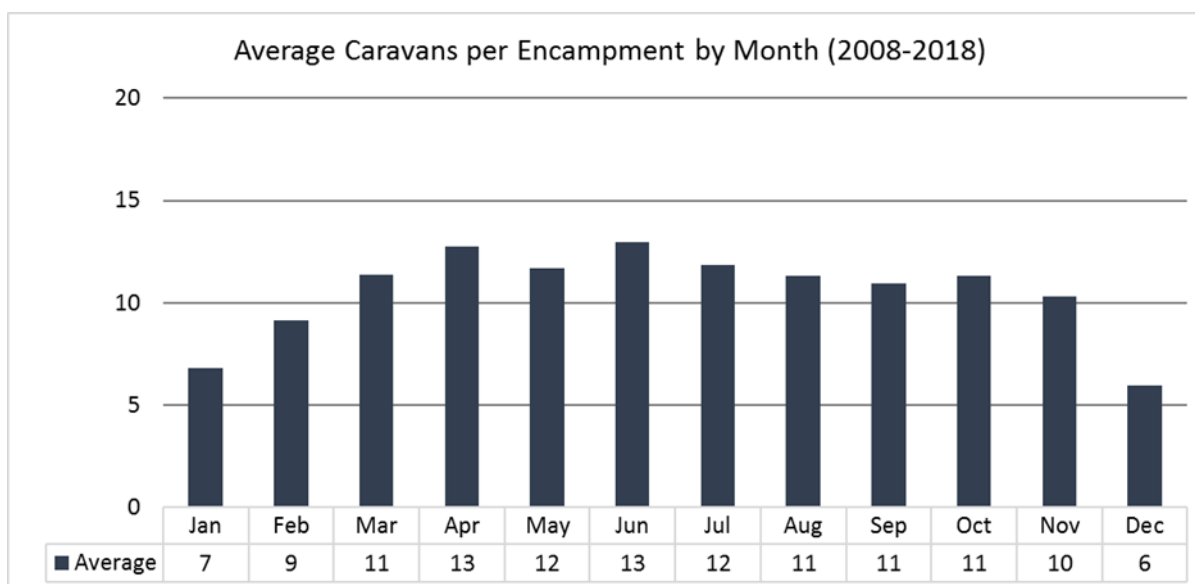
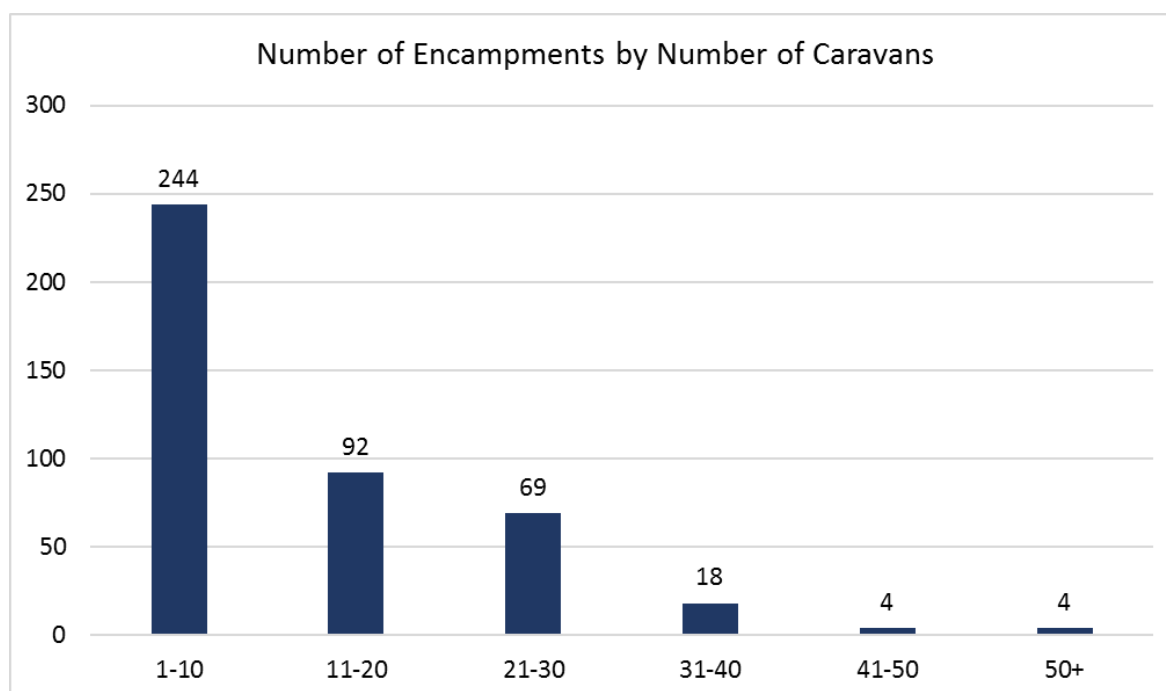


Figure 13 – Average number of caravans per encampment in Birmingham by month (2008-2018)



**Figure 14 – Number of encampments by number of caravans (2015-16 to 2018 to date)**

## Stakeholder Interviews

<sup>7.54</sup> As set out in Chapter 5 of this report the Focus Group that was held with Officers from the Council and a representative from the Police identified the following issues in relation to unauthorised encampments in Birmingham.

## Short-term Roadside Encampments and Transit Provision

- » This year, as in recent years, the number of unauthorised encampments has been high. Included in the figures are two family groups who travel continually around Birmingham and are keen to have a permanent site in the area.
- » Stakeholders agreed that it is likely that the main reason for encampments setting up in Birmingham is for work purposes.
- » Another key issue is that groups setting up encampments are now often considerably larger and involve more caravans and other vehicles than they used to.
- » Some neighbouring authorities have been taking action to reduce the numbers of encampments in their areas. Sandwell have developed a transit site to allow the Police to move on households on encampments if they refuse to move there. Sandwell and Walsall have also been successful in obtaining an injunction preventing encampments from setting up in all the parks in their areas. This has reduced the opportunities to camp in these areas and Officers felt that this has contributed towards the higher numbers setting up in Birmingham.
- » Based on local experience many of the encampments cause a number of issues including anti-social behaviour; associated fly-tipping; criminal damage caused by entering a site; and clean-up costs when encampments are moved on.



- » The transit site at Tameside Drive is occupied by a small number of households on a permanent basis and is not available for transit use. The residents have stated that they would consider moving to a smaller site and this would allow the use as a transit site with 15-18 pitches to resume.
- » The Council granted planning permission for 4 transit pitches on a small site in August 2018 and are for a further for 15 transit pitches on the site of a former Council carpark in September 2018.
- » As such in summary there could be as many as 37 transit pitches available in Birmingham in the near future.

## Managing Unauthorised Encampments

- » Birmingham City Council and West Midlands Police have a Joint Protocol for Managing Unauthorised Encampments. Where circumstances do not warrant the making of a request to West Midlands Police, or the Police deem circumstances are such that currently there is no justification for the use of Police powers (Section 62A), the Council Enforcement Team serve a 'Notice to Vacate Land (2 day)' or a 'Notice to Vacate Land (7 day)'.<sup>13</sup>
- » There is also an Injunction in place which prevents one named travelling family from entering the area and setting up an encampment.

## The Strategy for Managing Unauthorised Encampments

- » The overall strategy for Birmingham is to provide sufficient spaces on transit sites to either accommodate households on unauthorised encampments or to allow the Police to use Section 62A powers to move households on and away from Birmingham. Consideration is also being given for the introduction of Injunctions throughout to prevent Travellers camping on specific areas including parks and other Council owned land.
- » However, there is a limited amount of available land in the area to develop any further transit sites as much has been sold for residential and commercial development and works associated with the HS2 development. It is felt that in the majority of cases where there is available land, any sort of transit provision (however temporary) would be unacceptable to the settled community. It is felt that this could also impede any attempts to adopt Negotiated Stopping as a more management-based approach to dealing with unauthorised encampments. However, consideration is being given to identify some areas of land that could possibly provide an overspill site during busy periods and where the volume of caravans exceeds the number of transit pitches available.
- » The Council is committed to providing additional transit pitches through the following:
  - Reclaiming pitches on the Tameside Drive site.
  - Providing 4 pitches on Aston Brook Street East.

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<sup>13</sup>[https://www.birmingham.gov.uk/downloads/file/5735/joint\\_protocol\\_for\\_managing\\_unauthorised\\_encampments](https://www.birmingham.gov.uk/downloads/file/5735/joint_protocol_for_managing_unauthorised_encampments)

- Providing 15 pitches on the carpark on Proctor Street/Rupert Street.
- » The City are considering replicating the ‘Sandwell Transit Model’ and have visited the site and had discussions with those involved in providing this site. Sandwell Council currently manages a newly developed transit site. Pitches can be used for a maximum of 28 days and the rates for each pitch are a refundable deposit of £250 per caravan and a weekly rent of £80 per caravan.
- » Transit site facilities in Sandwell include the following:
  - A combination lock.
  - Toilet facilities.
  - Pitches each allowing for one caravan and one vehicle.
  - Monitored CCTV.
  - General rubbish collection (residents must use the bins provided).
- » Experience in Sandwell suggests that they had 49 Unauthorised Encampments who had been in the area for half the year, and on providing the transit site this was reduced to 7 and the associated problems were significantly reduced. However, it is also understood that few, if any, of these households have actually made use of the transit site and that the vast majority had simply left Sandwell and set up encampments in other local authorities – including Birmingham.
- » The West Midlands Police and Crime Commissioner has agreed that if Birmingham were to provide sufficient transit provision, they would be willing to use Section 62 powers to move households on from unauthorised encampments.
- » Stakeholders at the Focus Group were concerned whether the number of transit pitches that the Council are seeking to provide in the short to medium-term, which are proposed to be used for a maximum of 28 days, will be enough provision considering:
- » The needs of those families that are currently in transit that have been living and moving within the City for up to 12 months of the year and have been doing so for a considerable length of time.
- » The trends that are being experienced towards increasing numbers of caravans per encampment.

## Views of Neighbouring Authorities

<sup>7.55</sup> ORS interviewed a representative from the following neighbouring local authorities: Bromsgrove District Council and Redditch Borough Council, Dudley, Lichfield, Sandwell, Solihull, Walsall and Wolverhampton.

## Unauthorised Encampments in Neighbouring Areas

- » With the exception of Sandwell since the opening of the transit site, there has been an increase in the numbers of encampments in these neighbouring areas, and most said that they have experienced a steady rise over the last five years. Numbers appear to have been particularly high in 2016 and 2017.

- » When asked about trends Officers said the following:
  - They tend to be Irish Travellers.
  - They have seen larger groupings with a higher number of caravans.
  - The levels of toleration have come down as the numbers of encampments has risen and as a result Travellers are now being moved on quicker than they once were.
- » Officers provided a number of reasons why they feel encampments have increased, but pointed out that these are assumptions, and not based on any firm evidence:
  - The Midlands area has always attracted Travellers.
  - There are good road networks across the area.
  - There are a lot of work and employment opportunities in the area.
  - Changes to the planning definition means that more households are travelling to demonstrate that they meet the definition.
  - Changes to legislation in Ireland.
  - A feud in Ireland concerning land meaning some Travellers cannot return and have to remain in England and Wales throughout the year.
  - Fewer brown field sites are now available so Travellers are now forced to use more sensitive areas where they would not previously have moved on to (parks, schools etc.) and therefore needing to be moved on more quickly.
  - A new transit site and Injunctions in neighbouring areas - Sandwell provided a new transit site in 2017 and there was a difference of opinion about the extent to which this has pushed Travellers into other areas.

## Transit Provision in Neighbouring Authorities

- » Many of the neighbouring areas have either provided a transit site, or are hoping to soon:
  - Sandwell provided a new transit site in 2017 and this has only been used twice since it opened.
  - Wolverhampton are looking into providing a new transit site.
  - Dudley has planning permission for a new transit site for 40 caravans.
  - Lichfield's GTAA identified a need for five transit pitches.
  - There are no plans to provide a transit site in Bromsgrove, Redditch and Solihull, but the latter is monitoring the situation in neighbouring areas.
  - Up until six months ago Walsall was actively looking for a site, but since a change in political leadership it is uncertain whether these plans will be progressed.

## Potential Implications of PPTS (2015)

<sup>7.56</sup> It has been suggested that there will need to be an increase in transit provision across the country as a result of changes to PPTS leading to more households travelling. This may well be the case, but it will take some time for any changes to become evident. As such the use of historic evidence

to make an assessment of future transit need is not recommended at this time. Any recommendation for future transit provision will need to make use of a robust post-PPTS (2015) evidence base and there has not been sufficient time yet for this to happen at this point in time.

## Transit Conclusions

<sup>7.57</sup> Following the analysis of the outcomes of the interviews with residents on encampments; analysis of Council records on unauthorised encampments; the outcomes of the Focus Group; and the outcomes of interviews with neighbouring authorities; the following conclusions have been identified:

- » The overall number of encampments and number of caravans has increased significantly since 2008, with the greatest increases recorded between 2013 and 2018.
- » Between 2016 and 2018 there were over 350 recorded encampments comprising almost 5,000 caravans and the average number of caravans per encampment peaks at between 12-13 during the summer months, but in many individual cases has been significantly higher.
- » The number of encampments and caravans peak during the summer months and drops down during winter months which suggests that many households have a permanent base they return to during winter months.
- » The majority (78%) of encampments since 2015 have been made up of 20 or less caravans, with almost two fifths (57%) made up of 10 or less caravans.
- » Overall numbers of recorded encampments are believed to be skewed by a number of extended family groups who continually move around Birmingham and are believed to be looking for permanent pitches either in Birmingham or in other parts of the country. Some of these are included in the GTAA as permanent components of need, and some are flagged up for future consideration by the Council.
- » Increasing encampment numbers may be increasing as a result of actions and Injunctions taken out taken by neighbouring authorities to move households on.
- » It is understood that residents at Tameside Drive would consider moving to a smaller site or restricting their occupation to a small proportion of the current site, thus freeing up some or all of the site to be used as a site for transit pitches.
- » A small new transit site with 4 pitches was granted planning permission in August 2018 and a larger new transit site with 15 pitches was granted planning permission in September 2018.
- » Given the high numbers of caravans recorded on more recent encampments, there are concerns that the Council's current transit provision of 4 pitches at Aston Brook Street and 15 pitches at Proctor Street/Rupert Street, and potential transit provision of 15-18 pitches at Tameside Drive, will not be adequate to deal with some of the larger encampments experienced in Birmingham. However, the presence of transit pitches will provide an opportunity for the Police to use their S62A powers to move on households from encampments if they choose not to move to one of the transit sites.

- » Many of the households spoken to on encampments said that they would not pay to stay on a transit site when they can stop for free at the roadside. This is reflected by the situation in Sandwell where the new transit site has drastically reduced the number of encampments, whilst the site has rarely been occupied by any Travellers.
- » Many neighbouring local authorities either have new transit sites or are considering developing them.
- » The introduction of Negotiated Stopping Agreements would be welcomed by some households on encampments as an alternative to a transit site.

## Transit Recommendations

- 7.58 There is a small public transit site with 4 pitches in Birmingham that was granted planning permission in August 2018 and a larger transit site with 15 pitches that was granted planning permission in September 2018. In addition, the Council are looking at options to bring back into operational use between 15-18 public transit pitches on the former transit site at Tameside Drive. A total of up to 37 transit pitches which more than exceeds the recommendations made by the previous GTAA for between 10-15 transit pitches.
- 7.59 It is considered that once delivered, these levels of transit provision should be sufficient to either deal with smaller groups of Travellers stopping off in Birmingham or as a means of requiring household to leave Birmingham. It is therefore recommended that priority is given to develop these sites and that the use of the sites either to provide short-term accommodation for transient households visiting Birmingham or used by the Police to move on households from Birmingham, is closely monitored for an initial period of 24 months. This will enable the Council to determine whether the potential available levels of transit provision are sufficient to deal with households on unauthorised encampments.
- 7.60 It is not felt that these smaller sites will be suitable to deal with the small numbers of larger encampments that have been recorded in Birmingham in more recent years. As such it is recommended that the Council consider establishing a larger overspill transit site(s) that can be used either to relocate households on larger encampments, or as a means of requiring these households to leave Birmingham. This is an approach similar to that in Sandwell and Officers at the Focus Group suggested that the Council are keen to consider the Sandwell approach.
- 7.61 In addition, the Council should also consider the use of High Court Injunctions to prevent groups of Travellers from moving onto specific areas of public land known to be popular for encampments in Birmingham. Consideration should also be given to putting in place Injunctions preventing specific named individuals from setting up encampments in Birmingham where they have found to have caused problems in the past as a result of fly-tipping or other anti-social behaviour.
- 7.62 Given that a number of households that were interviewed on encampments stated that they would not move to a transit site due to the associated costs and lack of proper facilities, the Council should also consider other management-based approaches such as short-term toleration or Negotiated Stopping Agreements.
- 7.63 Overall, the situation relating to levels of unauthorised encampments should continue to be carefully monitored whilst these changes are implemented and annual monitoring and recording

of encampments should continue. Whilst the current monitoring does record the broad location of each encampment, it is recommended that additional information such as a nearby postcode or grid reference/northing-easting is also recorded to allow for the movement of encampments to be spatially monitored using GIS software.

- 7.64 Whilst it is understood that improving the current situation regarding increasing numbers of encampments and caravans is of critical importance to the Council, it needs to be understood that the implementation of a wider package of measures to deal with the encampments may take some time to put in place.
- 7.65 It is also recommended that the Council establish a waiting list for households both on encampments and living in bricks and mortar to establish levels of potential interest for a new public site(s) in Birmingham.
- 7.66 In addition, it is recommended that the Council explore opportunities for land to set up seasonal temporary stopping places that can be made available at times of increased demand during the peak summer months or due to fairs or other cultural celebrations that are attended by Gypsies and Travellers.

## 8. Conclusions

- 8.1 This study provides a robust evidence base to enable the Council to assess the housing needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, Planning Practice Guidance (PPG) 2014, Planning Policy for Traveller Sites (PPTS) 2015, the Housing and Planning Act 2016, and the revised National Planning Policy Framework (NPPF) 2019. It also provides an evidence base which can be used to support Local Plan Policies and Development Management.

### Gypsies and Travellers

- 8.2 In summary there is a need for:
- » 19 additional pitches in Birmingham over the GTAA period to 2033 for Gypsy and Traveller households that met the planning definition;
  - » No additional pitches for undetermined Gypsy and Traveller households that may meet the planning definition; and
  - » 1 additional pitch for Gypsy and Traveller households who did not meet the planning definition.
- 8.3 It is recommended that need for households that met the planning definition is addressed through new pitch allocations, or through the intensification or expansion of existing sites. Given that the majority of the need arises from households currently living on unauthorised encampments the Council will need to consider a combination of providing a new public site(s) and also working with Travellers to identify land to develop private sites.
- 8.4 It is also recommended that the Council establish a waiting list for households both on encampments and living in bricks and mortar to establish levels of potential interest for a new public site(s) in Birmingham. Levels of interest on the waiting list should be reviewed in 12 months to establish if there is a need for additional public pitches.
- 8.5 As far as the size and type of new sites is concerned, advice was published by the Government in 2008. *Designing Gypsy and Traveller sites: good practice guide* was intended to provide potential developers and existing site owners with an understanding of the design features needed to help ensure a site is successful, easy to manage and maintain, including site location, layout, size and the services and facilities needed to make it operate effectively. Whilst this was withdrawn in September 2015, it still provides valid advice. In summary it suggests that sites should ideally consist of up to 15 pitches in capacity unless there is clear evidence to suggest that a larger site is preferred by the local Gypsy or Traveller community.
- 8.6 Whilst not directly applicable in England, more recent guidance has been published by Welsh Government<sup>14</sup>. This states that the recommended number of pitches and layout of residential Local Authority Gypsy and Traveller sites should be closely linked; that smaller sites can be easier to manage and are more likely to attract compatible family units; and that new sites should comprise 20 pitches or less, other than in exceptional circumstances and where consultation and engagement have taken place with all stakeholders.

<sup>14</sup> Designing Gypsy and Traveller Sites – Welsh Government Guidance (2015).

- 8.7 As far as the management of new sites is concerned guidance<sup>15</sup> was published by the Government in 2009. This good practice guidance is intended to help new and existing managers maintain well-run and sustainable sites which provide a safe environment for residents and their families. The Guidance also aims to clarify the respective roles and responsibilities of management and residents alike, dealing with permanent and transit site accommodation and offers advice on everyday issues. It will also help to ensure sites work well and fulfil their part in promoting good relations with the wider community in the area.
- 8.8 Whilst there were no undetermined households in Birmingham, the Council will need to carefully consider how to address the needs associated with any applications for sites from households not currently living in the area who may seek to settle in Birmingham. In terms of Local Plan Policies, the Council should consider the use of a criteria-based policy (as suggested in PPTS).
- 8.9 In general terms, the need for those households who do not meet the planning definition will need to be addressed as part of general housing need and through separate Local Plan Policies (including any plans that have already been adopted, as all Travellers will have been included as part of the overall Objectively Assessed Need - OAN).
- 8.10 This approach is specifically referenced in the revised National Planning Policy Framework (February 2019). Paragraph 60 of the NPPF sets out that in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment conducted using the standard method in national planning guidance. Paragraph 61 then states that [emphasis added] *‘Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, **travellers**, people who rent their homes and people wishing to commission or build their own homes’*. The footnote to this section states that *‘Planning Policy for Traveller Sites sets out how travellers’ housing needs should be assessed for those covered by the definition in Annex 1 of that document.’*
- 8.11 It is recognised that the Council already have in place an adopted Local Plan that sets out overall housing need. When this plan is reviewed, or new plans prepared, the findings of this report should be considered as part of future housing mix and type within the context of the assessment of overall housing need in relation to those households that do not meet the planning definition of a Traveller.

## Travelling Showpeople

- 8.12 There was one established Travelling Showpeople yard identified in Birmingham. The residents feel that they would be able to meet their current and future accommodation needs on the yard, together with increasing the seasonal transit capacity for other Showmen households visiting Birmingham for a range of events throughout the year, if they could find secure off-site storage space for the equipment for Winter Wonderland.

## Transit Provision

- 8.13 There is a small public transit site with 4 pitches in Birmingham that was granted planning permission in August 2018 and a larger public transit site with 15 pitches that was granted

<sup>15</sup> Gypsy and traveller site management - good practice guide DCLG (2009).



planning permission in September 2018. In addition, the Council have indicated that they are seeking to bring some or all of the pitches at Tameside Drive back into use as transit pitches. A total of up to 37 transit pitches which more than exceeds the recommendations made by the previous GTAA for between 10-15 transit pitches.

- 8.14 It is considered that once delivered, these levels of transit provision should be sufficient to either deal with smaller groups of Travellers stopping off in Birmingham or as a means of requiring household to leave Birmingham. It is therefore recommended that priority is given to develop these sites and that the use of the sites either to provide short-term accommodation for transient households visiting Birmingham or used by the Police to move on households from Birmingham, is closely monitored for an initial period of 24 months. This will enable the Council to determine whether the potential available levels of transit provision are sufficient to deal with households on unauthorised encampments.
- 8.15 It is not felt that these smaller sites will be suitable to deal with the small numbers of larger encampments that have been recorded in Birmingham in more recent years. As such it is recommended that the Council consider establishing a larger overspill transit site(s) that can be used either to relocate households on larger encampments, or as a means of requiring these households to leave Birmingham.
- 8.16 In addition, the Council should also consider the use of High Court Injunctions to prevent groups of Travellers from moving onto specific areas of public land or to prevent specific named individuals from setting up encampments in Birmingham.
- 8.17 Overall, the situation relating to levels of unauthorised encampments should continue to be carefully monitored whilst these changes are implemented and annual monitoring and recording of encampments should continue.
- 8.18 Whilst it is understood that improving the current situation regarding increasing numbers of encampments and caravans is of critical importance to the Council, it needs to be understood that the implementation of a wider package of measures to deal with the encampments may take some time to put in place.

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# Appendix A: Glossary of Terms / Acronyms used

<b>Amenity block/shed</b>	A building where basic plumbing amenities (bath/shower, WC, sink) are provided.
<b>Bricks and mortar</b>	Mainstream housing.
<b>Caravan</b>	Mobile living vehicle used by Gypsies and Travellers. Also referred to as trailers.
<b>Chalet</b>	A single storey residential unit which can be dismantled. Sometimes referred to as mobile homes.
<b>Concealed household</b>	Households, living within other households, who are unable to set up separate family units.
<b>Doubling-Up</b>	Where there are more than the permitted number of caravans on a pitch or plot.
<b>Emergency Stopping Place</b>	A temporary site with limited facilities to be occupied by Gypsies and Travellers while they travel.
<b>Green Belt</b>	A land use designation used to check the unrestricted sprawl of large built-up areas; prevent neighbouring towns from merging into one another; assist in safeguarding the countryside from encroachment; preserve the setting and special character of historic towns; and assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
<b>Household formation</b>	The process where individuals form separate households. This is normally through adult children setting up their own household.
<b>In-migration</b>	Movement of households into a region or community
<b>Local Plans</b>	Local Authority spatial planning documents that can include specific policies and/or site allocations for Gypsies, Travellers and Travelling Showpeople.
<b>Negotiated Stopping</b>	An agreed short-term provision for Gypsy and Traveller caravans which allows 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.
<b>Out-migration</b>	Movement from one region or community in order to settle in another.
<b>Personal planning permission</b>	A private site where the planning permission specifies who can occupy the site and doesn't allow transfer of ownership.
<b>Pitch/plot</b>	Area of land on a site/development generally home to one household. Can be varying sizes and have

	varying caravan numbers. Pitches refer to Gypsy and Traveller sites and Plots to Travelling Showpeople yards.
<b>Private site</b>	An authorised site owned privately. Can be owner-occupied, rented or a mixture of owner-occupied and rented pitches.
<b>Site</b>	An area of land on which Gypsies, Travellers and Travelling Showpeople are accommodated in caravans/chalets/vehicles. Can contain one or multiple pitches/plots.
<b>Social/Public/Council Site</b>	An authorised site owned by either the local authority or a Registered Housing Provider.
<b>Temporary planning permission</b>	A private site with planning permission for a fixed period of time.
<b>Temporary Stopping Place</b>	An alternative to a transit site is a Temporary (or 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 toilet disposal provided.
<b>Tolerated site/yard</b>	Long-term tolerated sites or yards where enforcement action is not expedient, and a certificate of lawful use would be granted if sought.
<b>Transit provision</b>	Site intended for short stays and containing a range of facilities. There is normally a limit on the length of time residents can stay.
<b>Unauthorised Development</b>	Caravans on land owned by Gypsies and Travellers and without planning permission.
<b>Unauthorised Encampment</b>	Caravans on land not owned by Gypsies and Travellers and without planning permission.
<b>Waiting list</b>	Record held by the local authority or site managers of applications to live on a site.
<b>Yard</b>	A name often used by Travelling Showpeople to refer to a site.

<b>GTAA</b>	Gypsy and Traveller Accommodation Assessment
<b>GTANA</b>	Gypsy and Traveller Accommodation Needs Assessment
<b>HEDNA</b>	Housing and Economic Development Needs Assessment
<b>LPA</b>	Local Planning Authority
<b>MHCLG</b>	Department of Communities and Local Government
<b>ORS</b>	Opinion Research Services
<b>PPTS</b>	Planning Policy for Traveller Sites (PPTS) in August 2015
<b>SHMA</b>	Strategic Housing Market Assessment.
<b>TSP</b>	Travelling Showpeople

## Appendix B: Undetermined Households

Figure 15 - Additional need for undetermined Gypsy and Traveller households in Birmingham (2018-33)

Gypsies and Travellers - Undetermined	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration	0
New household formation	0
<i>(No undetermined households)</i>	
<b>Total Future Needs</b>	<b>0</b>
<b>Net Pitch Need = (Current and Future Need – Total Supply)</b>	<b>0</b>

Figure 16 – Additional need for undetermined Gypsy and Traveller households in Birmingham by time periods

Years	0-5	6-10	11-13	14-15	Total
	2018-23	2023-28	2028-31	2031-33	
	0	0	0	0	<b>0</b>

**Figure 17 - Additional need for undetermined Travelling Showpeople households in Birmingham (2018-33)**

<b>Travelling Showpeople - Undetermined</b>	<b>Plots</b>
<b>Supply of Plots</b>	
Additional supply from vacant public and private plots	0
Additional supply from pitches on new yards	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public yards	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on yards with temporary planning permission	0
In-migration	0
New household formation	0
<i>(No Undetermined Travelling Showpeople)</i>	
<b>Total Future Needs</b>	<b>0</b>
<b>Net Plot Need = (Current and Future Need – Total Supply)</b>	<b>0</b>

**Figure 18 – Additional need for undetermined Travelling Showpeople households in Birmingham by time periods**

<b>Years</b>	<b>0-5</b>	<b>6-10</b>	<b>11-13</b>	<b>14-15</b>	<b>Total</b>
	<b>2018-23</b>	<b>2023-28</b>	<b>2028-31</b>	<b>2031-33</b>	
	0	0	0	0	<b>0</b>

## Appendix C: Households that do not meet the Planning Definition

Figure 19 - Additional need for Gypsy and Traveller households in Birmingham that do not meet the Planning Definition (2018-33)

Gypsies and Travellers - Not Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Additional supply from vacant public and private pitches	0
Additional supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	1
Households on sites with temporary planning permission	0
In-migration	0
New household formation	0
<i>(Formation from household demographics)</i>	
<b>Total Future Needs</b>	<b>1</b>
<b>Net Pitch Need = (Current and Future Need – Total Supply)</b>	<b>1</b>

Figure 20 – Additional need for Gypsy and Traveller households in Birmingham that do not meet the Planning Definition by time periods

Years	0-5	6-10	11-13	14-15	Total
	2028-23	2023-28	2028-31	2032-33	
	1	0	0	0	1

**Figure 21 - Additional need for Travelling Showpeople households in Birmingham that do not meet the planning definition (2018-33)**

<b>Travelling Showpeople - Not Meeting Planning Definition</b>	<b>Plots</b>
<b>Supply of Plots</b>	
Additional supply from vacant public and private plots	0
Additional supply from pitches on new yards	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public yards	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on yards with temporary planning permission	0
In-migration	0
New household formation	0
<i>(No Travelling Showpeople who do not meet the Planning Definition)</i>	
<b>Total Future Needs</b>	<b>0</b>
<b>Net Plot Need = (Current and Future Need – Total Supply)</b>	<b>0</b>

**Figure 22 – Additional need for Travelling Showpeople households in Birmingham that do not meet the Planning Definition by time periods**

<b>Years</b>	<b>0-5</b>	<b>6-10</b>	<b>11-13</b>	<b>14-15</b>	<b>Total</b>
	<b>2018-23</b>	<b>2023-28</b>	<b>2028-31</b>	<b>2032-33</b>	
	0	0	0	0	<b>0</b>



## Appendix D: Site and Yard Lists (September 2018)

Site/Yard	Authorised Pitches or Plots	Unauthorised Pitches or Plots
<b>Public Sites</b>		
None	-	-
<b>Private Sites with Permanent Permission</b>		
Hubert Street	1	-
<b>Private Sites with Temporary Permission</b>		
None	-	-
<b>Tolerated Sites – Long-term without Planning Permission</b>		
None	-	-
<b>Unauthorised Sites</b>		
Tameside Drive <sup>16</sup>	-	18
<b>Unauthorised Encampments</b>		
Baverstock	-	6
Bleak Hill Park	-	1
City Road/Myddleton Street	-	5
Myddleton Street	-	4
New John Street West	-	3
Sandwell Recreation Ground	-	4
St Peters Park	-	20
Various		3
<b>TOTAL PITCHES</b>	<b>1</b>	<b>64</b>
<b>Travelling Showpeople Yards</b>		
Shipway Road (permanent)	8	-
Shipway Road (transit)	25	-
<b>TOTAL PLOTS</b>	<b>33</b>	<b>0</b>
<b>Public Transit Sites</b>		
Aston Brook Street	4	-
Proctor Street/Rupert Street	15	-
<b>TOTAL TRANSIT PITCHES</b>	<b>19</b>	<b>0</b>

<sup>16</sup> Former public transit site now occupied on a permanent basis

# Appendix E: Household Interview Questions

**NOT FOR CIRCULATION****GTAA Questionnaire 2017**

**INTERVIEWER:** Good Morning/afternoon/evening. My name is < > from Opinion Research Services, working on behalf of XXXX Council.

The Council are undertaking a study of Gypsy, Traveller and Travelling Showpeople accommodation needs assessment in this area. This is needed to make sure that accommodation needs are properly assessed and to get a better understanding of the needs of the Travelling Community.

The Council need to try and speak with every Gypsy, Traveller and Travelling Showpeople household in the area to make sure that the assessment of need is accurate.

Your household will not be identified and all the information collected will be anonymous and will only be used to help understand the needs of Gypsy, Traveller and Travelling Showpeople households.

ORS is registered under the Data Protection Act 1998. Your responses will be stored and processed electronically and securely. This paper form will be securely destroyed after processing. Your household will not be identified to the council and only anonymous data and results will be submitted, though verbatim comments may be reported in full, and the data from this survey will only be used to help understand the needs of Gypsy, Traveller and Travelling Showpeople households

### A General Information

**A1 Name of planning authority:**

*INTERVIEWER please write in*

**A2 Date/time of site visit(s):**

*INTERVIEWER please write in*

DD/MM/YY

TIME

**A3 Name of interviewer:**

*INTERVIEWER please write in*

**A4 Address and pitch number:**

*INTERVIEWER please write in*

**A5 Type of accommodation:** *INTERVIEWER please cross one box only*

Council

☐

Private rented

☐

Private owned

☐

Unauthorised

☐

Bricks and Mortar

☐

**A6 Name of Family:**

*INTERVIEWER please write in*

**A7 Ethnicity of Family:**

*INTERVIEWER please cross one box only*

Romany Gypsy

☐

Irish Traveller

☐

Scots Gypsy or Traveller

☐

Show Person

☐

New Traveller

☐

English Traveller

☐

Welsh Gypsy

☐

Non-Traveller

☐

Other (please specify)

**A8 Number of units on the pitch:**

*INTERVIEWER please write in*

Mobile homes

Touring Caravans

Day Rooms

Other (please specify)

--	--	--	--

# NOT FOR CIRCULATION

**A9 Is this site your main place of residence? If not where is?**

INTERVIEWER: Please cross one box only

Yes

☐

No

☐

If not main place of residence where is (please specify)

**A10 How long have you lived here? If you have moved in the past 5 years, where did you move from? INTERVIEWER: Please write in below**

Years

Months

If you have moved in the past 5 years,  
where did you move from? Include ALL moves

**A11 Did you live here out of your own choice or because there was no other option? If there was no other option, why? INTERVIEWER: Please cross one box only**

Choice

☐

No option

☐

If no option, why?

**A12 Is this site suitable for your household? If so why and if not why not? (For example close to schools, work, healthcare, family and friends etc.)**

INTERVIEWER: Please cross one box only

Yes

☐

No

☐

Reasons (please specify)

**A13 How many separate families or unmarried adults live on this pitch?**

INTERVIEWER: Please cross one box only

1

☐

2

☐

3

☐

4

☐

5

☐

6

☐

7

☐

8

☐

9

☐

10

☐

## B

### Demographics

**B1 Demographics — Household 1 INTERVIEWER: Please write-in**

Person 1

Person 2

Person 3

Sex

Age

Sex

Age

Sex

Age

Complete additional forms for each household on pitch INTERVIEWER: Please write-in

Person 4

Person 5

Person 6

Person 7

Person 8

Sex

Age

Sex

Age

Sex

Age

Sex

Age

Sex

Age

## C

### Accommodation Needs

**C1 How many families or unmarried adults living on this pitch are in need of a pitch of their own in the next 5 years? INTERVIEWER: Please cross one box only**

INTERVIEWER: AN ADULT IS DEFINED AS 16+

1

☐

2

☐

3

☐

4

☐

5

☐

6

☐

7

☐

8

☐

9

☐

10

☐

Other Please specify

**NOT FOR CIRCULATION**

- C2** How many of your children will need a home of their own in the next 5 years? If they live here now, will they want to stay on this site? If not, where would they wish to move? (e.g. other site, in bricks and mortar etc.) If they do not live on this site, where do they currently live and would they want to move on to this site or another local site if they could get a pitch? *INTERVIEWER: Please cross one box only*

1 2 3 4 5 6 7 8 9 10  
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

Other Please specify

Details (Please specify)

**D****Waiting List**

- D1** Is anyone living here on the waiting list for a pitch in this area?

*INTERVIEWER: Please cross one box only*

Yes ☐ —————> Continue to D2  
 No ☐ —————> Go to D4

- D2** How many people living here are on the waiting list for a pitch in this area?

*INTERVIEWER: Please cross one box only*

1 2 3 4 5 6 7 8 9 10  
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

Other (Please specify)

Details (Please specify)

- D3** How long have they been on the waiting list? *INTERVIEWER: Please cross one box only*

0-3 months 3-6 months 6-12 months 1-2 years 2+ years  
☐ ☐ ☐ ☐ ☐

Other (Please specify)

Details (Please specify)

- D4** If they are not on the waiting list, do any of the people living here want to be on the waiting list? (*INTERVIEWER* if they do - please take their contact details)

*INTERVIEWER: Please cross one box only*

1 2 3 4 5 6 7 8 9 10  
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

No ☐

Other (Please specify)

Details (Please specify) and take contact details)

# NOT FOR CIRCULATION

E

## Future Accommodation Needs

**E1 Do you plan to move from this site in the next 5 years? If so, why?**

INTERVIEWER: Please cross one box only

Yes ☐ If yes → Continue to E2

No ☐ If no → Go to E5

If so, why? (please specify)

**E2 Where would you move to?** INTERVIEWER: Please cross one box only

Another site in this area (specify where)	A site in another council area (specify where)	Bricks and mortar in this area (specify where)	Bricks and mortar in another council area (specify where)	Other (e.g. land they own elsewhere) (Please specify)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please specify where they would move to  
If they own land elsewhere - probe for details

**E3 If you want to move would you prefer to buy a private pitch or site, or rent a pitch on a public or private site?** INTERVIEWER: Please cross one box only

Private buy

☐

Private rent

☐

Public rent

☐

**E4 Can you afford to buy a private pitch or site?** INTERVIEWER: Please cross one box only

Yes

☐

No

☐

**E5 Are you aware of, or do you own any land that could have potential for new pitches?** INTERVIEWER: Please cross one box only

Yes

☐

No

☐

Please ask for details on where land/site is located and who owns the land/site?

**NOT FOR CIRCULATION**

F Travelling	
<b>F1</b>	<p>How many trips, living in a caravan or trailer, have you or members of your family made away from your permanent base in the last 12 months?</p> <p><i>INTERVIEWER: Please cross one box only</i></p> <p>0      1      2      3      4      5+</p> <p><input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/></p> <p>Go to F6a      Continue to F2</p>
<b>F2</b>	<p>If you or members of your family have travelled in the last 12 months, which family members travelled? <i>INTERVIEWER: Please cross one box only</i></p> <p>All the family      Adult males      Other      <input type="text" value="If other, please specify"/></p> <p><input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/></p>
<b>F3</b>	<p>What were the reasons for travelling? <i>INTERVIEWER: Please cross all that apply</i></p> <p>Work      Holidays      Visiting family      Fairs      Other</p> <p><input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/></p> <p><input type="text" value="Details / specify if necessary. If fairs—probe for whether this involves work"/></p>
<b>F4</b>	<p>At what time of year do you or family members usually travel? And for how long?</p> <p><i>INTERVIEWER: Please cross one box only</i></p> <p>All year      Summer      Winter</p> <p><input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/></p> <p><input style="width: 100%;" type="text" value="And for how long?"/></p>
<b>F5</b>	<p>Where do you or family members usually stay when they are travelling?</p> <p><i>INTERVIEWER: Please cross all boxes that apply</i></p> <p>LA transit sites      Private transit sites      Roadside      Friends/family      Other      <input type="text" value="If other, please specify"/></p> <p><input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/></p> <p><input type="text" value="INTERVIEWER: Ask F6a — F8 ONLY if F1 = 0. Otherwise, go to F9"/></p>
<b>F6a</b>	<p>Are there any reasons why you don't you travel at the moment?</p> <p><input style="width: 100%;" type="text" value="Details"/></p>
<b>F6b</b>	<p>Have you or family members ever travelled? <i>INTERVIEWER: Please cross one box only</i></p> <p>Yes      <input type="checkbox"/>      → Continue to F7</p> <p>No      <input type="checkbox"/>      → Go to F9</p>
<b>F7a</b>	<p>When did you or family members last travel? <i>INTERVIEWER: Please write in</i></p> <p><input style="width: 100%;" type="text" value="Details"/></p>
<b>F7b</b>	<p>What were the reasons for travelling? <i>INTERVIEWER: Please cross all that apply</i></p> <p>Work      Holidays      Visiting family      Fairs      Other</p> <p><input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/></p> <p><input type="text" value="Details / specify if necessary. If fairs—probe for whether this involves work"/></p>

# NOT FOR CIRCULATION

**F8 Why do you not travel anymore?** *INTERVIEWER: Cross all boxes that apply & probe for details*

Children in school	Ill health	Old age	Settled now	Nowhere to stop	No work opportunities	Other
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If other, please specify

Details about children in school, types of ill health, or looking after relative with poor health, and specific problems/issues relating to old age

**F9 Do you or other family members plan to travel in the future?**

*INTERVIEWER: Please cross one box only*

Yes	<input type="checkbox"/>	→	Continue to F10
No	<input type="checkbox"/>	→	Go to G1
Don't know	<input type="checkbox"/>	→	Go to G1

**F10 When, and for what purpose do you/they plan to travel?**

Details

**F11 Is there anything else you would like to tell us about your travelling patterns?**

Details



NOT FOR CIRCULATION

G

Any other information

**G1 Any other information about this site or your accommodation needs?** *INTERVIEWER: Please write in*

Details (e.g. can current and future needs be met  
by expanding or intensifying the existing site?)

**G2 Site/Pitch plan? Any concerns?** *INTERVIEWER: Please sketch & write in*

Sketch of Site/Pitch — any concerns?

Are any adaptations needed?

Why does the current accommodation not meet the household's needs; and could their  
needs could be addressed in situ e.g. extra caravans. This could cover people wanting to  
live with that household but who cannot currently

Page 7

# NOT FOR CIRCULATION

H Bricks & Mortar Contacts	
H1	<p><b>Contacts for Bricks and Mortar interviews?</b> <i>INTERVIEWER: Please write in</i></p> <div style="border: 1px solid black; height: 150px; margin: 10px 0;"></div> <p style="text-align: center; color: gray;">Details</p>
<b>Council contact?</b>	
<p>Would you like the council to contact you about any of the issues raised in this interview? Please note that although ORS will pass on your contact details to the Council we cannot guarantee when they will contact you?</p> <p><i>INTERVIEWER: Please cross one box only</i></p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>Yes</p> <input type="checkbox"/> </div> <div style="text-align: center;"> <p>No</p> <input type="checkbox"/> </div> </div> <p><i>INTERVIEWER: Can I confirm your name and telephone number so that we can pass them on to the Council for this purpose only. Your details will only be used for this purpose and will not be passed onto anyone else.</i></p> <div style="margin-top: 10px;"> <p>Respondent's Name..... <input style="width: 400px;" type="text"/></p> <p>Respondent's Telephone..... <input style="width: 400px;" type="text"/></p> <p>Respondent's Email..... <input style="width: 400px;" type="text"/></p> </div>	
<b>Interview log</b>	
<p><i>INTERVIEWER: Please record the date and time that the interview was carried out</i></p> <div style="margin-top: 20px;"> <p>Date..... <input style="width: 400px;" type="text"/></p> <p>Time of interview..... <input style="width: 400px;" type="text"/></p> </div>	

# Appendix F: Technical Note on Household Formation and Growth Rates



## **Technical Note**

# **Gypsy and Traveller Household Formation and Growth Rates**

**August 26<sup>th</sup> 2015**

**Opinion Research Services**  
Spin-out company of Swansea University



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Any press release or publication of this research requires the advance approval of ORS. Such approval will only be refused on the grounds of inaccuracy or misrepresentation.

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# Household Growth Rates

## Abstract and conclusions

1. National and local household formation and growth rates are important components of Gypsy and Traveller accommodation assessments, but little detailed work has been done to assess their likely scale. Nonetheless, nationally, a net growth rate of 3% per annum has been commonly assumed and widely used in local assessments – even though there is actually no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for additional pitches unrealistically.
2. Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data are unreliable and erratic – so the only proper way to project future population and household growth is through demographic analysis (which, of course, is used to assess housing needs in the settled community).
3. The growth in the Gypsy and Traveller population may be as low as 1.25% per annum – a rate which is much less than the 3% per annum often assumed, but still at least four times greater than in the general population. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2% per annum nationally.
4. The often assumed 3% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.5% per annum for Gypsies and Travellers.
5. Some local authorities might perhaps allow for a household growth rate of up to 2.5% per annum, to provide a ‘margin’ if their populations are relatively youthful; but in areas where on-site surveys indicate that there are fewer children in the Gypsy and Traveller communities, the lower estimate of 1.5% per annum should be used for planning purposes.

## Introduction

6. The rate of household growth is a key element in all housing assessments, including Gypsy and Traveller accommodation assessments. Compared with the general population, the relative youthfulness of many Gypsy and Traveller populations means that their birth rates are likely to generate higher-than-average population growth, and proportionately higher *gross* household formation rates. However, while their *gross* rate of household growth might be high, Gypsy and Traveller communities’ future accommodation needs are, in practice, affected by any reduction in the number of households due to dissolution and/or by movements in/out of the area and/or by transfers into other forms of housing. Therefore, the *net* rate of household growth is the *gross* rate of formation *minus* any reductions in households due to such factors. Of course, it is the *net* rate that is important in determining future accommodation needs for Gypsies and Travellers.

7. In this context, it is a matter of concern that many Gypsy and Traveller accommodation needs assessments have not distinguished *gross* and *net* growth rates nor provided evidence for their assumed rates of household increase. These deficiencies are particularly important because when assumed growth rates are unrealistically high, and then compounded over a number of planning years, they can yield exaggerated projections of accommodation needs and misdirect public policy. Nonetheless, assessments and guidance documents have assumed 'standard' *net* growth rates of about 3% without sufficiently recognising either the range of factors impacting on the *gross* household growth rates or the implications of unrealistic assumptions when projected forward on a compound basis year by year.
8. For example, in a study for the Office of the Deputy Prime Minister ('Local Authority Gypsy and Traveller Sites in England', 2003), Pat Niner concluded that *net* growth rates as high as 2%-3% per annum should be assumed. Similarly, the Regional Spatial Strategies (RSS) (which continued to be quoted after their abolition was announced in 2010) used *net* growth rates of 3% per annum without providing any evidence to justify the figure (For example, 'Accommodation for Gypsies and Travellers and Travelling Showpeople in the East of England: A Revision to the Regional Spatial Strategy for the East of England July 2009').
9. However, the guidance of the Department of Communities and Local Government ('Gypsy and Traveller Accommodation Needs Assessments: Guidance', 2007) was much clearer in saying 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. [In footnote 6, page 25]*

10. The guidance emphasises that local information and trends should always be taken into account – because the *gross* rate of household growth is moderated by reductions in households through dissolution and/or by households moving into bricks and mortar housing or moving to other areas. In other words, even if 3% is plausible as a *gross* growth rate, it is subject to moderation through such reductions in households through dissolution or moves. It is the resulting *net* household growth rate that matters for planning purposes in assessing future accommodation needs.
11. The current guidance also recognises that assessments should use local evidence for *net* future household growth rates. A letter from the Minister for Communities and Local Government (Brandon Lewis MP), to Andrew Selous MP (placed in the House of Commons library on March 26th 2014) said:

*I can confirm that the annual growth rate figure of 3% does not represent national planning policy.*

*The previous Administration's guidance for local authorities on carrying out Gypsy and Traveller Accommodation Assessments under the Housing Act 2004 is unhelpful in that it uses an illustrative example of calculating future accommodation need based on the 3% growth rate figure. The guidance notes that the appropriate rate for individual assessments will depend on the details identified in the local authority's own assessment of need. As such the Government is not endorsing or supporting the 3% growth rate figure.'*



12. Therefore, while there are many assessments where a national Gypsy and Traveller household growth rate of 3% per annum has been assumed (on the basis of 'standard' precedent and/or guidance), there is little to justify this position and it conflicts with current planning guidance. In this context, this document seeks to integrate available evidence about *net* household growth rates in order to provide a more robust basis for future assessments.

## Compound growth

13. The assumed rate of household growth is crucially important for Gypsy and Traveller studies because for future planning purposes it is projected over time on a compound basis – so errors are progressively enlarged. For example, if an assumed 3% *net* growth rate is compounded each year then the implication is that the number of households will double in only 23.5 years; whereas if a *net* compound rate of 1.5% is used then the doubling of household numbers would take 46.5 years. The table below shows the impact of a range of compound growth rates.

**Table 1**

**Compound Growth Rates and Time Taken for Number of Households to Double**

Household Growth Rate per Annum	Time Taken for Household to Double
3.00%	23.5 years
2.75%	25.5 years
2.50%	28 years
2.25%	31 years
2.00%	35 years
1.75%	40 years
1.50%	46.5 years

14. The above analysis is vivid enough, but another illustration of how different rates of household growth impact on total numbers over time is shown in the table below – which uses a baseline of 100 households while applying different compound growth rates over time. After 5 years, the difference between a 1.5% growth rate and a 3% growth rate is only 8 households (116 minus 108); but with a 20-year projection the difference is 46 households (181 minus 135).

**Table 2**

**Growth in Households Over time from a Baseline of 100 Households**

Household Growth Rate per Annum	5 years	10 years	15 years	20 years	50 years	100 years
3.00%	116	134	156	181	438	1,922
2.75%	115	131	150	172	388	1,507
2.50%	113	128	145	164	344	1,181
2.25%	112	125	140	156	304	925
2.00%	110	122	135	149	269	724
1.75%	109	119	130	141	238	567
1.50%	108	116	125	135	211	443

15. In summary, the assumed rate of household growth is crucially important because any exaggerations are magnified when the rate is projected over time on a compound basis. As we have shown, when compounded and projected over the years, a 3% annual rate of household growth implies much larger future Gypsy and Traveller accommodation requirements than a 1.5% per annum rate.

## Caravan counts

16. Those seeking to demonstrate national Gypsy and Traveller household growth rates of 3% or more per annum have, in some cases, relied on increases in the number of caravans (as reflected in caravan counts) as their evidence. For example, some planning agents have suggested using 5-year trends in the national caravan count as an indication of the general rate of Gypsy and Traveller household growth. For example, the count from July 2008 to July 2013 shows a growth of 19% in the number of caravans on-site – which is equivalent to an average annual compound growth rate of 3.5%. So, *if plausible*, this approach could justify using a 3% or higher annual household growth rate in projections of future needs.
17. However, caravan count data are unreliable and erratic. For example, the July 2013 caravan count was distorted by the inclusion of 1,000 caravans (5% of the total in England) recorded at a Christian event near Weston-Super-Mare in North Somerset. Not only was this only an estimated number, but there were no checks carried out to establish how many caravans were occupied by Gypsies and Travellers. Therefore, the resulting count overstates the Gypsy and Traveller population and also the rate of household growth.
18. ORS has applied the caravan-counting methodology hypothetically to calculate the implied national household growth rates for Gypsies and Travellers over the last 15 years, and the outcomes are shown in the table below. The January 2013 count suggests an average annual growth rate of 1.6% over five years, while the July 2013 count gives an average 5-year rate of 3.5%; likewise a study benchmarked at January 2004 would yield a growth rate of 1%, while one benchmarked at January 2008 would imply a 5% rate of growth. Clearly any model as erratic as this is not appropriate for future planning.

**Table 3**

**National CLG Caravan Count July 1998 to July 2014 with Growth Rates (Source: CLG)**

Date	Number of caravans	5 year growth in caravans	Percentage growth over 5 years	Annual over last 5 years.
Jan 2015	20,123	1,735	9.54%	1.84%
July 2014	20,035	2,598	14.90%	2.81%
Jan 2014	19,503	1,638	9.17%	1.77%
July 2013	20,911	3,339	19.00%	3.54%
Jan 2013	19,359	1,515	8.49%	1.64%
Jul 2012	19,261	2,112	12.32%	2.35%
Jan 2012	18,746	2,135	12.85%	2.45%
Jul 2011	18,571	2,258	13.84%	2.63%
Jan 2011	18,383	2,637	16.75%	3.15%
Jul 2010	18,134	2,271	14.32%	2.71%
Jan 2010	18,370	3,001	19.53%	3.63%
Jul 2009	17,437	2,318	15.33%	2.89%
Jan 2009	17,865	3,503	24.39%	4.46%
Jul 2008	17,572	2,872	19.54%	3.63%
Jan 2008	17,844	3,895	27.92%	5.05%

<b>Jul 2007</b>	17,149	2,948	20.76%	3.84%
<b>Jan 2007</b>	16,611	2,893	21.09%	3.90%
<b>Jul 2006</b>	16,313	2,511	18.19%	3.40%
<b>Jan 2006</b>	15,746	2,352	17.56%	3.29%
<b>Jul 2005</b>	15,863	2,098	15.24%	2.88%
<b>Jan 2005</b>	15,369	1,970	14.70%	2.78%
<b>Jul 2004</b>	15,119	2,110	16.22%	3.05%
<b>Jan 2004</b>	14,362	817	6.03%	1.18%
<b>Jul 2003</b>	14,700			
<b>Jan 2003</b>	13,949			
<b>Jul 2002</b>	14,201			
<b>Jan 2002</b>	13,718			
<b>Jul 2001</b>	13,802			
<b>Jan 2001</b>	13,394			
<b>Jul 2000</b>	13,765			
<b>Jan 2000</b>	13,399			
<b>Jan 1999</b>	13,009			
<b>Jul 1998</b>	13,545			

19. The annual rate of growth in the number of caravans varies from slightly over 1% to just over 5% per annum. We would note that if longer time periods are used the figures do become more stable. Over the 36 year period 1979 (the start of the caravan counts) to 2015 the compound growth rate in caravan numbers has been 2.5% per annum.
20. However, there is no reason to assume that these widely varying rates correspond with similar rates of increase in the household population. In fact, the highest rates of caravan growth occurred between 2006 and 2009, when the first wave of Gypsy and Traveller accommodation needs assessments were being undertaken – so it seems plausible that the assessments prompted the inclusion of additional sites and caravans (which may have been there, but not counted previously). Counting caravan numbers is very poor proxy for Gypsy and Traveller household growth. Caravans counted are not always occupied by Gypsy and Traveller families and numbers of caravans held by families may increase generally as affluence and economic conditions improve, (but without a growth in households)
21. There is no reason to believe that the varying rates of increase in the number of caravans are matched by similar growth rates in the household population. The caravan count is not an appropriate planning guide and the only proper way to project future population and household growth is through demographic analysis – which should consider both population and household growth rates. This approach is not appropriate to needs studies for the following reasons:

## Modelling population growth

### Introduction

22. The basic equation for calculating the rate of Gypsy and Traveller population growth seems simple: start with the base population and then calculate the average increase/decrease by allowing for births, deaths and in-/out-migration. Nevertheless, deriving satisfactory estimates is difficult because the evidence is often tenuous – so, in this context, ORS has modelled the growth of the national Gypsy and Traveller population based on the most likely birth and death rates, and by using PopGroup (the leading software for

population and household forecasting). To do so, we have supplemented the available national statistical sources with data derived locally (from our own surveys) and in some cases from international research. None of the supplementary data are beyond question, and none will stand alone; but, when taken together they have cumulative force. In any case the approach we adopt is more critically self-aware than simply adopting 'standard' rates on the basis of precedent.

### Migration effects

23. Population growth is affected by national net migration and local migration (as Gypsies and Travellers move from one area to another). In terms of national migration, the population of Gypsies and Travellers is relatively fixed, with little international migration. It is in principle possible for Irish Travellers (based in Ireland) to move to the UK, but there is no evidence of this happening to a significant extent and the vast majority of Irish Travellers were born in the UK or are long-term residents. In relation to local migration effects, Gypsies and Travellers can and do move between local authorities – but in each case the in-migration to one area is matched by an out-migration from another area. Since it is difficult to estimate the net effect of such movements over local plan periods, ORS normally assumes that there will be nil net migration to/from an area. Nonetheless, where it is possible to estimate specific in-/out- migration effects, we take account of them, while distinguishing between migration and household formation effects.

### Population profile

24. The main source for the rate of Gypsy and Traveller population growth is the UK 2011 Census. In some cases the data can be supplemented by ORS's own household survey data which is derived from more than 2,000 face-to-face interviews with Gypsies and Travellers since 2012. The ethnicity question in the 2011 census included for the first time 'Gypsy and Irish Traveller' as a specific category. While non-response bias probably means that the size of the population was underestimated, the age profile the census provides is not necessarily distorted and matches the profile derived from ORS's extensive household surveys.
25. The age profile is important, as the table below (derived from census data) shows. Even assuming zero deaths in the population, achieving an annual population growth of 3% (that is, doubling in size every 23.5 years) would require half of the "year one" population to be aged under 23.5 years. When deaths are accounted for (at a rate of 0.5% per annum), to achieve the same rate of growth, a population of Gypsies and Travellers would need about half its members to be aged under 16 years. In fact, though, the 2011 census shows that the midway age point for the national Gypsy and Traveller population is 26 years – so the population could not possibly double in 23.5 years.

**Table 4**

**Age Profile for the Gypsy and Traveller Community in England (Source: UK Census of Population 2011)**

Age Group	Number of People	Cumulative Percentage
Age 0 to 4	5,725	10.4
Age 5 to 7	3,219	16.3
Age 8 to 9	2,006	19.9
Age 10 to 14	5,431	29.8
Age 15	1,089	31.8
Age 16 to 17	2,145	35.7
Age 18 to 19	1,750	38.9

Age 20 to 24	4,464	47.1
Age 25 to 29	4,189	54.7
Age 30 to 34	3,833	61.7
Age 35 to 39	3,779	68.5
Age 40 to 44	3,828	75.5
Age 45 to 49	3,547	82.0
Age 50 to 54	2,811	87.1
Age 55 to 59	2,074	90.9
Age 60 to 64	1,758	94.1
Age 65 to 69	1,215	96.3
Age 70 to 74	905	97.9
Age 75 to 79	594	99.0
Age 80 to 84	303	99.6
Age 85 and over	230	100.0

### Birth and fertility rates

26. The table above provides a way of understanding the rate of population growth through births. The table shows that surviving children aged 0-4 years comprise 10.4% of the Gypsy and Traveller population – which means that, on average, 2.1% of the total population was born each year (over the last 5 years). The same estimate is confirmed if we consider that those aged 0-14 comprise 29.8% of the Gypsy and Traveller population – which also means that almost exactly 2% of the population was born each year. (Deaths during infancy will have minimal impact within the early age groups, so the data provides the best basis for estimating of the birth rate for the Gypsy and Traveller population.)
27. The total fertility rate (TFR) for the whole UK population is just below 2 – which means that on average each woman can be expected to have just less than two children who reach adulthood. We know of only one estimate of the fertility rates of the UK Gypsy and Traveller community. This is contained in the book, 'Ethnic identity and inequalities in Britain: The dynamics of diversity' by Dr Stephen Jivraj and Professor Ludi Simpson published in May 2015. This draws on the 2011 Census data and provides an estimated total fertility rate of 2.75 for the Gypsy and traveller community
28. ORS's have been able to examine our own survey data to investigate the fertility rate of Gypsy and Traveller women. The ORS data shows that, on average, Gypsy and Traveller women aged 32 years have 2.5 children (but, because the children of mothers above this age point tend to leave home progressively, full TFRs were not completed). On this basis it is reasonable to assume an average of three children per woman during her lifetime which would be consistent with the evidence from the 2011 Census of a figure of around 2.75 children per woman. In any case, the TFR for women aged 24 years is 1.5 children, which is significantly short of the number needed to double the population in 23.5 years – and therefore certainly implies a net growth rate of less than 3% per annum.

### Death rates

29. Although the above data imply an annual growth rate through births of about 2%, the death rate has also to be taken into account – which means that the *net* population growth cannot conceivably achieve 2% per

annum. In England and Wales there are nearly half-a-million deaths each year – about 0.85% of the total population of 56.1 million in 2011. If this death rate is applied to the Gypsy and Traveller community then the resulting projected growth rate is in the region of 1.15%-1.25% per annum.

30. However, the Gypsy and Traveller population is significantly younger than average and may be expected to have a lower percentage death rate overall (even though a smaller than average proportion of the population lives beyond 68 to 70 years). While there can be no certainty, an assumed death rate of around 0.5% to 0.6% per annum would imply a net population growth rate of around 1.5% per annum.
31. Even though the population is younger and has a lower death rate than average, Gypsies and Travellers are less likely than average to live beyond 68 to 70 years. Whereas the average life expectancy across the whole population of the UK is currently just over 80 years, a Sheffield University study found that Gypsy and Traveller life expectancy is about 10-12 years less than average (Parry et al (2004) 'The Health Status of Gypsies and Travellers: Report of Department of Health Inequalities in Health Research Initiative', University of Sheffield). Therefore, in our population growth modelling we have used a conservative estimate of average life expectancy as 72 years – which is entirely consistent with the lower-than-average number of Gypsies and Travellers aged over 70 years in the 2011 census (and also in ORS's own survey data). On the basis of the Sheffield study, we could have supposed a life expectancy of only 68, but we have been cautious in our approach.

### Modelling outputs

32. If we assume a TFR of 3 and an average life expectancy of 72 years for Gypsies and Travellers, then the modelling projects the population to increase by 66% over the next 40 years – implying a population compound growth rate of 1.25% per annum (well below the 3% per annum often assumed). If we assume that Gypsy and Traveller life expectancy increases to 77 years by 2050, then the projected population growth rate rises to nearly 1.5% per annum. To generate an 'upper range' rate of population growth, we have assumed a TFR of 4 and an average life expectancy rising to 77 over the next 40 years – which then yields an 'upper range' growth rate of 1.9% per annum. We should note, though, that national TFR rates of 4 are currently found only in sub-Saharan Africa and Afghanistan, so it is an implausible assumption.
33. There are indications that these modelling outputs are well founded. For example, in the ONS's 2012-based Sub-National Population Projections the projected population growth rate for England to 2037 is 0.6% per annum, of which 60% is due to natural change and 40% due to migration. Therefore, the natural population growth rate for England is almost exactly 0.35% per annum – meaning that our estimate of the Gypsy and Traveller population growth rate is four times greater than that of the general population of England.
34. The ORS Gypsy and Traveller findings are also supported by data for comparable populations around the world. As noted, on the basis of sophisticated analysis, Hungary is planning for its Roma population to grow at around 2.0% per annum, but the underlying demographic growth is typically closer to 1.5% per annum. The World Bank estimates that the populations of Bolivia, Cambodia, Egypt, Malaysia, Pakistan, Paraguay, Philippines and Venezuela (countries with high birth rates and improving life expectancy) all show population growth rates of around 1.7% per annum. Therefore, in the context of national data, ORS's modelling and plausible international comparisons, it is implausible to assume a net 3% annual growth rate for the Gypsy and Traveller population.

## Household growth

35. In addition to population growth influencing the number of households, the size of households also affects the number. Hence, population and household growth rates do not necessarily match directly, mainly due to the current tendency for people to live in smaller (childless or single person) households (including, of course, older people (following divorce or as surviving partners)). Based on such factors, the CLG 2012-based projections convert current population data to a projected household growth rate of 0.85% per annum (compared with a population growth rate of 0.6% per annum).
36. Because the Gypsy and Traveller population is relatively young and has many single parent households, a 1.5% annual population growth could yield higher-than-average household growth rates, particularly if average household sizes fall or if younger-than-average households form. However, while there is evidence that Gypsy and Traveller households already form at an earlier age than in the general population, the scope for a more rapid rate of growth, through even earlier household formation, is limited.
37. Based on the 2011 census, the table below compares the age of household representatives in English households with those in Gypsy and Traveller households – showing that the latter has many more household representatives aged under-25 years. In the general English population 3.6% of household representatives are aged 16-24, compared with 8.7% in the Gypsy and Traveller population. Because the census includes both housed and on-site Gypsies and Travellers without differentiation, it is not possible to know if there are different formation rates on sites and in housing. However, ORS's survey data (for sites in areas such as Central Bedfordshire, Cheshire, Essex, Gloucestershire and a number of authorities in Hertfordshire) shows that about 10% of Gypsy and Traveller households have household representatives aged under-25 years.

**Table 5**

**Age of Head of Household (Source: UK Census of Population 2011)**

Age of household representative	All households in England		Gypsy and Traveller households in England	
	Number of households	Percentage of households	Number of households	Percentage of households
Age 24 and under	790,974	3.6%	1,698	8.7%
Age 25 to 34	3,158,258	14.3%	4,232	21.7%
Age 35 to 49	6,563,651	29.7%	6,899	35.5%
Age 50 to 64	5,828,761	26.4%	4,310	22.2%
Age 65 to 74	2,764,474	12.5%	1,473	7.6%
Age 75 to 84	2,097,807	9.5%	682	3.5%
Age 85 and over	859,443	3.9%	164	0.8%
Total	22,063,368	100%	19,458	100%



38. The following table shows that the proportion of single person Gypsy and Traveller households is not dissimilar to the wider population of England; but there are more lone parents, fewer couples without children, and fewer households with non-dependent children amongst Gypsies and Travellers. This data suggest that Gypsy and Traveller households form at an earlier age than the general population.

**Table 6**  
**Household Type (Source: UK Census of Population 2011)**

Household Type	All households in England		Gypsy and Traveller households in England	
	Number of households	Percentage of households	Number of households	Percentage of households
Single person	6,666,493	30.3%	5,741	29.5%
Couple with no children	5,681,847	25.7%	2345	12.1%
Couple with dependent children	4,266,670	19.3%	3683	18.9%
Couple with non-dependent children	1,342,841	6.1%	822	4.2%
Lone parent: Dependent children	1,573,255	7.1%	3,949	20.3%
Lone parent: All children non-dependent	766,569	3.5%	795	4.1%
Other households	1,765,693	8.0%	2,123	10.9%
Total	22,063,368	100%	19,458	100%

39. ORS's own site survey data is broadly compatible with the data above. We have found that: around 50% of pitches have dependent children compared with 45% in the census; there is a high proportion of lone parents; and about a fifth of Gypsy and Traveller households appear to be single person households. One possible explanation for the census finding a higher proportion of single person households than the ORS surveys is that many older households are living in bricks and mortar housing (perhaps for health-related reasons).
40. ORS's on-site surveys have also found more female than male residents. It is possible that some single person households were men linked to lone parent females and unwilling to take part in the surveys. A further possible factor is that at any time about 10% of the male Gypsy and Traveller population is in prison – an inference drawn from the fact that about 5% of the male prison population identify themselves as Gypsies and Travellers ('People in Prison: Gypsies, Romany and Travellers', Her Majesty's Inspectorate of Prisons, February 2004) – which implies that around 4,000 Gypsies and Travellers are in prison. Given that almost all of the 4,000 people are male and that there are around 200,000 Gypsies and Travellers in total, this equates to about 4% of the total male population, but closer to 10% of the adult male population.
41. The key point, though, is that since 20% of Gypsy and Traveller households are lone parents, and up to 30% are single persons, there is limited potential for further reductions in average household size to increase current household formation rates significantly – and there is no reason to think that earlier household formations or increasing divorce rates will in the medium term affect household formation rates. While there are differences with the general population, a 1.5% per annum Gypsy and Traveller population



growth rate is likely to lead to a household growth rate of 1.5% per annum – more than the 0.85% for the English population as a whole, but much less than the often assumed 3% rate for Gypsies and Travellers.

## Household dissolution rates

42. Finally, consideration of household dissolution rates also suggests that the net household growth rate for Gypsies and Travellers is very unlikely to reach 3% per annum (as often assumed). The table below, derived from ORS's mainstream strategic housing market assessments, shows that generally household dissolution rates are between 1.0% and 1.7% per annum. London is different because people tend to move out upon retirement, rather than remaining in London until death. To adopt a 1.0% dissolution rate as a standard guide nationally would be too low, because it means that average households will live for 70 years after formation. A 1.5% dissolution rate would be a more plausible as a national guide, implying that average households live for 47 years after formation.

**Table 7**  
**Annual Dissolution Rates (Source: SHMAs undertaken by ORS)**

Area	Annual projected household dissolution	Number of households	Percentage
Greater London	25,000	3,266,173	0.77%
Blaenau Gwent	468.2	30,416	1.54%
Bradford	3,355	199,296	1.68%
Ceredigion	348	31,562	1.10%
Exeter, East Devon, Mid Devon, Teignbridge and Torbay	4,318	254,084	1.70%
Neath Port Talbot	1,352	57,609	2.34%
Norwich, South Norfolk and Broadland	1,626	166,464	0.98%
Suffolk Coastal	633	53,558	1.18%
Monmouthshire Newport Torfaen	1,420	137,929	1.03%

43. The 1.5% dissolution rate is important because the death rate is a key factor in moderating the *gross* household growth rate. Significantly, applying a 1.5% dissolution rate to a 3% *gross* household growth formation rate yields a *net* rate of 1.5% per annum – which ORS considers is a realistic figure for the Gypsy and Traveller population and which is in line with other demographic information. After all, based on the dissolution rate, a *net* household formation rate of 3% per annum would require a 4.5% per annum *gross* formation rate (which in turn would require extremely unrealistic assumptions about birth rates).

## Summary conclusions

44. Future Gypsy and Traveller accommodation needs have typically been over-estimated because population and household growth rates have been projected on the basis of assumed 3% per annum net growth rates.
45. Unreliable caravan counts have been used to support the supposed growth rate, but there is no reason to suppose that the rate of increase in caravans corresponds to the annual growth of the Gypsy and Traveller population or households.

46. The growth of the national Gypsy and Traveller population may be as low as 1.25% per annum – which is still four times greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that the net national Gypsy and Traveller population and household growth is above 2% per annum nationally. The often assumed 3% net household growth rate per annum for Gypsies and Travellers is unrealistic.
47. The best available evidence suggests that the net annual Gypsy and Traveller household growth rate is 1.5% per annum. The often assumed 3% per annum net rate is unrealistic. Some local authorities might allow for a household growth rate of up to 2.5% per annum, to provide a 'margin' if their populations are relatively youthful; but in areas where on-site surveys indicate that there are fewer children in the Gypsy and Traveller population, the lower estimate of 1.5% per annum should be used.

**BIRMINGHAM CITY COUNCIL**

**REPORT OF THE ACTING DIRECTOR OF REGULATION AND ENFORCEMENT  
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

**16<sup>th</sup> MAY 2019**  
**ALL WARDS**

**FIXED PENALTY NOTICES ISSUED FEBRUARY AND MARCH 2019**

1. Summary
  - 1.1 The report sets out a breakdown, on a Ward basis, of fixed penalty notices issued in the City during the period of February and March 2019.
2. Recommendation
  - 2.1 That the report be noted.

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### 3. Background

3.1 The issuing of fixed penalty notices [FPN] by officers from Regulation and Enforcement is one of the means by which the problems of environmental degradation such as littering and dog fouling are being tackled within the City.

3.2 The yearly total numbers of fixed penalty notices issued are indicated below.

<u>Month</u>	<u>Fixed Penalty Notices Issued</u>
April 2004 – March 2005	382
April 2005 – March 2006	209
April 2006 – March 2007	650
April 2007 – March 2008	682
April 2008 – March 2009	1,147
April 2009 – March 2010	1,043
April 2010 – March 2011	827
April 2011 – March 2012	2,053
April 2012 – March 2013	1,763
April 2013 – March 2014	1,984
April 2014 – March 2015	4,985
April 2015 – March 2016	5,855
April 2016 – March 2017	6,306
April 2017 – March 2018	5,873
April 2018 – March 2019	6,970

### 4. Enforcement Considerations and Rationale

4.1 The attached appendix shows the wards where FPNs were issued during the month of February and March 2019.

4.2 By and large litter patrols are targeted to the primary and secondary retail areas of the city because there is a high level of footfall and they engage with a full cross section of the population. Targeted areas include locations where there are excessive levels of littering, smoking areas with high levels of cigarette waste that cause blight in the city and areas where there are known problems associated with groups gathering to eat outdoors.

4.3 The number of incidences of Fixed Penalty Notices being issued reflects the fact that there is still a problem with littering on our streets. Since the Health Act came into force there has been a decline in street cleanliness associated with cigarette waste. This is reflected not only in these statistics but also in the environmental quality surveys undertaken by Waste Management that record cigarette waste being the most prevalent waste upon our streets and identify it in 98% of all samples of street cleanliness.

4.4 One of the difficulties in resolving the problem of cigarette waste being deposited on the street is that the perception of many smokers is that cigarette waste is not litter. A change in the culture and perceptions of these smokers is critical to resolving this problem.

4.5 Anyone who receives a FPN is encouraged to talk to their co-workers, friends and families to promote the anti-litter message.

## 5. Consultation

5.1 The Enforcement Policy that underpins the work identified in this report is approved by your Committee. The policy reflects the views of the public and the business community in terms of the regulatory duties of the Council. Any enforcement action[s] taken as a result of the contents of this report are subject to that Enforcement Policy.

## 6. Implications for Resources

6.1 The work identified in this report was undertaken within the resources available to your Committee.

## 7. Implications for Policy Priorities

7.1 The issue of fixed penalty notices has a direct impact on environmental degradation within the City and the Council's strategic outcome of staying safe in a clean, green city.

## 8. Public Sector Equality Duty

8.1 The actions identified in this report were taken in accordance with approved enforcement policies which ensure that equalities issues have been addressed.

# **ACTING DIRECTOR OF REGULATION AND ENFORCEMENT**

Background Papers: FPN records

## APPENDIX 1

Wards where FPN's are issued

Ward	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
Acocks Green	3	0	2	0	5	2	0	0	0	2	0	1	15
Allens Cross	0	0	0	0	0	0	0	0	0	0	0	0	0
Alum Rock	0	2	1	1	3	1	3	1	0	5	3	3	23
Aston	1	1	1	1	1	2	2	1	0	1	1	0	12
Balsall Heath West	0	0	4	0	1	1	0	2	0	4	0	0	12
Bartley Green	1	0	1	0	0	0	0	0	0	0	0	0	2
Billesley	0	2	5	1	0	1	0	0	0	1	0	0	10
Birchfield	0	0	0	2	0	0	0	0	2	0	0	0	4
Bordelsey & Highgate	1	1	1	1	0	0	3	0	0	1	0	0	8
Bordesley Green	0	2	2	2	9	2	9	0	1	0	0	0	27
Bournbrook & Selly Park	0	1	1	9	4	0	1	0	0	0	0	0	16
Bournville & Cotteridge	1	0	0	9	3	0	1	0	0	0	0	0	14
Brandwood & Kings Heath	0	5	3	3	0	0	0	0	0	6	0	0	17
Bromford & Hodge Hill	0	1	1	0	2	1	1	0	0	4	1	1	12
Castle Vale	0	0	0	0	0	0	0	0	0	1	0	0	1
Druids Heath and Monyhull	0	2	0	0	0	0	2	0	0	0	0	0	4
Edgbaston	0	0	2	1	0	6	1	0	0	0	1	1	12
Erdington	2	0	2	6	2	1	0	3	0	2	3	0	21
Frankley Great Park	0	0	0	0	0	1	0	0	0	0	0	0	1
Garretts Green	0	0	0	2	0	0	0	0	0	0	1	1	4
Glebe Farm & Tile Cross	2	0	1	3	0	0	1	1	1	2	0	1	12
Gravelly Hill	1	0	0	0	1	0	0	0	0	0	1	2	5
Hall Green North	0	2	0	0	1	1	2	0	1	5	3	1	16
Hall Green South	0	4	2	0	0	1	0	0	0	0	0	0	7
Handsworth Wood	0	0	2	1	0	0	0	0	0	0	1	0	4
Handsworth	2	0	1	0	1	0	0	2	1	0	0	2	9
Harborne	0	0	1	2	2	1	0	0	0	0	0	0	6
Heartlands	1	1	0	0	1	1	2	0	0	0	0	0	6
Highters Heath	0	0	0	0	0	1	0	0	0	0	0	0	1
Holyhead	1	0	5	0	2	11	0	0	0	0	0	0	19
Kings Norton North	0	0	0	1	0	0	0	0	0	0	0	0	1
Kings Norton South	1	0	0	0	0	0	0	0	0	0	0	0	1
Kingstanding	1	0	0	0	0	0	0	0	2	1	0	1	5
Ladywood	746	777	463	302	399	560	570	735	416	645	392	368	6,373
Longbridge & West Heath	0	0	0	0	0	0	4	0	0	0	0	1	5
Lozells	2	1	0	0	1	0	0	0	0	0	0	1	5
Moseley	0	1	0	0	0	1	1	0	0	0	0	1	4
Nechells	0	0	0	2	0	3	3	0	0	2	0	0	10
Newtown	0	0	2	0	2	2	2	0	0	2	0	1	11
North Edgbaston	2	1	0	0	0	0	0	0	0	0	1	0	4
Northfield	0	0	0	0	0	0	2	0	6	0	0	4	12

Oscott	0	0	5	0	1	0	1	1	0	0	0	0	8
Perry Barr	0	0	1	0	0	1	4	0	0	0	0	0	6
Perry Common	0	0	1	0	0	1	0	0	0	0	0	0	2
Pype Hayes	1	0	0	0	0	0	0	1	0	0	0	0	2
Quinton	0	0	0	0	0	0	0	1	0	0	0	0	1
Rubery & Rednal	1	0	0	0	0	0	0	0	1	0	0	0	2
Shard End	0	0	0	0	5	0	0	0	0	1	0	0	6
Sheldon	1	0	0	0	1	1	1	0	0	0	0	0	4
Small Heath	3	0	1	2	7	0	3	1	0	0	0	1	18
Soho & Jewellery Quarter	0	0	3	0	1	7	7	2	0	0	1	0	21
South Yardley	0	1	0	0	0	0	1	0	0	0	0	0	2
Sparkbrook & Balsall Heath East	0	2	3	1	4	9	2	1	3	14	1	0	40
Sparkhill	0	1	3	0	1	30	3	0	0	1	4	7	50
Stirchley	0	0	0	0	2	0	0	0	0	0	1	0	3
Stockland Green	0	0	0	0	0	0	0	4	0	0	1	1	6
Sutton Four Oaks	0	0	0	0	0	0	0	1	0	0	0	0	1
Sutton Mere Green	0	0	0	0	0	0	0	0	0	0	0	0	0
Sutton Reddicap	0	0	0	0	0	1	0	0	0	0	0	0	1
Sutton Roughley	0	0	0	0	0	0	0	0	0	1	0	0	1
Sutton Trinity	0	0	0	0	0	0	0	0	0	0	0	0	0
Sutton Vesey	0	2	0	0	0	1	13	1	0	0	0	0	17
Sutton Walmley & Minworth	0	0	0	0	0	1	0	0	4	0	0	0	5
Sutton Wylde Green	1	0	0	0	0	0	5	6	0	1	0	1	14
Tyseley & Hay Mills	0	0	0	0	0	0	2	0	0	0	0	3	5
Ward End	0	0	0	3	1	0	9	0	0	1	0	1	15
Weoley & Selly Oak	0	0	0	1	0	0	0	0	0	0	0	0	1
Yardley East	0	0	0	0	0	1	0	2	0	0	0	1	4
Yardley West & Stretford	0	1	0	0	0	0	1	0	0	0	2	0	4
	775	811	520	356	463	653	662	766	438	703	418	405	6,970

**BIRMINGHAM CITY COUNCIL**

**REPORT OF THE ASSISTANT DIRECTOR OF REGULATION AND  
ENFORCEMENT TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

**16 MAY 2019**  
**ALL WARDS**

**THE BIRMINGHAM CITY COUNCIL ACT 1990**

1. Summary

- 1.1 Outstanding Minute 942 (ii) requires an update be provided to the Licensing and Public Protection Committee on the Birmingham City Council Act 1990.
- 1.2 At the meeting of the Licensing and Public Protection Committee in November 2017 it was suggested that the consideration of Birmingham City Council Act matters be delegated to sub-committee level.

2. Recommendation

- 2.1 That the report be noted.
- 2.2 That outstanding minute 942(ii) be discharged.

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### 3. Background

- 3.1 At the meeting of the Licensing and Public Protection Committee in November 2017 it was suggested that the consideration of Birmingham City Council Act matters be delegated to sub-committee level.
- 3.2 The required changes were made to the Policies Procedures and Delegations as reported to the Licensing and Public Protection Committee in June 2018. Unfortunately the outstanding minute was not discharged at this time.
- 3.3 It was also suggested that the Act itself should be considered with regard to its effectiveness and relevance. A further piece of work is ongoing by colleagues in Environmental Health to consider potential improvements and amendments to the Act. These will be reported separately to your Committee in the future.

### 4. Consultation

- 4.1 No consultation has been carried out in respect of this report

### 5. Implications for Resources

- 5.1 Previously all matter relating to Massage and Special Treatment Licensing were reserved to the full Licensing and Public Protection Committee.
- 5.2 Delegating these matters to a sub-committee enables matters to be dealt with much more quickly.

### 6. Implications for Policy Priorities

- 6.1 The issues addressed in this report relate to the City Council priorities associated with creating a cleaner, greener and safer city and providing excellent services.

### 7. Public Sector Equality Duty

- 7.1 The matters identified in this report do not require an Equalities Assessment.

## **ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT**

Background Papers: nil

**BIRMINGHAM CITY COUNCIL****LICENSING AND PUBLIC PROTECTION COMMITTEE****16 MAY 2019****SCHEDULE OF OUTSTANDING MINUTES**

<b>MINUTE NO./DATE</b>	<b>SUBJECT MATTER</b>	<b>COMMENTS</b>
942 (ii) 15/11/2017	<b><u>Revision of Birmingham City Council Act 1990 Establishments for Massage and/or Special Treatments</u></b> The Acting Service Director of Regulation and Enforcement be requested to provide a report for Committee reviewing the need for the Birmingham City Council Act 1990 and options including delegation of hearings to Licensing Sub-Committees.	See agenda item 8
1114 16/01/2019	<b><u>Update Report On Unauthorised Encampments</u></b> – The Acting Service Director of Regulation and Enforcement be requested to report further in three months' time to update on the various work items contained within the report.	See agenda item 6