



**EXAMINATION OF THE CITY OF YORK LOCAL PLAN  
2017-2033**

**PHASE 5 HEARINGS**

**Matter 1: Provision for Gypsies and Travellers  
[Draft Policies H5 (and H6) as proposed to be modified]**

**CITY OF YORK COUNCIL STATEMENT  
Appendices 1 - 6**

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## **APPENDIX 1: ORS GTAA REVIEW**

Laura Bartle  
Strategic Planning Policy Manager  
City of York Council  
West Offices  
York  
YO1 6GA

27/02/2024

Dear Laura

## **York GTAA Interim Update**

Following your recent enquiry in relation to the forthcoming Local Plan Examination for the City of York I can provide the following update regarding need from Gypsy and Traveller households in response to changes made by the Government to the PPTS Annex 1 in December 2023. These changes were made in response to the Lisa Smith Court of Appeal Judgement that was handed down in October 2022.

Firstly, my views on the implications of the changes that were made to the PPTS in relation to GTAAs are that, having reviewed several of our recent GTAAs the vast majority of those who will now meet the planning definition who have previously travelled for work and have now ceased to travel permanently are old or sick, have no children now living with them, and (unless they are living on a temporary or unauthorised site) do not generate much, if any, need. Therefore, whilst a number of households may now move under the revised definition, they will bring no need over with them. The majority of need from remaining non-definition households is from teenagers and through new household formation from single parents and families with children who do not travel, or do not travel for work. In summary, households who have never travelled, or have never travelled for work do not meet the revised PPTS planning definition of a Traveller. The revised definition therefore does not change the numbers significantly

## **Review of the 2022 GTAA**

In 2022 the Council commissioned ORS to completed a review of the previous GTAA due to known changes of occupants on the 3 public sites in York. In January 2024 the Council commissioned ORS to complete a further review of the GTAA prior to the Local Plan Examination Hearings as a result of further changes to the occupants of the 3 public sites.

This review was completed through detailed engagement with those responsible for managing the 3 public sites in York to determine the current pitch occupiers; to determine their demographic characteristics; to determine details about their travelling history; and to identify any known need

for additional pitches i.e. due to over-crowding or from teenage children who will be in need of pitches of their own in the next 5-years.

Following this review households were assessed against the revised PPTS planning definition of a Traveller that was introduced in December 2023.

### Planning Status of Travellers

The tables below set out the planning status of Travellers in the City of York following the updated that was completed in January 2024; for the update that was completed in 2022; and for the previous GTAA that was completed in 2017.

They set out the number of households that were found to meet the 2023 PPTS planning definition; the number of households that were found not to meet the planning definition; and a small number of undetermined households where it was not possible to complete or update a household interview.

Status - 2024	Meet Planning Definition	Do Not Meet Planning Definition	Undetermined
Public	19	45	0
Private	0	0	2
Unauthorised	0	0	1
<b>Sub-Total</b>	<b>19</b>	<b>45</b>	<b>3</b>
TSP - Unauthorised	1	0	0
<b>Sub-Total</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>20</b>	<b>45</b>	<b>3</b>

<b>G&amp;T % Meet</b>	<b>30</b>
<b>TSP % Meet</b>	<b>100</b>

Status - 2022	Meet Planning Definition	Do Not Meet Planning Definition	Undetermined
Public	20	48	0
Private	0	0	2
Unauthorised	0	0	1
<b>Sub-Total</b>	<b>20</b>	<b>48</b>	<b>3</b>
TSP - Unauthorised	1	0	0
<b>Sub-Total</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>21</b>	<b>48</b>	<b>3</b>

<b>G&amp;T % Meet</b>	<b>29</b>
<b>TSP % Meet</b>	<b>100</b>

Status - 2017	Meet Planning Definition	Do Not Meet Planning Definition	Undetermined
Public	8	40	13
Private	1	0	2
Unauthorised	0	0	6
<b>Sub-Total</b>	<b>9</b>	<b>40</b>	<b>21</b>
TSP - Unauthorised	2	0	0
<b>Sub-Total</b>	<b>2</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>11</b>	<b>40</b>	<b>21</b>

<b>G&amp;T % Meet</b>	<b>18</b>
<b>TSP % Meet</b>	<b>100</b>

### Gypsy and Traveller Pitch Need

The tables below set out the need that has been identified for Gypsy and Traveller pitches in the City of York for the period to 2038. Components of identified need are:

- Unauthorised pitches.
- Concealed or doubled-up households or single adults.
- Teenagers who will be in need of a pitch of their own in the next 5 years.
- New household formation from younger children.

The tables also include a comparison with the need figures identified in the 2022 GTAA Update.

### Meet PPTS Planning Definition

In total interviews were completed on 18 pitches where households were found to travel for work or have ceased to travel for work temporarily due to education, health, or old age – all living on public sites.

These households generated a current need for 9 pitches over the first 5 years of the GTAA period to 2027; and a future need for 2 pitches over the remainder of the GTAA period to 2038.

### Do Not Meet PPTS Planning Definition

- The GTAA identified a total of 43 households had never have travelled for work but have travelled for holidays; to visit family and friends; and to attend fairs for cultural reasons that did not involve work.
- These 43 households generated a current need for 11 pitches over the first 5 years of the GTAA period to 2027, and a future need for 12 pitches for the remainder of the GTAA period to 2038.

### Undetermined Gypsies and Travellers

- When completing the GTAA it was not possible to complete an interview with a total of 3 households. These households generated a current need for 2 over the first 5 years of the

GTAA period to 2027 pitches, and a future need for 2 pitches for the remainder of the GTAA period to 2038.

Gypsies and Travellers	2022-27	2027-32	2032-33	2033-37	2037-38	Total	2022
Meet Planning Definition	9	1	1	0	0	11	14

Gypsies and Travellers	2022-27	2027-32	2032-33	2033-37	2037-38	Total	2022
Do Not Meet Definition	11	5	3	2	2	23	24

Gypsies and Travellers	2022-27	2027-32	2032-33	2033-37	2037-38	Total	2022
Undetermined	2	0	1	0	1	4	2

#### TOTAL

Gypsies and Travellers	2022-27	2027-32	2032-33	2033-37	2037-38	Total	2022
	22	6	5	2	3	38	40

#### Summary

Gypsies and Travellers - Local %	GTAA	HMA	TOTAL
Meet Planning Definition (+ 30% Undetermined)	12	0	12
Not meeting Definition (+ 70% Undetermined)	0	26	26
<b>TOTAL</b>	<b>12</b>	<b>26</b>	<b>38</b>

#### Conclusions

The tables above show that when the 2023 PPTS planning definition of a Travellers is applied to the outcomes of updated household interviews for the City of York it has a negligible impact on the outcomes of the needs analysis.

Applying the 2015 PPTS definition to household data from 2022 identified a total need for 40 pitches, of which 14 was from households that met the planning definition, and 24 was from households that did not meet the planning definition.

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Applying the 2023 PPTS definition to household data from 2024 identified a total need for 38 pitches, of which 11 was from households that met the planning definition, and 23 was from households that did not meet the planning definition.

Therefore, it can be concluded that the revised 2023 PPTS planning definition of a Traveller has not resulted in an increase of need from households that meet the planning definition.

I trust this information resolves your enquiry.

Regards

A handwritten signature in black ink, appearing to read 'Steve Jarman', with a stylized flourish at the end.

Steve Jarman  
**Head of Traveller Assessments**  
**Opinion Research Services Ltd.**



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## APPENDIX 2: POLICY H5 AND H6 INCLUDING ALL MODIFICATIONS

A2.1 The Policies are colour coded accordingly:

- Black text – As submitted in Local Plan (draft) May 2018
- Yellow Highlighted text – Main Modifications proposed and consulted on (2023)
- Green highlighted text – Further suggested amendments (February 2024)

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### Policy H5: Gypsies and Travellers

#### Safeguarding Existing Supply

Proposals which fail to protect existing Gypsy and Traveller sites or involve a loss of pitches/plots will not be permitted unless it can be demonstrated that they are no longer required or equivalent alternative provision can be made. Existing Gypsy and Traveller sites are shown on the proposals Policies Map, and are listed below:

- James Street, Layerthorpe;
- Water Lane, Clifton; and
- Outgang Lane, Osbaldwick;

#### Meeting Future Need

In order to meet the accommodation needs of Gypsies and Travellers, provision will be made in the following ways:

##### a) Within Existing Local Authority Sites

In order to meet the need of Gypsies and Travellers that meet the planning definition, 10 3 additional pitches will be provided identified within the existing three Local Authority sites at:

- Water Lane, Clifton; and
- Outgang Lane, Osbaldwick.

##### b) Within Strategic Allocations

In order to meet the need of those 28 44 Gypsies and Traveller households that do and do not meet the planning definition:

Residential development proposals on strategic sites Applications for larger development sites of 5 ha or more will be required to: provide a number of pitches within the site or provide alternative land that meets the criteria set out in part c) of this policy to accommodate the required number of pitches.

Committed sum payments to contribute to development of pitches elsewhere will only be considered where it is demonstrated that on site delivery is not achievable due to site constraints and that there are no suitable and available alternative sites for the required number of pitches that can be secured by the developer

- provide a number of pitches within the site; or
- provide alternative land that meets the criteria set out in part (c) of this policy to accommodate the required number of pitches; or
- provide commuted sum payments to contribute towards to development of pitches elsewhere.

The calculations for this policy will be based on the hierarchy below:

- 100 - 499 dwellings - 2 pitches should be provided
- 500 - 999 dwellings - 3 pitches should be provided
- 1000 - 1499 dwellings - 4 pitches should be provided
- 1500 - 1999 dwellings - 5 pitches should be provided
- 2000 or more dwellings - 6 pitches should be provided

### **c) Planning Applications**

In addition to the above allocated sites, development for Gypsy and Traveller sites will be permitted where proposals:

- do not conflict with the objective of conserving and enhance York's historic and natural environment. This includes the city's character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function;
- ensure accessibility to public transport and services;
- are suitable in terms of vehicular access and road safety including internal space for adequate parking and turning;
- ensure that development does not have an undue impact on the residential amenity of current residents and future occupiers, including leading to unacceptable levels of congestion, pollution and air quality; and
- appropriately manage flood risk.

In addition, proposals will be expected to:

- provide adequate provision for storage, recreation space, amenity provision and utility services;
- ensure that the size and density of pitches/plots are in accordance with best practice guidance;
- incorporate appropriate landscape proposals to have a positive influence on the quality and amenity of the development;
- ensure that residents living nearby are not unduly affected by noise, disturbance or overlooking; and
- ensure future occupiers would not be subject to significant adverse environmental impacts.

Any permission granted for a Gypsy and Traveller development will be subject to a condition limiting occupation to Gypsies and Travellers, as appropriate.

### **Policy H6: Travelling Showpeople**

#### **Safeguarding Existing Supply**

Proposals which fail to protect existing Travelling Showpeople yards or involve a loss of pitches/plots will not be permitted unless it can be demonstrated that they are no longer

required or equivalent alternative provision can be made. Existing Travelling Showman yards are shown on the **proposals Policies** Map, namely The Stables, Elvington (temporary permission until 2020).

### **Meeting Future Need**

There is a total need of **3-4** Showpeople plots over the plan period (this includes the plot with temporary planning permission at The Stables). **This is split into 2 plots in years 2016-21, and 1 plot in the period 2032.**

#### **a) Allocated Sites**

In order to meet the need of Travelling Showpeople that meet the planning definition, 3 plots will be allocated on the following site:

SP1: The Stables, Elvington: 3 plots

#### **b) Travelling Showpeople Yards within Employment Sites**

Travelling Showpeople yards will be permitted on existing and allocated employment sites provided development would not lead to the loss of land that that is necessary to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms and unacceptable environmental problems exist.

#### **c) Planning Applications**

In addition to the above allocated sites, development for Showman sites will be permitted where proposals:

- i. do not conflict with the objective of conserving and enhance York's historic and natural environment. This includes the city's character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function;
- ii. ensure accessibility to public transport and services;
- iii. are suitable in terms of vehicular access and road safety including internal space for adequate parking and turning;
- iv. ensure that development does not have an undue impact on the residential amenity of current residents and future occupiers, including leading to unacceptable levels of congestion, pollution and air quality; and
- v. appropriately manage flood risk.

In addition, proposals will be expected to:

- vi. provide adequate provision for storage, recreation space, amenity provision and utility services;
- vii. ensure that the size and density of pitches/plots **are in accordance with have regard** to best practice guidance;
- viii. incorporate appropriate landscape proposals to have a positive influence on the quality and amenity of the development;
- ix. ensure that residents living nearby are not unduly affected by noise, disturbance or overlooking; and
- x. ensure future occupiers would not be subject to significant adverse environmental impacts.

Any permission granted for a Travelling Showpeople development will be subject to a condition limiting occupation to Travelling Showpeople, as appropriate.

### Explanation

5.36 Key evidence including the Equality and Human Rights Commission report Inequalities Experienced by Gypsy and Traveller Communities (2009) suggests that today Gypsies and Travellers are the most marginalised and disadvantaged of all minority groups nationally, suffering the greatest inequalities across a range of indicators.

5.37 Planning Policy for Traveller Sites (2015-2023) introduced a revised the definition for Travellers which states that households that do not travel and have not ever travelled for work purposes fall outside the planning definition of a Traveller. In light of the revised definition, the Council updated its evidence base that informed the City of York Gypsy and Travellers Accommodation Assessment (2022) commissioned consultants to undertake an update of the Gypsy, Traveller, and Showpeople Accommodation Assessment completed in 2013. As part of this update, Gypsy, Traveller and Showpeople households completed a revised survey which could be used to analyse their travel patterns and to conclude whether or not they fall into the revised definition of Travellers.

5.38 Table 5.3 overleaf is taken from the City of York Gypsy and Travellers Accommodation Assessment Update (2017) and summarises the number of pitches required to 2038 households in York which do/do not meet the definition

Table 5.3: Pitch needs for Gypsy and Travellers 2022-2038 Meeting the Revised Definition of a Traveller

Delivery Status	Gypsy and Traveller Policy	Housing Policy	Total
Meet Planning Definition	11	-	11
Do not meet Planning Definition	-	23	23
Undetermined	4	-	4
<b>Total</b>			<b>38</b>

Households in York	GTAA <sup>1</sup>	SHMA <sup>2</sup>	Total
Households that meet the planning definition (incl. 10% of unknown need)	3	0	3
Households that do not meet the planning definition (incl. 90% of unknown need)	0	44	44
<b>Total</b>	<b>3</b>	<b>44</b>	<b>47</b>
Showpeople households that meet the planning definition	3	0	3
<b>Total</b>	<b>3</b>	<b>0</b>	<b>3</b>

<sup>1</sup> GTAA – Gypsy and Traveller Accommodation Assessment

<sup>2</sup> SHMA – Strategic Housing Market Assessment

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5.39 In accordance with Government guidance set out in the NPPF (2012) and Planning Policy for Traveller Sites (2015), the Council is required to identify a supply of specific, deliverable Gypsy, Traveller and Travelling Showpeople sites sufficient to provide five years' worth of sites against their locally set targets to meet accommodation needs of these groups who meet the revised definition in York.

5.40 It is recognised that Gypsies and Travellers and Travelling Showpeople have different needs and that the two different groups should not be located on the same areas of land. Gypsy and Traveller and Travelling Showpeople provision has its own specific terminology. Gypsy and Traveller provision is expressed in 'pitches' on sites whereas Travelling Showpeople provision is expressed as 'plots' on sites often called a 'yard'. Nationally, pitch/plot sizes range from 200 m<sup>2</sup> to 500 m<sup>2</sup>. An upper measurement of 500 m<sup>2</sup> has been used in the allocation of sites to allow final design to Sites will be designed to accommodate all of the requirements set out in design guidance, including landscaping, play space and access arrangements. Space has will also been en taken into account for equine grazing which is a much needed provision in York. Final pitch sizes will ultimately be a matter for detailed planning applications to determine.

5.40a The Council is committed to investing in each of its owned and managed traveller sites to ensure that current and future residents are not exposed to unsatisfactory living conditions. Following adoption of the plan the Council will undertake an early site search within the terms of PPTS and assess any options that emerge as potential alternative sites. This work will be undertaken as part of a comprehensive package of actions developed and progressed in collaboration with the gypsy and traveller community to ensure that existing inequalities are properly addressed.

5.41 ~~Three~~ ~~Two~~ plots for Travelling Showpeople ~~have~~ ~~has~~ been identified for the first 5 years of the plan period at The Stables, Elvington, ~~with a further 1 plot in the same yard for the future expansion of the existing family in year 2032~~. The nature of Travelling Showpeople's work, requires level hard standings and covered sheds for the maintenance and storage of large fairground rides. For this reason, applications for yards in existing and allocated employment sites will be supported where the provision will not compromise the employment land supply.

5.42 ~~The suitability of the location of any further sites for Gypsies, Travellers or Travelling Showpeople which come forward during the plan period will be determined in accordance with criteria i – v of Policies H5 and H6. These consider the natural and historic environment, access to public transport and services, road access and congestion, flood risk and amenity. The development of the allocated sites and any further sites that come forward during the plan period will be determined in accordance with Policies H5 and H6 criteria vi – x. These consider the provision of storage and recreation space, amenity provision, size and density of pitches/plots, landscaping of the site, amenity of nearby residents and future occupiers of the site.~~

5.42 The suitability of sites not allocated for Gypsies, Travellers or Travelling Showpeople in this Local Plan will be assessed against the locational principles within criteria i-v of Policies H5 and H6 (Part C) as appropriate. All development proposals (including those forming part of a strategic allocation) will need to demonstrate that the site's design and layout observes the principles within criteria vi-x of Policies H5 and H6, as appropriate.

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Where proposals seek to provide a commuted sum in lieu of either on or off-site pitch provision, applications will need to comprehensively demonstrate the following:

1. That the design parameters (vi – x in part C of Policy H6) cannot be satisfactorily achieved through evidence of a site and masterplan appraisal (which should include layout and capacity assessments as well as a demonstration of all reasonable attempts to overcome any site constraints); and,
2. That there are no available sites which would be suitable for the number of pitches required. Evidence should include an appraisal of sites on the market at the time of the application with clear justification for their rejection.

Committed sums will be calculated on the basis that costs are met in full including, where appropriate, land purchase, professional fees, construction, and operating costs.

5.43 A condition will be attached to any permission to ensure that the sites remain in use by Gypsies and Travellers or Travelling Showpeople, as appropriate and the number of pitches and plots are retained to ensure a supply to need demand.

## **Delivery**

- Key Delivery Partners: City of York Council, Developers, Housing Charities, Gypsy, Roma, Traveller and Travelling Showpeople stakeholders
- Implementation: Planning applications and strategic site masterplans

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## APPENDIX 3: SITE SELECTION PROCESS OVERVIEW

- A3.1 To determine initial broad suitability the Council undertook a two-stage assessment of the sites submitted in the 2012 'call for sites' to inform the Preferred Options stage (2013):
- ensuring that they were in accordance with the emerging spatial strategy, which seeks to protect the city's unique heritage and environmental assets and appropriately manages flood risk; and
  - Were evaluated by specialist officers within the Council to determine the sites' suitability for living and working in terms of access and proximity to the local highway network and service provision. The internal evaluation of the site used assessment criteria specifically formed to reflect the preferences and lifestyle requirements of the travelling community.
- A3.2 This methodology was taken forward by the Gypsy and Traveller Site Identification Study (2014) [SD060] with additional consideration for theoretical capacity of shortlisted sites. This study recognised that the Council had sought to identify sites that were genuinely available for this use in accordance with national policy as well as whether they were suitable and developable.
- A3.4 The study evaluated a long list of 20 potential gypsy and traveller and travelling showpeople sites for consideration, including all Local Authority sites and sites identified at the following stages:
- 'Call for sites' (2012) - 4 sites submitted for consideration for gypsy and travellers; 1 of which was later withdrawn by the landowner;
  - Preferred Options (2013) – 3 sites
  - Further Sites Consultation (2014) – 3 sites
  - Publicly owned land (2014) – 3 sites
- A3.5 The recommended policy approach in the Identification Study (section 5.8 and 5.11) was to:
- Include the targets as set out in the GTAA
  - Allocate potential sites, identifying 2 sites for gypsies and travellers and 2 sites for Travelling Showpeople;
  - Safeguard existing sites;
  - Include criteria for assessing all Gypsy, Roma, Travelling Showpeople planning applications; and
  - include policy requirement for on-site provision within strategic allocations.
- A3.6 At this stage, Identification Study also recommended that the Council's commitment to funding and delivery of sites was considered to de-risk implementation.
- A3.7 Further consideration of sites took place at the Preferred Sites consultation (2016) [SD018], which reviewed all previously proposed allocations. Through this process

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the previously identified allocations for gypsies and travellers sites were discounted for reasons related to land serving Green Belt purposes and associated harm development would cause.

A3.8 Subsequently, the Council consulted through the Local Plan Pre-Publication (Regulation 18) consultation (2017) on expansion of existing Local Authority sites to meet the need of gypsies and travellers that meet the planning definition. The policy approach also included for strategic sites/commuted sum payments to deliver non-definition gypsy and traveller requirements. These policies were carried through to the Publication (Regulation 19) Consultation (2018) and endorsed by the Council's Executive for Submission in May 2018.

A3.9 No further sites for gypsy and traveller use have been identified during the Examination stage.



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## **APPENDIX 4: GYPSY & TRAVELLER HEALTH NEEDS ASSESSMENT**

**Gypsy & Traveller Health Needs  
Assessment: A Rapid Assessment of the  
Health Needs of York's Gypsy and Traveller  
Population**

**Heather Baker, Public Health Improvement Officer  
City of York Council Public Health Team**

## Foreword from Violet Cannon, Traveller's Trust

York Travellers Trust is delighted with the results of this needs assessment, our first formative step to create a fairer, more accessible health care system in York for our community.

We see this work as a starting point of a relationship where we work together to ensure health care in York is made better not just for the Gypsy and Traveller community, but for all York residents.

Now that York recognises the poor health outcomes of Gypsy and Traveller Communities, we can work together – both the statutory and voluntary sector – to find solutions that benefit York Travellers Trust clients by creating inclusive services and generating health benefits for all York Residents.

[To ADD: Violet signature]

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## [Guide to This Assessment](#)

This assessment focuses on Romany Gypsies and Travellers, known throughout as Gypsies and Travellers. Roma members have not been included in this analysis as the communities is very small with little data; it is hoped that in the near future, a health needs assessment could be undertaken specifically for this group.

This assessment provides a comprehensive insight into the health needs of Gypsies and Travellers and includes some local quantitative research undertaken in 2022 and 2023. It also talks about some limitations, including gaps in the data set. Presentations of key findings will accompany in due course.

## [Who Should Read this Assessment?](#)

This assessment will be public facing and serve as a comprehensive guide to the health needs of the local Gypsy and Traveller communities to all members of the public. It is hoped that the report will be utilised by any organisation or department which wishes to understand the issues raised and work to improve the living experiences of the Gypsy and Traveller communities in York.

## [Partners involved in this Needs Assessment](#)

York Travellers' Trust<sup>1</sup> is a registered charity, established in 1999, that gives support, advice and advocacy to the Gypsy and Traveller communities in York. The Trust also acts as a conduit between service providers and York residents which aims to allow increased understanding between communities in order to facilitate better community cohesion. The Trust provides many activities and resources, including a Community Food Share which is available to everyone in need and not restricted to the Gypsy and Traveller Communities. Mental health and wellbeing is also supported with a weekly Catch Up Club as well as individual and group sessions led by an Integrative Wellbeing Support Worker. The Trust also liaises with other agencies including the Police, education, and housing services. Six people are employed by the Trust with core funding coming from charitable donations. There is no funding from the NHS currently.

The Public Health Team led on the writing of this HNA, and are extremely grateful to York's Travellers' Trust for their collaboration with us, and the opportunities to attend their workshops and meet members of the communities.

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<sup>1</sup> [York Travellers' Trust](#)

## Executive Summary

This health needs assessment (HNA) presents the findings of unmet need within York's Romany Gypsy and Traveller communities. Evidence suggests that these communities experience worse health outcomes, live shorter lives than the rest of the population, and are less likely to receive continuity of healthcare which addresses their needs.

There is a lack of local quantitative and qualitative data that adequately describes the health needs of this community, or that provides accurate representation of the number of Gypsies and Travellers living in York and where they are located. Recent workshops organised by York Travellers' Trust have provided some insight into lived experiences; however more is required to better understand specific health and wellbeing challenges.

These communities experience racism and discrimination which often extends to their experiences with professional services, such as the police, council and healthcare professionals. As such, Gypsies and Travellers understandably express low levels of trust in service providers and, fear that reaching out for help can make some situations worse (for example, due to a fear of intervention by social services in the event of seeking help for childhood illness).

Actual and perceived discrimination from statutory services can lead to adverse health impacts, for instance through missed opportunities for preventive / early interventions which the rest of the population benefit from. This can result in the development of higher rates of chronic diseases, including mental ill health, higher morbidity rates, high accident rates, and higher levels of infant mortality.

A number of Gypsies and Travellers also live in "bricks and mortar" housing, though their locations are largely unknown and their needs are even hard to pinpoint. Some residents express feelings of disconnection from their families and the community, which again can lead to poor physical and mental health

Provision of accommodation at Travellers sites has the potential for adverse health impacts, for instance through exposure to overcrowding, or from air pollution from diesel generators.

## Definitions

- Gypsies and Travellers are not a homogenous group rather they encompass a range of ethnic groups with distinctive histories, beliefs and cultures.
- Approximately 300,000 Gypsy, Roma and Traveller people reside in the UK.<sup>2</sup> In York, approximately 368 residents identified as Gypsy or Traveller in the Census 2021. There are likely to be significantly more.
- Gypsies and Travellers face some of the most marked health inequalities compared to other ethnic minority groups.
- Travelling was reported to be a crucial part of the identity of these communities and is strongly driven by family ties.
- Overcrowded sites and housing that is difficult to heat, and environmental factors are some of the most influential contributing factors to the poor health status of Gypsies and Travellers in York, including stress.

The Health and Social Care Act 2012 details legal duties on health inequalities aiming to:

- a. Reduce inequalities between patients with respect to their ability to access health services
- b. Reduce inequalities between patients with respect to the outcomes achieved for them by the provision of health services

## Gypsies and Travellers

Gypsies and Travellers are diverse ethnic groups with distinct cultural practices and traditions. They face various challenges, including discrimination, marginalisation, and lack of access to basic services such as healthcare and education.

Efforts have been made to address the challenges faced by these groups, including the provision of culturally appropriate services, anti-discrimination laws, and efforts to increase access to education and employment. However, more needs to be done to ensure that these communities can live free from discrimination and enjoy the same rights and opportunities as the rest of society.

Despite these efforts, discrimination and prejudice still exist:

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<sup>2</sup> Included are Romany Gypsies, Irish Travellers, Scottish Gypsies and Travellers, Welsh Gypsies and Travellers, New Travellers, Boaters, Travelling Showpeople and Roma people.

- Discrimination against these groups is often based on stereotypes and misconceptions about their lifestyle and culture. For instance, Travellers are sometimes unfairly associated with criminal activities or seen as a burden on the settled communities.
- Lack of access to education is a significant barrier for Gypsy and Traveller children. Many face discrimination and bullying in mainstream schools and are sometimes unable to fully participate in the curriculum due to their nomadic lifestyle.

It is society's responsibility to work towards understanding and respecting the culture and way of life of Gypsies and Traveller with a focus on improving access to education, employment and healthcare, whilst combating discrimination and prejudice. By addressing these often deep-rooted challenges, a multifaceted approach is required that involves a greater understanding and involvement of the need of the communities.

### *Romany Gypsies*

It is generally agreed that the Romany Gypsy communities originate with a group or groups of people who left India over a thousand years ago and dispersed across the globe. Along the way they were defined (usually by others) as being 'Egyptian' and this has become shortened to Gypsy. Romany Gypsies are believed to have originated from India and migrated to Europe in the 14th century. They have a rich cultural heritage that includes music, dance, and storytelling. However, they have been subject to discrimination and persecution throughout history, including the Holocaust during World War II. Gypsies began occurring in UK records in the 16th Century and have settled here ever since. Romany is the word that Gypsy people in England and Wales apply to themselves hence the term 'Romany Gypsy'. Romany Gypsies are recognised as an ethnic minority group in UK Law (Race Relations Act (amended) 2000 and Equalities Act 2010).

Please note, the term 'Romany Gypsy' must not be used to describe more recent incomers to the UK from Central and Eastern Europe. This group should be described as 'Roma'. Confusion or conflation of these terms can cause deep offence to both groups.

### *Irish Travellers*

Irish Travellers have a different ethnic background but they do have much in common in terms of lifestyle and to some extent shared history with Romany Gypsy and Scottish Gypsy Traveller people, have a different ethnic route and do not come originally from India but Ireland.



### *Scottish Gypsy Travellers*

Travelling people in Scotland, whilst sharing much in common with other Travelling groups have recently been recognised as a separate ethnic group in Scotland. The origins of Scottish Gypsy Travellers may be linked to Romany Gypsies and Irish Travellers as well as having some distinct routes of their own. It is believed that the first Romany Gypsy people in the British Isles were in Scotland.

All of these groups are characterised by a strong sense of community, distinctive values, and to some extent a nomadic lifestyle. They each face numerous challenges, including inadequate accommodation, poor health outcomes, and prejudice from the settled communities.

#### [Race Relations Acts, 1976](#)

The Race Relations Act (1976, amended 2000) and the Equalities Act (2010) legally recognise Gypsies and Travellers as ethnic groups and thus protected from discrimination. Gypsy and Traveller communities are known to face some of the worst health inequalities in healthcare access and health outcomes, especially when compared with other minority groups. These reasons are complex and include the impact of stigmatisation and discrimination as well as the broader social determinants of health.

The Equality Act 2010 stated public bodies must comply with public sector equality duty. Public authorities must have due regard or think about the need to:

- a. Eliminate unlawful discrimination
- b. Advance equality of opportunity between people who share a protected characteristic and those who don't
- c. Foster or encourage good relations between people who share a protected characteristic and those who don't

The 2019 Women and Equalities Committee inquiry "Tackling Inequalities faced by Gypsy, Roma and Traveller Communities" emphasises these communities facing the starkest inequalities of any ethnic group and that persistent failure by both national and local policy-makers has failed to tackle inequalities in sustained ways.

City of York Council has pledged to be an anti-racist council with hopes for York to become an anti-racist city. Partnership work with the Black, Asian and Racially Minoritised Communities (BARMC) will lead to the development of an anti-racist plan to address racial inequality and improve

opportunity and access to services and employment. Additional work will involve:

- education around the history and impact of racism and discrimination in our society, and actively work to identify and challenge racist attitudes and behaviours
- create and maintain safe and inclusive spaces for all members of the York communities, regardless of race, ethnicity, religion, gender identity, sexual orientation, or ability
- support and amplify the voices of marginalised communities and work to ensure that their needs and concerns are heard and addressed

#### Key Findings of this HNA

- The health status of Gypsies and Travellers is much poorer than that of the general population in similar economic circumstances. On average, the health status of Gypsies and Travellers is worse than that of other ethnic minority groups<sup>3</sup>.
- Poor access to, and uptake of, health services is a major factor in Gypsy and Traveller health.
- The health of Gypsies and Travellers is often not mentioned because the communities are generally not included in data sets.
- Examples of good practice exist (in Leeds, for example), but these need to be funded and replicated across more localities.

#### Key inequalities identified in this HNA

- Gypsies and Travellers live between 10 and 25 years less than the general population.<sup>4</sup>

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<sup>3</sup> [Microsoft Word - GT final report for web.doc \(bemis.org.uk\)](#)

<sup>4</sup> [Equality and Human Rights Commission., Gypsies and Travellers: Simple Solutions for Living Together](#)

- Gypsies and Travellers have a significantly higher prevalence of long-term illness, health problems or disabilities, which limit daily activities or work.<sup>5</sup>
- The health of a Gypsy or Traveller in their 60s is comparable to an average White British person in their 80s.<sup>6</sup>
- An All Ireland study<sup>7</sup> found that suicide prevalence is six times higher for Irish Traveller women than women in the general population, and seven times higher for Traveller men.

*I think nowadays, there needs to be... a bit more knowledge of Gypsies and Travellers. That's what it is... They need to be able to pick up on...how we say things. I mean, I can say I've got a headache, but actually, I really want to put my head through a window because I'm in that much pain. But I will say, I've got pain in the side of my head. I mean, take, for instance, I went to the doctors, and these three years, nearly they said to me, you've got an ear infection, or throat infection. Have you got toothache? No, I haven't got toothache, it's down one side of my head, you know, things like that. And it took me ages to actually, till in the end, we walked in, and just started crying and I sat with the doctor, I said look I can't cope no more. But it got to that point whereas if you had somebody even from our community, that could, even though we speak very good English to translate the fact of what we're meaning...I think they need more training...on who Gypsies and Travellers are, how their terminology is, how they speak about things.*

Female, aged 70 to 80 years, bricks and mortar

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<sup>5</sup> [Parry et al., \(2007\) Health Status of Gypsies and Travellers in England, Journal of Epidemiology and Community Health, Mar;61\(3\):198-204](#)

<sup>6</sup> [NHS Race & Health Observatory: Inequalities in Mental Health Care for Gypsy, Roma, and Traveller Communities](#)

<sup>7</sup> [The Traveller Movement- Policy Briefing Addressing Mental Health and Suicide among Gypsy, Roma, Traveller Communities in England, March 2019](#)

## Part One: Introduction

What is the needs assessment?

It is the responsibility of Health and Wellbeing Boards produce and publish health needs assessments. Locally, these analyse and identify the current and future health and wellbeing needs in York.

Assessment Aims and Objectives

- Provide an evidence base to support the improvement and development of current and future services
- Provide a baseline profile of the health needs of this population, and ensure services are developed in ways that meet their needs and are easily accessible
- To gain an understanding of the experience of service providers' working with these communities
- Raise the profiles of the Gypsy and Traveller communities in order to inform and influence commissioners
- Describe current understandings of the health needs of the population
- Make recommendations to improve health and access to health care for Gypsies and Travellers
- Obtain the views of community members, health and education professionals
- Establish key priorities for addressing unmet needs
- Improve efforts to eliminate discrimination
- Foster good relations
- Report key findings to City of York Council's Communities team who commissioned this needs assessment

Why a Needs Assessment for the Gypsy and Traveller Communities?

Gypsies and Travellers in the City of York make up a small proportion of the population. Evidence suggests, however that the

communities experience significant health inequalities that have a detrimental affect on quality of life and equality of opportunity. Poor health can also affect the ability to fully participate in society.

#### Local Authority and Integrated Care Board Responsibilities

The inclusion of Gypsies and Travellers in topic-specific health needs assessment is crucial for the planning and commissioning of services that aid to reduce health inequalities. If the health needs of marginalised communities are excluded from comprehensive reports they risk being further excluded from future service developments in this area. “Evidence, including the Equality and Human Rights Commission report 2009, suggests that today Gypsies and Travellers are the most marginalised and disadvantaged of all minority groups nationally, suffering the greatest inequalities across a range of indicators. These include access to suitable accommodation, policing, justice and probation, health, education, employment and financial services.

#### The Local Picture

Little is known about the true size of the Gypsy and Traveller communities residing in York. The Census 2021 reported that only 0.2% (n=368) of York residents identified as Gypsy or Traveller.<sup>8</sup> The York Traveller’s Trust estimates that there are around 1300 at any one time.<sup>9</sup> Due to continuous racism and stigmatisation, many Gypsies and Travellers feel unable to reveal their true ethnicity even in a formal and anonymised document as the Census. Data is therefore skewed, and as many would choose to select their ethnicity as White British or White Other where health outcomes are significantly better, quantitatively capturing the health status of Gypsies and Travellers is challenging.

A heat map from the Census 2021 gives an idea of the distribution of Gypsies and Travellers in the city. Perhaps understandably, where the map shows a higher proportion in the darker blues, this indicates the location of the Traveller sites.

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<sup>8</sup> [ONS Census 2021: Ethnic group, national identity, language and religion](#)

<sup>9</sup> [York Museums Trust](#)

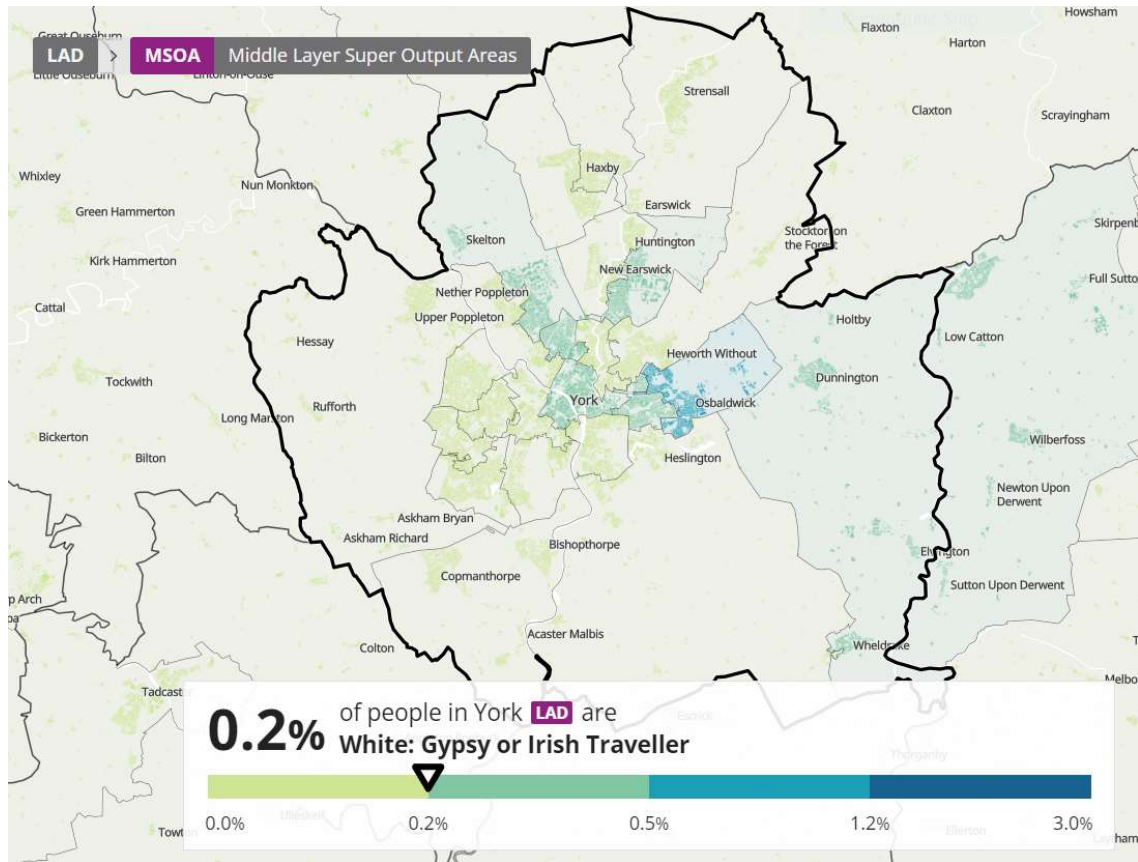


Figure 1: Map from ONS showing the prevalence of Gypsies and Travellers in York as per Census 2021 demographic data

## Part Two: Health

### Overview

Nationally, Gypsies and Travellers can expect to live on average 10-25 years less than the general population. They also live approximately 6 years less in good health. Lower life expectancy can be demonstrated clearly in the 2021 census, which shows the lack of older Romany Gypsy and Traveller people compared to the whole England population. Over half of the Gypsy and Traveller populations who are represented in the census were aged under 30.

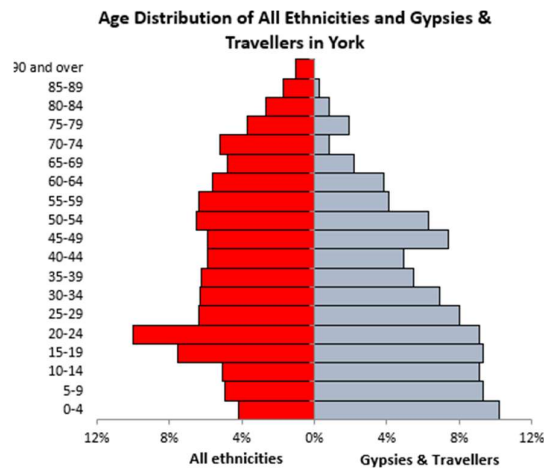


Figure 2: Population Pyramid showing the age demographics of Gypsies and Travellers against other ethnic groups in York. Data from ONS Census 2021

By way of comparison 17% of the whole England population is over 65, compared to just 6% in the Gypsy and Traveller Populations.

Gypsies and Travellers describe experiencing a range of health conditions that create vulnerability to negative health outcomes, sometimes due to delayed access to healthcare services.<sup>10</sup> Conditions that have been described in the communities have included asthma, type 2 diabetes, chronic obstructive pulmonary disease (COPD), the “c” word (cancer), and mental health conditions. Health inequalities have resulted in significant health inequalities. Presentations of chronic conditions to healthcare staff are often acute or in an advanced state meaning treatment and disease-management is more difficult. Delayed access to care can also result in delayed diagnoses and access to screening and prophylactic care.

Some factors for poor health were environmental, such as site locations, the use of diesel generators, as well as occupational hazards linked with manual labour. The nomadic nature of the Gypsy & Traveller lifestyles meant there was experience of difficulty in registering with GP Practices as there was no fixed address. Literacy skills, especially in the older members of the communities was an additional challenge due to the requirement of filling out forms.

Subjective experiences of discrimination and judgemental attitudes of healthcare providers could further delay access to healthcare. Open

<sup>10</sup> <https://gateherts.org.uk/wp-content/uploads/2020/12/Rain-Report-201211.pdf>

communication, a cultural understanding of the lifestyles and needs of the communities would aid to support engagement with healthcare.<sup>11</sup>

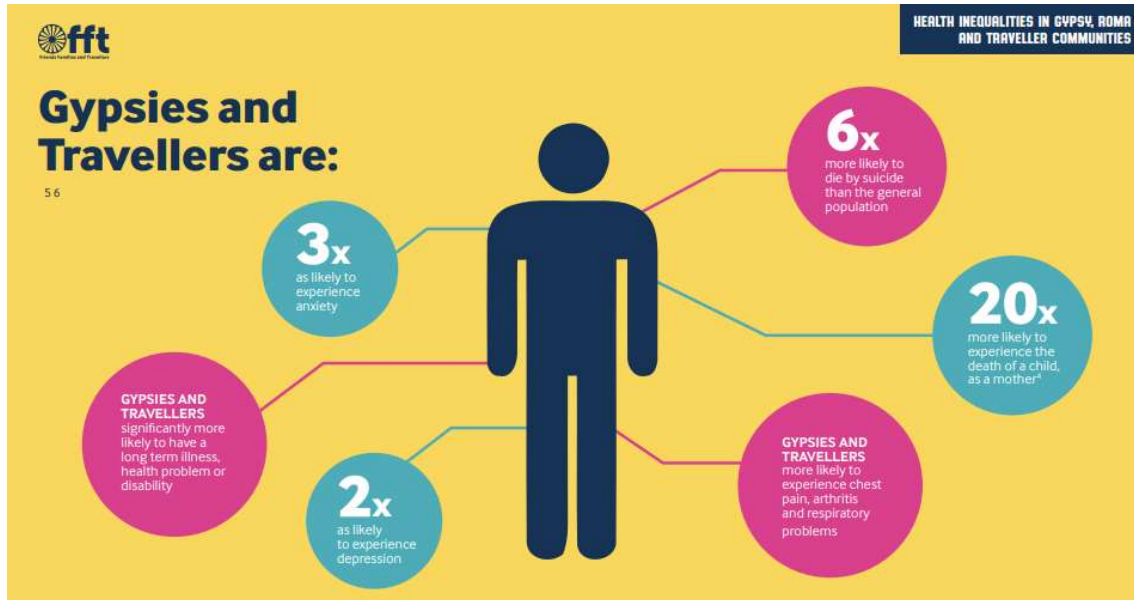


Figure 3: Infographic outlining health challenged faced by the Gypsy & Traveller Communities, How to Tackle Health Inequalities in Gypsy, Roma and Traveller Communities., Friends Families and Travellers



Figure 4: Infographic outlining disadvantages faced by Gypsies and Travellers., ibid

### Barriers to Accessing Healthcare

Barriers to healthcare services were particularly observed in access to primary care services which would lead to delayed routine care and

<sup>11</sup> [Gypsies and Travellers’ Lived Experiences, health, England and Wales: 2022, ONS](#)



immunisation. This was particularly challenging for Gypsies & Travellers living roadside or on sites.

*You wouldn't be accepted at the doctor's... because she didn't have a settled address. You couldn't say when I'm living on the side of the streets and trailers, we call the caravan as the settled community houses. We couldn't, you couldn't give that as an address. It wasn't acceptable. So... you couldn't register with the doctor when having to get seen.*

*Female, aged 70 to 80 years, bricks and mortar*

Whilst patients can register with GP Practices using the Practice postcode, this was largely unknown.

#### Trust

Many members have expressed longstanding experiences of discrimination that have meant building trust with service providers can take time.<sup>12</sup> A lack of awareness of services and the uncertainty of whether an individual would feel welcomed or be appropriately and sensitively seen also contribute to a lack of trust. Nonetheless, Gypsy & Traveller communities often hold senior health care professionals (HCPs) in high regard and look up to their wisdom and authority.

#### Barriers in Accessing Health Care

Research conducted by for the Friends, Families and Travellers Trust indicates that over 45% of service users have low or no literacy so have difficulty in reading medical letters and understanding information given by health professionals. Many Gypsies and Travellers also feel they are stereotyped by HCPs.

#### The Health Picture in York

Efforts have been made to understand better the health status of York's Gypsy & Traveller communities. A quantitative health questionnaire was created for participants the results of which are detailed in the next chapter.

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<sup>12</sup> [McFadden., et al \(2016\), Community Engagement to Enhance Trust between Gypsy/Travellers, and maternity, early years' and child dental health services: protocol for a multi-method exploratory study, International Journal for Equity in Health, 15:183](#)

As well as engaging with the communities, GP Practices and Naburn School were contacted for their insights.

Priory Medical Group, which has nine surgeries in York, have around 114 patients registered whom live at Traveller sites including Water Lane and Outgang Lane. They state they have a very good relationship with these patients. GPs and other medical consultants are held in high regard and recent life-saving procedures have resulted in deep gratitude expressed by the communities.

The practice has observed a number of occasions in which people from the Gypsy and Traveller community have accessed primary care for situations in which urgent care would have been more appropriate. This has resulted in the healthcare staff providing advanced life support and clinical care in situations such as:

- a man in peri-arrest- the recognised period either just before or after a cardiac arrest- attending the GP Practice instead of Emergency Department
- A 3-day old baby with severe breathing difficulties

A number of reasons could be suggested for this, which may include the trust levels this community have in the different healthcare settings, information availability, or access issues e.g. long waits

Barriers to accessing GP services include difficulty accessing and booking appointments and follow-up care: Practices are now relying more on text messaging with appointment reminders and even initial consultations sent to mobile phones. Technology exclusion particularly amongst the older population has meant accessing services difficult. For those patients able to access services, one GP stated that initial consultations were well-attended. Challenges were faced when follow-up appointments were required mostly due to GP Practices relying more on communication through the NHS app and text messaging; facilities not generally accessible by the communities.

#### Key trends in disease prevalence identified in York

- Gypsies and Travellers appear to have a higher prevalence of brittle asthma<sup>13</sup>
- A significant number are cystic fibrosis carriers leading to children with the disease

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<sup>13</sup> Information from Priory Medical Group, York

- There is a higher incidence of acute presentations of chronic conditions suggesting individuals do not access medical care at an earlier time point, nor attend a healthcare facility that is best suited to their needs. For example, a patient attended a local GP Practice with severe cardiac chest pain, where he collapsed in peri-arrest and myocardial infarction diagnosed. The GPs provided life-saving care before he was transferred to hospital by ambulance.
- High rates of smoking and consumption of energy drinks
- Bereavement is strongly felt according to national data. Whole families come together when a family member is seriously ill or when a death has occurred. Grief is expressed very deeply and it has been observed by clinical staff that it is more acceptable to express grief than expressing mental ill health.

Immunisations and screening uptake was generally low at Priory Medical Group. In an eligible cohort, 15 of 114 total patient population, had had a cervical screen within three years. 21 patients had not had a smear within three years. Measles, mumps and rubella (MMR) vaccination uptake was 50% for the first dose, however many children did not return for their second dose. It has been suggested that the main reason for this is GP Practices relying on mobile phone and electronic messaging to send appointment reminders to patients. Postal reminders were also missed due to postal delivery services refusing to distribute mail around the sites, thereby leading patients to missed communication.

Adults generally were unvaccinated however there was an increased uptake in COVID-19 vaccination suggesting Gypsies and Travellers were able to recognise the importance of self-protection from the virus, and acknowledging

Children were brought for vaccinations within their first year but appeared to stop coming after that. It is surmised that this could correspond to health visitor input or a shift in focus as a baby becomes older.

COVID-19 vaccinations were the only outlier. Uptake was generally good in the Gypsy & Traveller population. This could be due to availability of resources, direct invitations by the NHS to individuals, and efforts to provide information and resources tailored to the communities.

Efforts to source funding within the Humber and North Yorkshire ICB to help tackle inequalities in York is underway. One possible idea being mooted is to plan occasional outreach clinics.

### Mental Health

Mental ill health and suicide are known major issues for Gypsies and Travellers. Limited data however underestimates the extent this has within the communities. In the first of its kind, West Yorkshire Health and Care Partnership's (WY HCP) Suicide Prevention Programme delivered a two-year contract to Leeds GATE in order to tackle the high suicide risk amongst the communities. Their 2020 report "Don't Be Beat" reported an average of six suicides per year amongst a 7000-strong population in Leeds.<sup>14</sup> In another report commissioned by GATE HERTS in the same year, a sample of Gypsies and Travellers stated they had experienced multiple deaths by suicide in their extended families- on average two to five family members.<sup>15</sup> Part Three: Wider Health Considerations

### Men's Health

There has been a recent focus on the need for a gendered strategy when assessing health needs with recognition for a focus on the health of men in general. Men consistently present with more serious illness than women and generally have a shorter life expectancy. Both Gypsy and Traveller men and women experience poorer health outcomes overall than the general population. A 2010 Irish study found that Gypsy and Traveller men, however, had 3.7 times the mortality of males in the general population and a suicide rate 6.6 times higher than that of the general population. 2008 life expectancy was 61.7 years- equivalent to the general male life expectancy in 1987.<sup>16</sup>

In a more recent case study,<sup>17</sup> a need to tackle existing barriers to men seeking mental health support was identified to prevent suicidal ideation. Male-specific initiatives are recommended to ensure more men feel able to ask for help.

### Women's Health

In 2022, the Government published the first Women's Health Strategy in England to improve the health and wellbeing of women and girls across the life course in England. Specific to women from Gypsy and Traveller communities, is evidence which suggests poor take up of preventative

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<sup>14</sup> <https://www.wypartnership.co.uk/news-and-blog/news/success-partnerships-gypsy-and-traveller-suicide-prevention-project-believed-be-one-first-its-kind-country>

<sup>15</sup> <https://gateherts.org.uk/wp-content/uploads/2020/12/Rain-Report-201211.pdf>

<sup>16</sup> Our Geels All Ireland Traveller Health Study, 2010

<sup>17</sup>

health care such as screening and immunisation. Cervical and breast screening is typically lower than in the general population.

Maternal needs were identified due to high national rates of maternal, perinatal and post-natal deaths. Specifically, a study from University of Sheffield which matched Gypsy and Traveller mothers with non-Gypsy and Traveller mothers in similar circumstances found that although there was no difference in reported problems during pregnancy and deliver (i.e. pre-term babies, there was a difference in the experience of miscarriage and infant deaths. These differences remained even when controlling for the total number of pregnancies. Of the sample of 142 traveller women of childbearing ages 16 (14%) had experienced one or more miscarriages, 6 (4%) had experienced one or more stillbirths, and 25 (18%) had experienced the death of a child<sup>18</sup>.

Better understanding and communication from healthcare providers would ensure concerns addressed by women were taken on board to improve rates of preventable complications in pregnancy and birth, and sensitive communication around topics such as breastfeeding.

Domestic violence occurs across all socio-economic backgrounds, ethnicities and educational levels. Nonetheless, the majority of cases of domestic violence occur within intimate relationships and particularly in communities where male authority is culturally accepted and condoned. Victims of domestic violence in the Gypsy and Traveller communities are generally female and, like the general population, be triggered by a number of factors. Impacts to health can be physical, mental and sexual. These are compounded by a lack of culturally appropriate resources and stigma which can prevent a girl or woman from seeking help.

#### Children & Young People's Health

Early exposure to poor health can have long term impacts that extend into adulthood. As such, inequalities identified in low socio-economic circumstances are a vital measure of the quality of life and health in adulthood. There is a lack of granular data concerning the health of Gypsy and Traveller children however there is evidence that children experience higher rates of illness as opposed to the general population and a significantly higher rate of premature deaths in children.

Immunisation rates are generally lower than average though parents generally accept the first dose of MMR. Many children have not had a second dose according to York data from Priory Medical Group.

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<sup>18</sup> [Microsoft Word - GT final report for web.doc \(bemis.org.uk\)](#)

In a recent workshop led by mothers from York Travellers' Trust, concern was expressed about being reported to Children's Social Services in the event of their child becoming ill. Often experiencing common childhood illness such as influenza and croup, the focus group described the "vicious circle" of delayed access to a doctor for diagnosis and treatment, and a general deterioration of the condition, leading to concerns the child would be taken into care. They also experienced instances of health professionals being dismissive of their child's health, and of parental concern. In one example, a doctor repeatedly told a mother that she couldn't understand why the mother had brought her child in and was initially reluctant to examine her. Upon examination, the child was in fact found to have an infection and was prescribed curative treatment. No apology was given by the doctor, or by York & Scarborough NHS Hospital Trust.

There was some evidence to suggest high rates of ADHD, eating disorders and autism in children as well as experiences of other mental health conditions. The way in which local mental health services such as Children and Adolescent Mental Health Services (CAMHS) should be reviewed to ensure more Gypsy & Traveller children are referred and assessed in a timely manner.

#### Substance Use Disorder

Substance use disorder is a more common in areas of greater deprivation and where there are greater circumstances of poverty and socio-economic disadvantage. Alcohol misuse has existed in a minority of Gypsy and Traveller communities but there has been national indication of increasing poly-substance use dependency, particularly in young men in unstable accommodation.<sup>19</sup> Studies on this subject are generally quite old, however- the most recent find being published in 2010. Therefore, a closer look at substance misuse in ethnic minorities in York will enable us to capture a more accurate picture of the needs and available support for the communities.

#### Palliative Care

As with much of the general population, Gypsies and Travellers generally prefer to die at home. However, professional input by GPs and palliative care specialists are often overlooked and therefore little support is provided for individuals at the end of their life. Access to palliative services

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<sup>19</sup> Devon Gypsy & Traveller Health Needs Assessment, 2009

is important to ensure “a good death” can occur, and so tertiary care services should evaluate access by the communities.

#### Dental Care

Gypsies and Travellers are at significant disadvantage of accessing dental health services. Access especially to NHS dentistry has widened inequalities and seen a greater decline in communities receiving acute and regular appointments. A review of access to dental services, particularly for marginalised communities is recommended.

### Part Five: Additional Information

City of York Council owns and runs three main Traveller sites throughout the City:

- Water Lane, Clifton
- Outgang Lane, Osbaldwick  
James Street, York

An informal, smaller settlement. Conversations with Naburn primary school made us aware of a small number of Travellers living on a non-CYC site at Acres Farm, Naburn here with many sending their children to the nearby Naburn Primary School<sup>20</sup>

Residents pay rent, council and utilities. In total, there are 61 individual pitches; most are big enough for 2 caravans and 1 or 2 vehicles. Each pitch has its own service block which includes a kitchen area and bathroom. There are regular visits from support workers who manage the site and provide help when required. An unknown number- yet considered the majority- live in “bricks and mortar” housing throughout the city. York’s high cost of living causes significant stress for the communities with many on low incomes struggling to afford the basics.

#### Caravan Count

A biannual statistical count of the number of caravans on both authorised and unauthorised sites across England takes place every January and July.

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<sup>20</sup> Discussion with Head Teacher of Naburn Primary School

Month	Caravan Count: York		% of total caravans in Yorkshire & Humber
	Authorised Sites (with planning permission)	Unauthorised Sites (without planning permission)	
Jul-22	86	0	5.0%
Jan-22	83	0	5.6%
Jul-21	74	0	4.5%
Jan-20	84	0	5.6%
Jul-19	85	0	5.2%
Jan-19	89	0	5.6%

Figure 5: Biannual statistical caravan count in York

In line with official guidance from the UK Statistics Authority and the Office for Statistics Regulation, collection of Traveller caravan data was suspended during the summer of 2020 and Winter 2021 due to the coronavirus (COVID-19) outbreak. Whilst this is named a Traveller caravan count, it is consistent with applying to all caravans lived in by ethnic Gypsies and Travellers as well as non-traditional Travellers.

### Schools

In the 2021 York Schools Survey, a total of 35 pupils across six primary and secondary schools (total number of participating schools =37) reported their ethnicity as “White- Gypsy or Irish Traveller.” The schools listed have recorded three or more pupils. Please note, as with overall numbers of Gypsies and Travellers in York, this will not be a true representation of the numbers in education, but it does provide some insight into continuity into secondary education. From speaking with Naburn Schools’ headteacher, the school, which has an overall intake of n=83, especially sees a high intake (up to 40%) of primary school-aged children due to Travellers who live on land belonging to the nearby Acre Farm.

Institution Name	Type of Institution	No. of pupils identified as Gypsy or Traveller
Huntington School	Secondary School	6
Joseph Rowntree School	Secondary School	4
Vale of York Academy	Secondary Academy	4
Manor CofE Academy	Secondary Academy	3
Lakeside Primary Academy	Primary Academy	3
Naburn School	Primary School	3

Figure 6: List of York schools with pupils who have identified as Gypsy or Traveller in 2021 Schools Survey



## Conclusions of this HNA

Gypsies and Travellers experiences significantly worse health outcomes and inequalities than any other marginalised communities. Combined with high levels of racial discrimination and prejudice, this results in delayed access to relevant health services and a lack of trust in professional staff treating them with respect and dignity.

The wider determinants of health and well-being are well-documented as having key impacts on health and wellbeing. Support and advice that is easily accessible and culturally appropriate is generally unavailable and so many members of the communities can feel excluded from important and key health messages.

## Recommendations of this HNA

1. Gypsies and Irish Travellers should be treated as distinct groups when assessing needs.
2. A dedicated Liaison Officer should be identified within the Council, who can be a point of contact for all Council-related matters by the communities.
3. Develop a short and medium term action plan, mutually agreed by the trust and key agencies, to tackle the issues raised in this HNA
4. Develop closer relationships between York Travellers' Trust and partners to gain further insights into the health and wellbeing of Members of these Communities.
5. Update key information on partner websites, e.g. City of York Council's webpage for Gypsies and Travellers.
6. Refresh the membership and Terms of Reference (ToR) of the Gypsy, Roma, Traveller working group and to ensure all necessary partners are invited and community members are clearly heard.
7. Work with York Travellers' Trust to provide resources and information that can be easily accessed by the Gypsy and Traveller communities. These may include resources written in simple English, photographs representative of the communities, or delivered in different formats, such as audio and information

sessions. Topics would include various health topics, including accessing the most relevant health services for a specific health condition, information around diseases and conditions commonly experienced by the communities, and immunisation and vaccination.

8. Build a greater awareness amongst health care professionals of the challenges an increased reliance on technology can pose to the communities for appointment-making, test results, and other communication. Advise that more traditional forms of communication should still be used.
9. Ensure the voices and lived experiences of Gypsies and Travellers is captured in the formation of City of York Council's Anti-Racism plan.
10. Collectively, partners should consider their response to the findings of the Office of Health Improvement and Disparities (OHID)<sup>21</sup> 2022 report into the health needs of Gypsies & Travellers. These include:
  - providing health information and resources provided in accessible formats
  - providing mobile outreach clinics
  - providing peer-led efforts to improve cohesion between community members and health services.
  - providing flexible health services to allow for care despite no fixed address has also been suggested.
  - providing GP access cards to navigate literacy barriers could also be provided.
  - better understanding for staff of community culture, with better communication and empathy leading to better engagement and trust.

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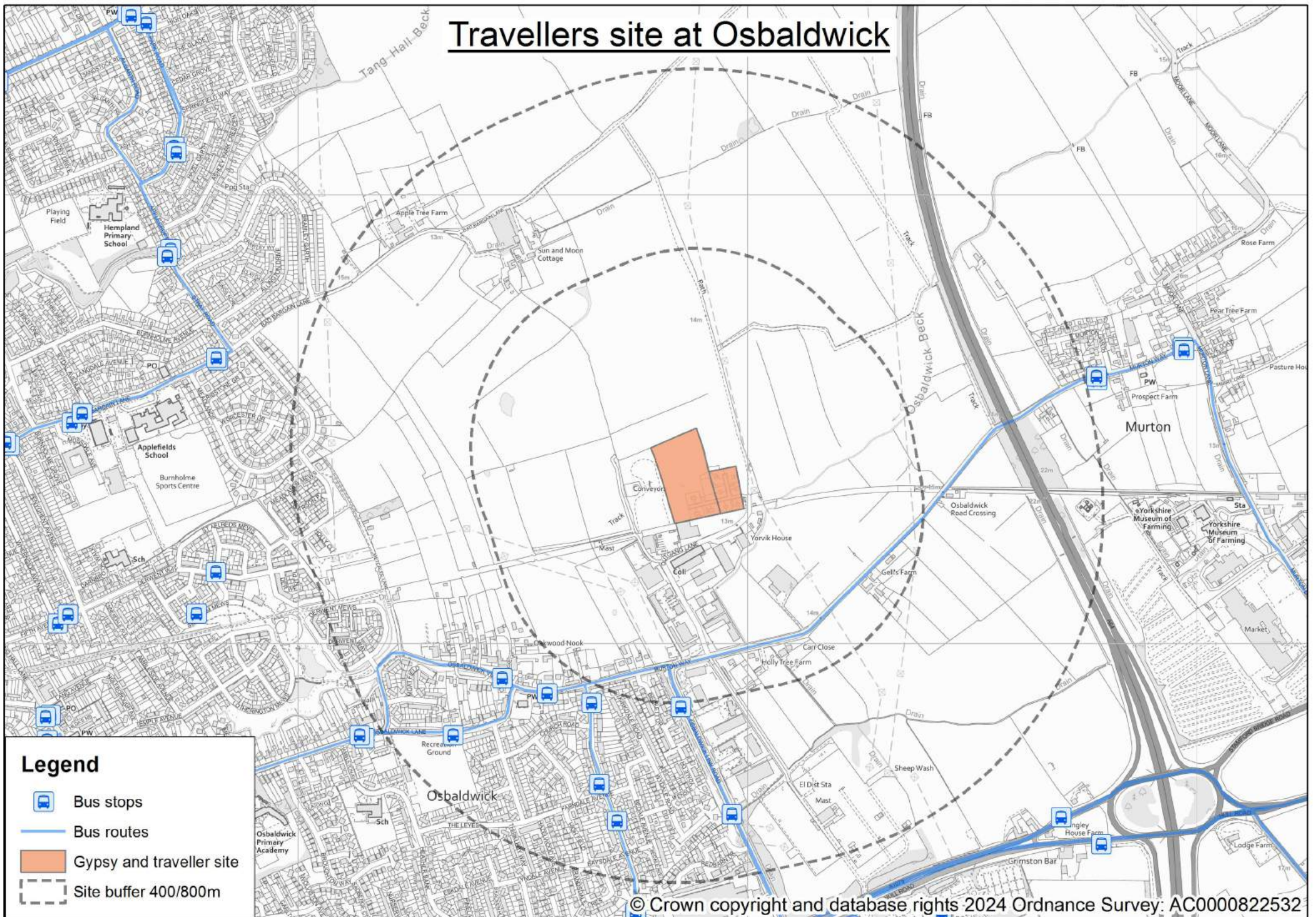
<sup>21</sup> [Gypsy, Roma and Traveller Groups: An Introduction to History and Culture, Health and Disparities](#)

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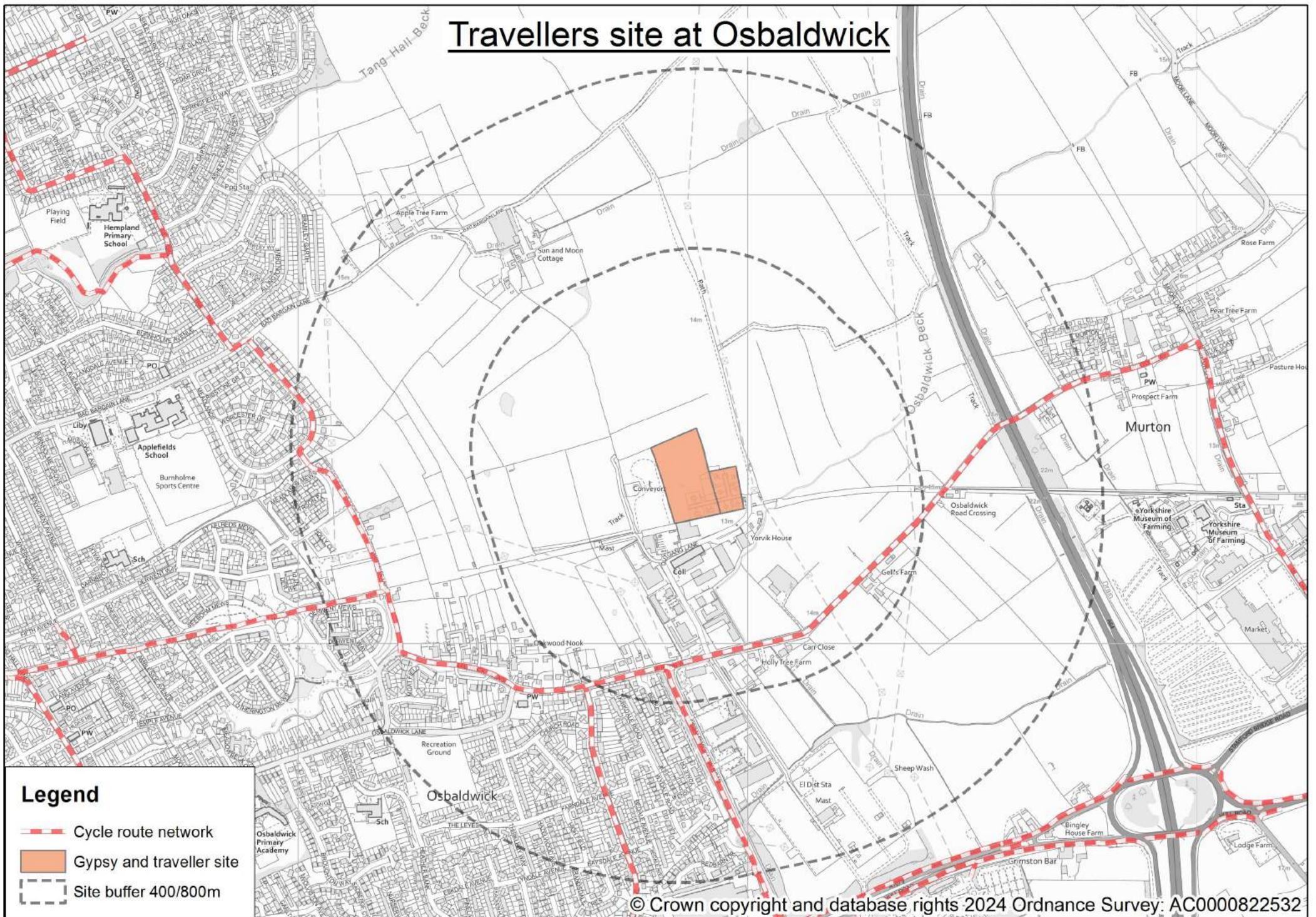
## **APPENDIX 5: ACCESS TO SERVICES MAPS**

- **Osballdwick Travellers Site**  
**Clifton Travellers Site**

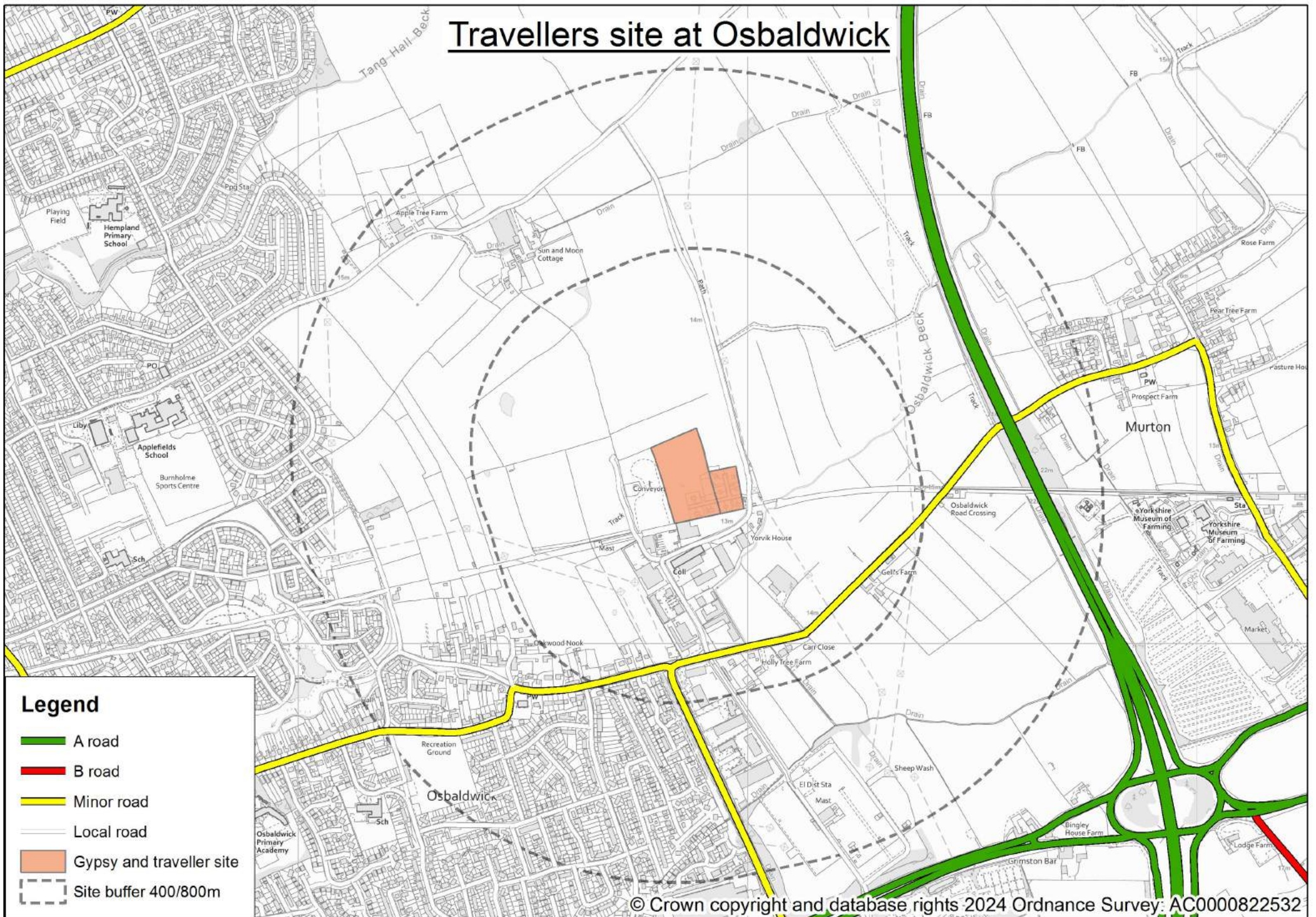
# Travellers site at Osbaldwick



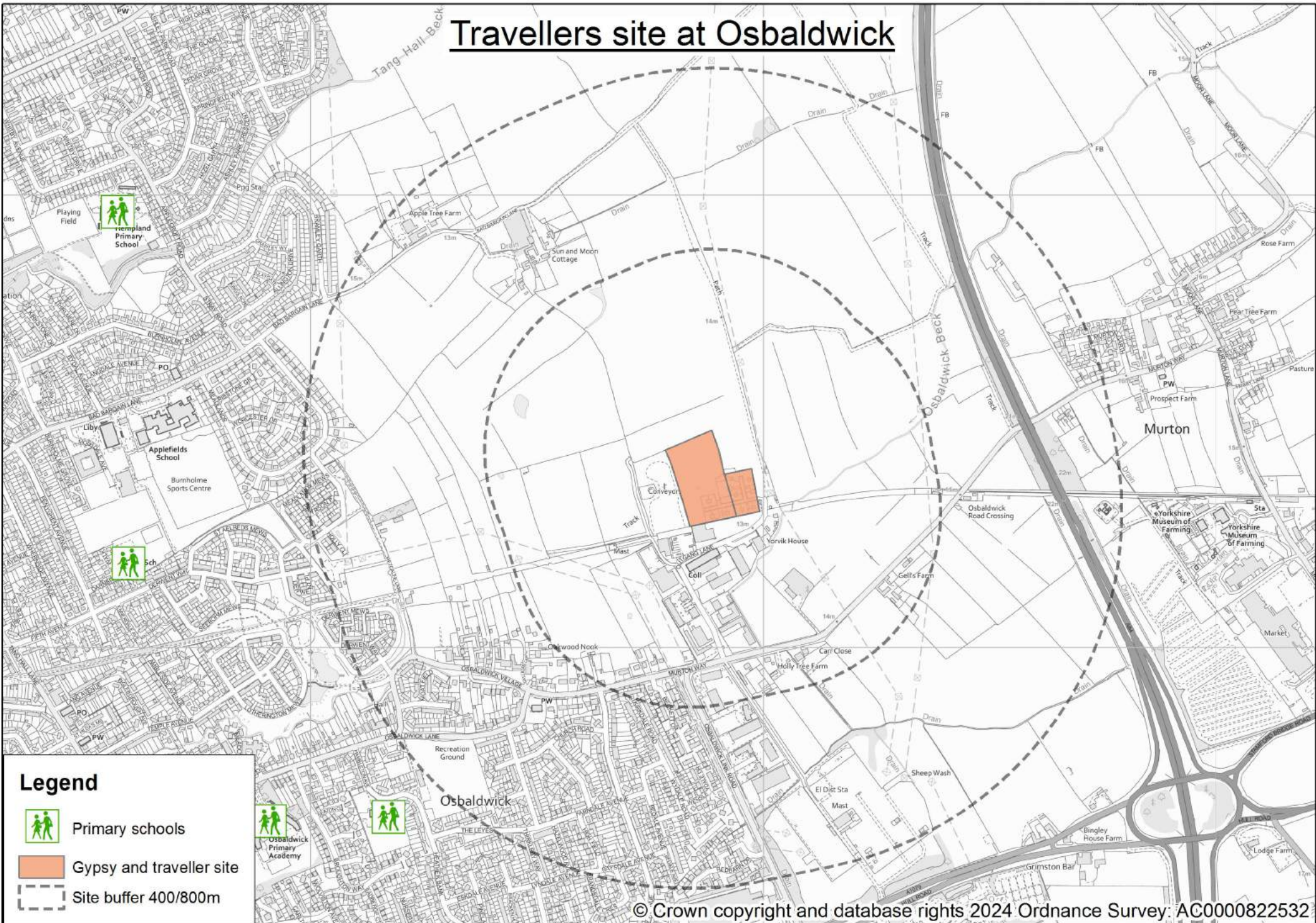
# Travellers site at Osbaldwick






# Travellers site at Osbaldwick



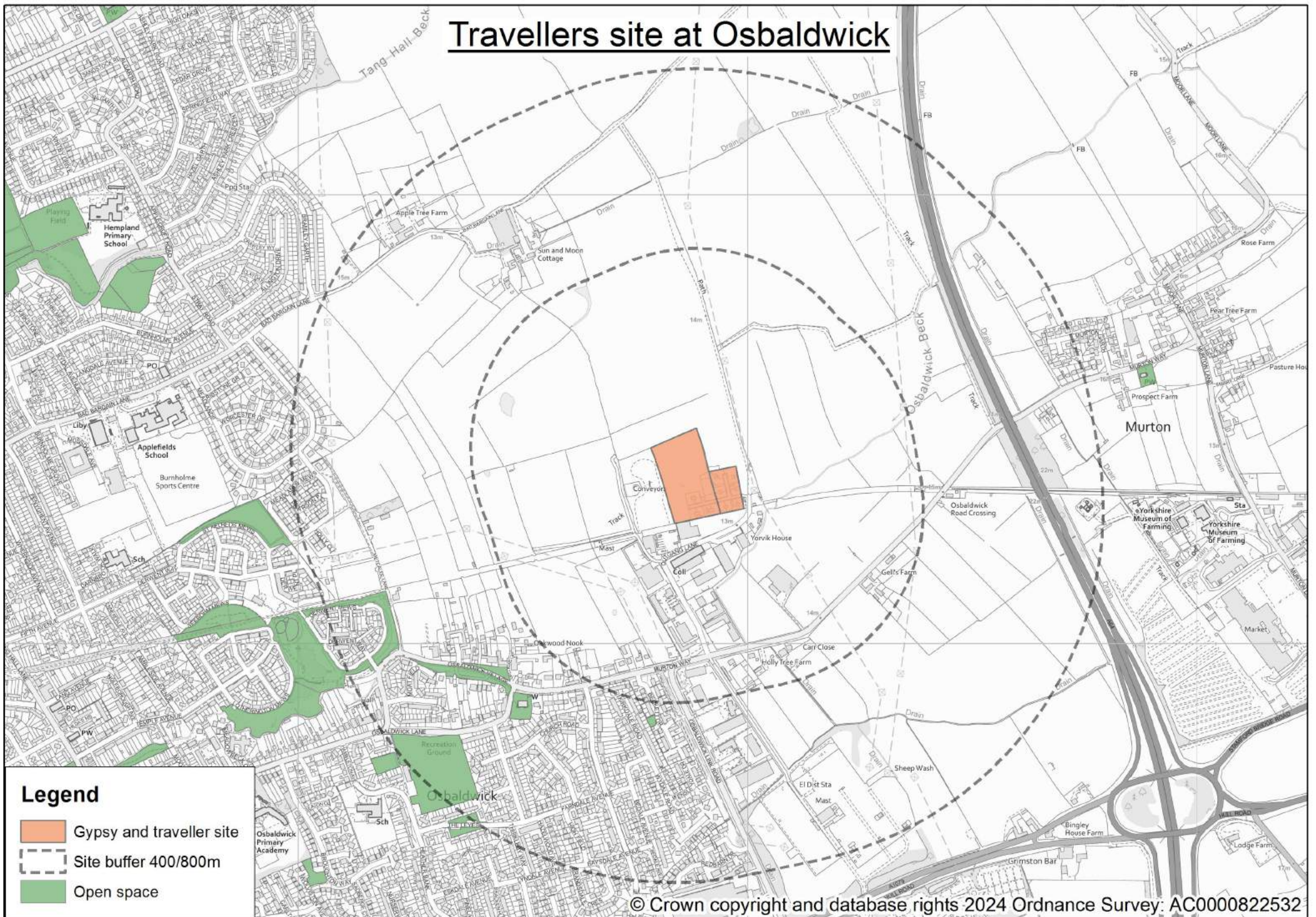
# Travellers site at Osbaldwick



## Legend

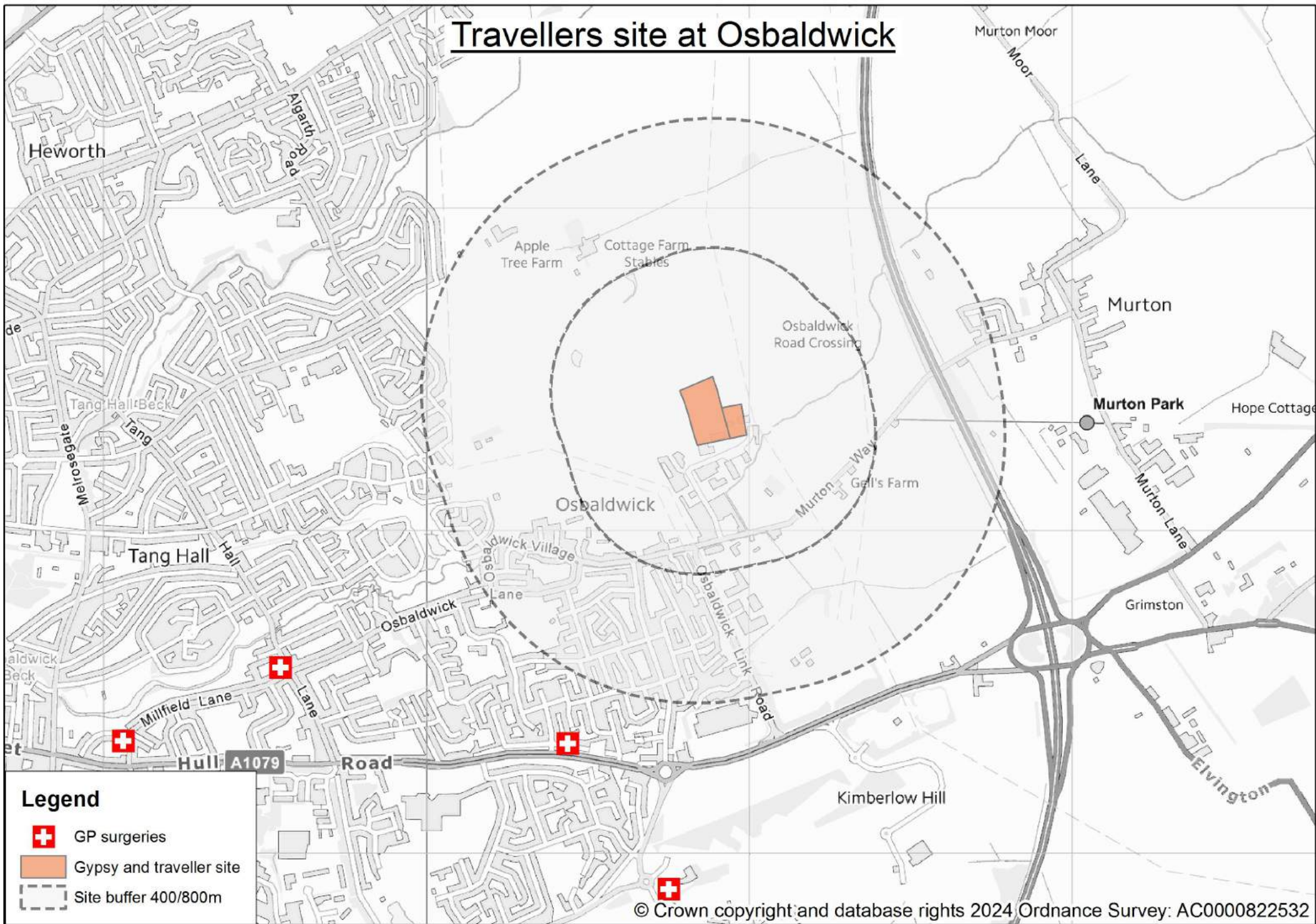
-  Primary schools
-  Gypsy and traveller site
-  Site buffer 400/800m

# Travellers site at Osbaldwick

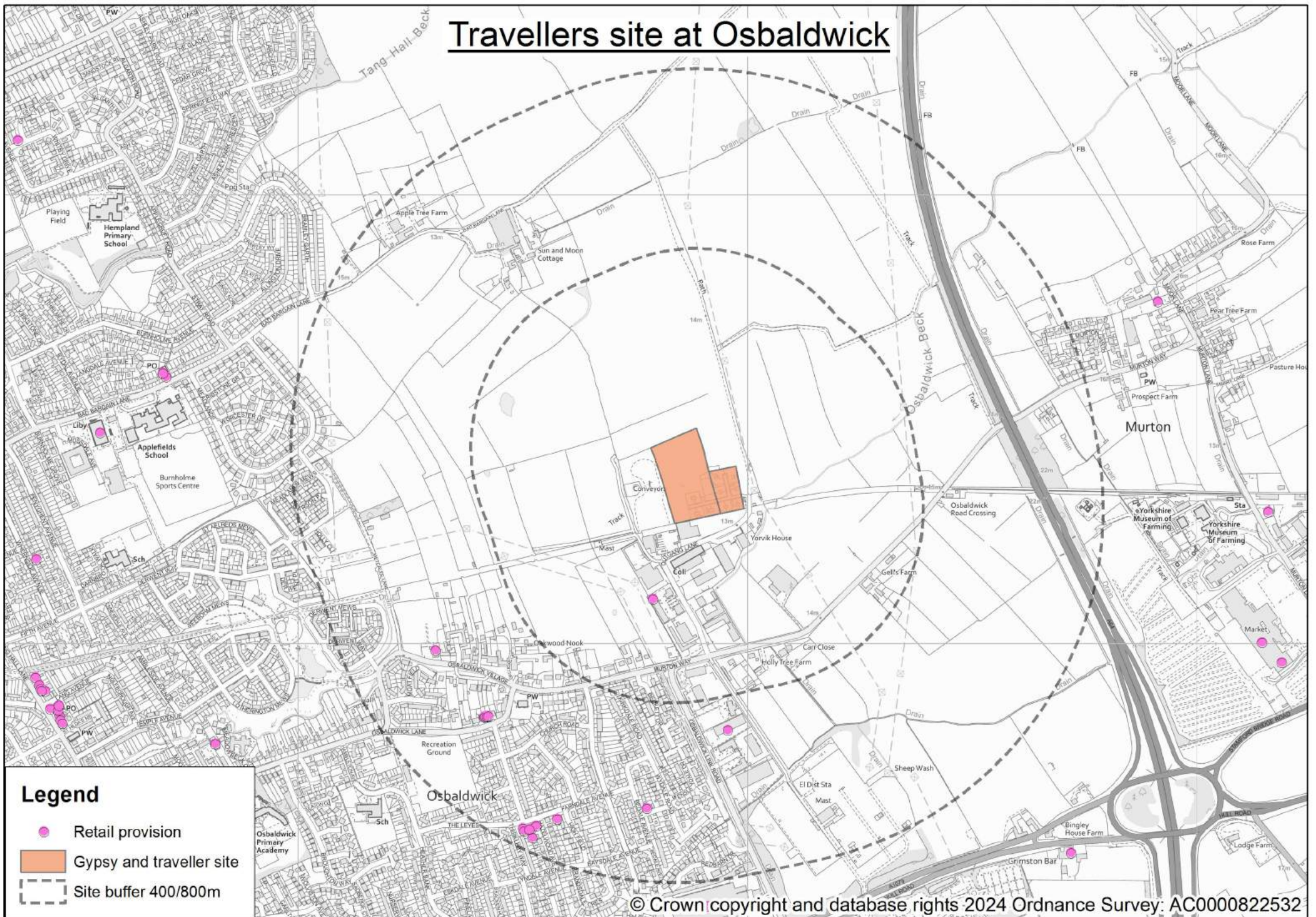




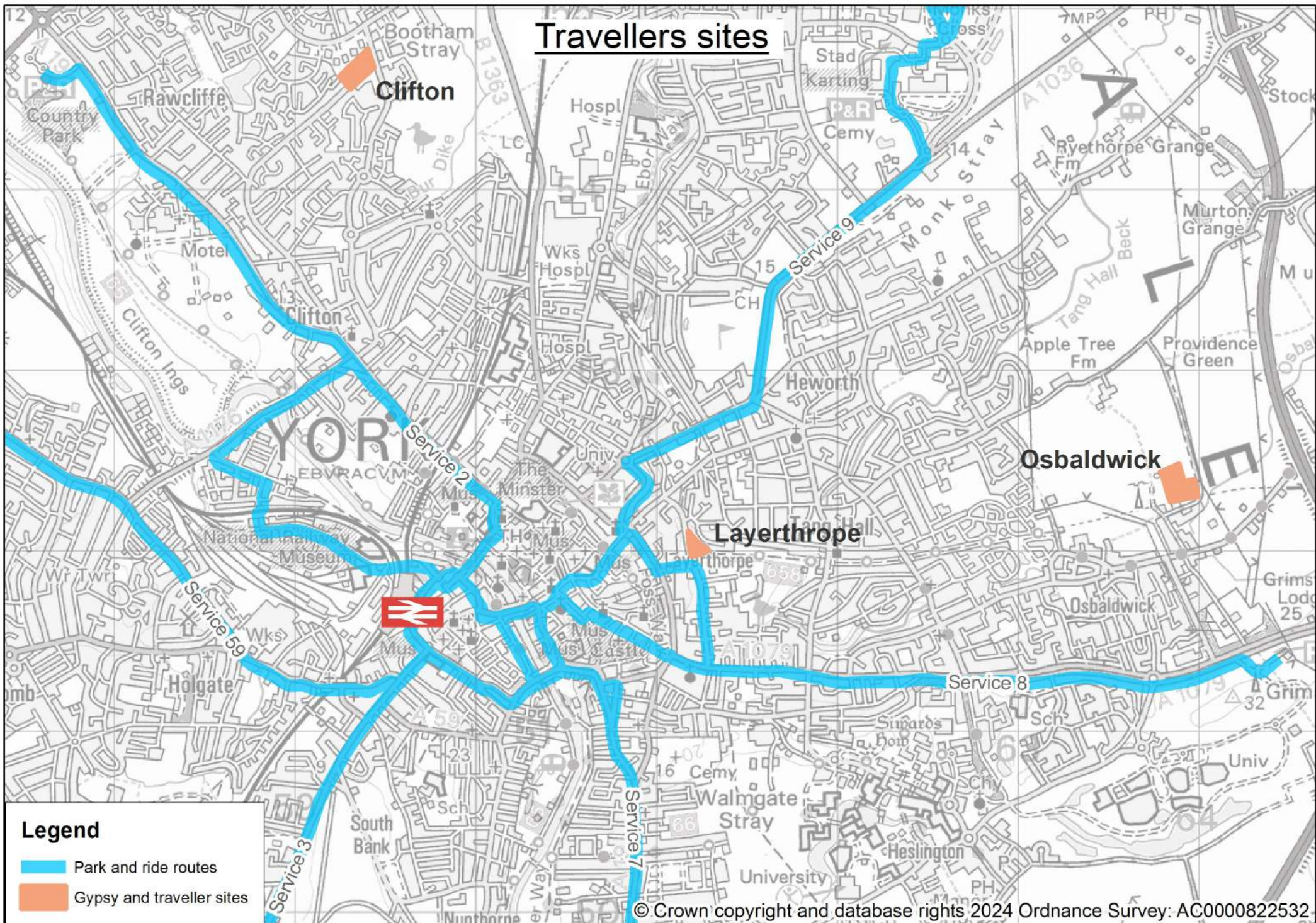
# Travellers site at Osbaldwick





# Travellers site at Osbaldwick



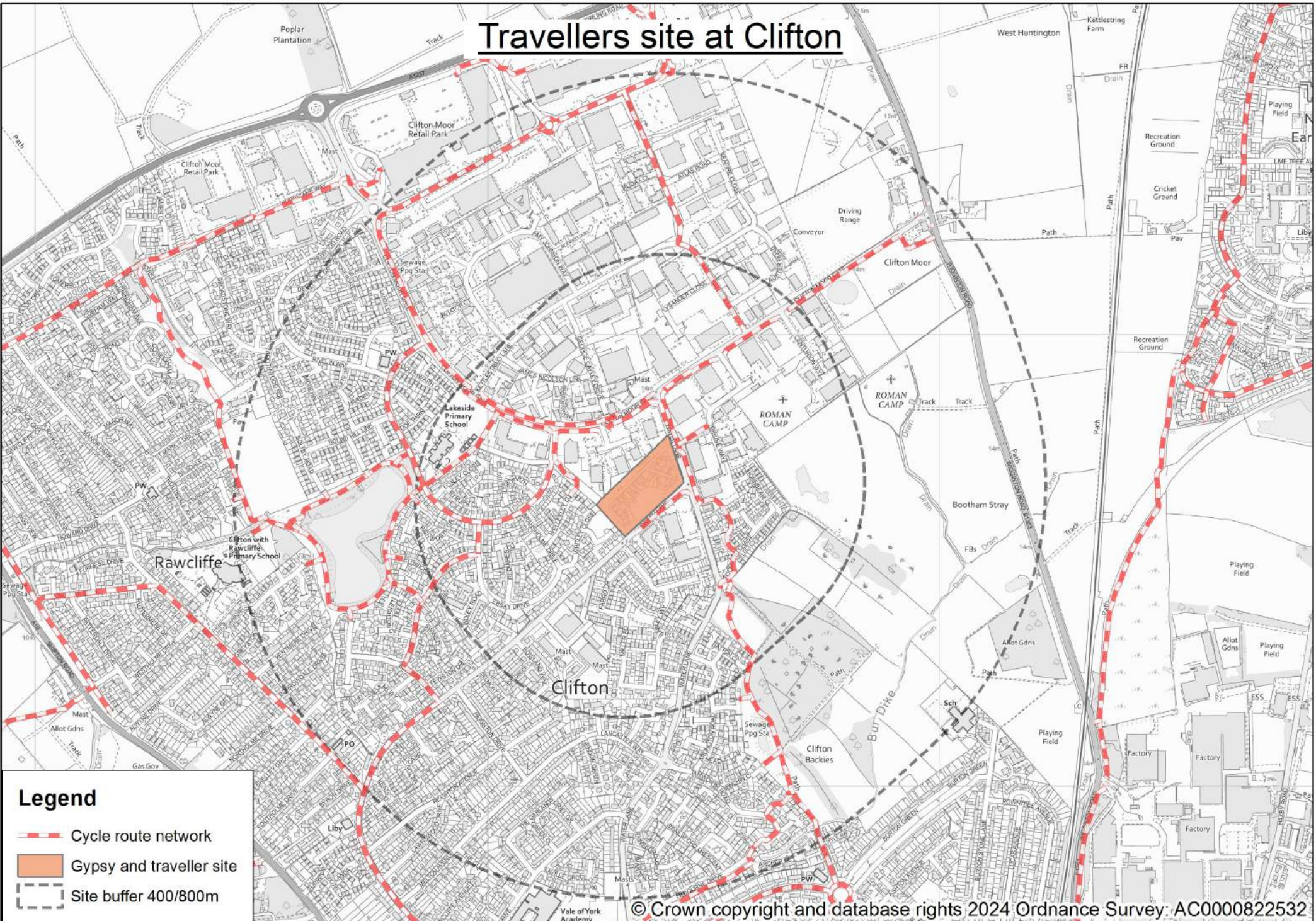
# Travellers sites






## Legend

-  Park and ride routes
-  Gypsy and traveller sites

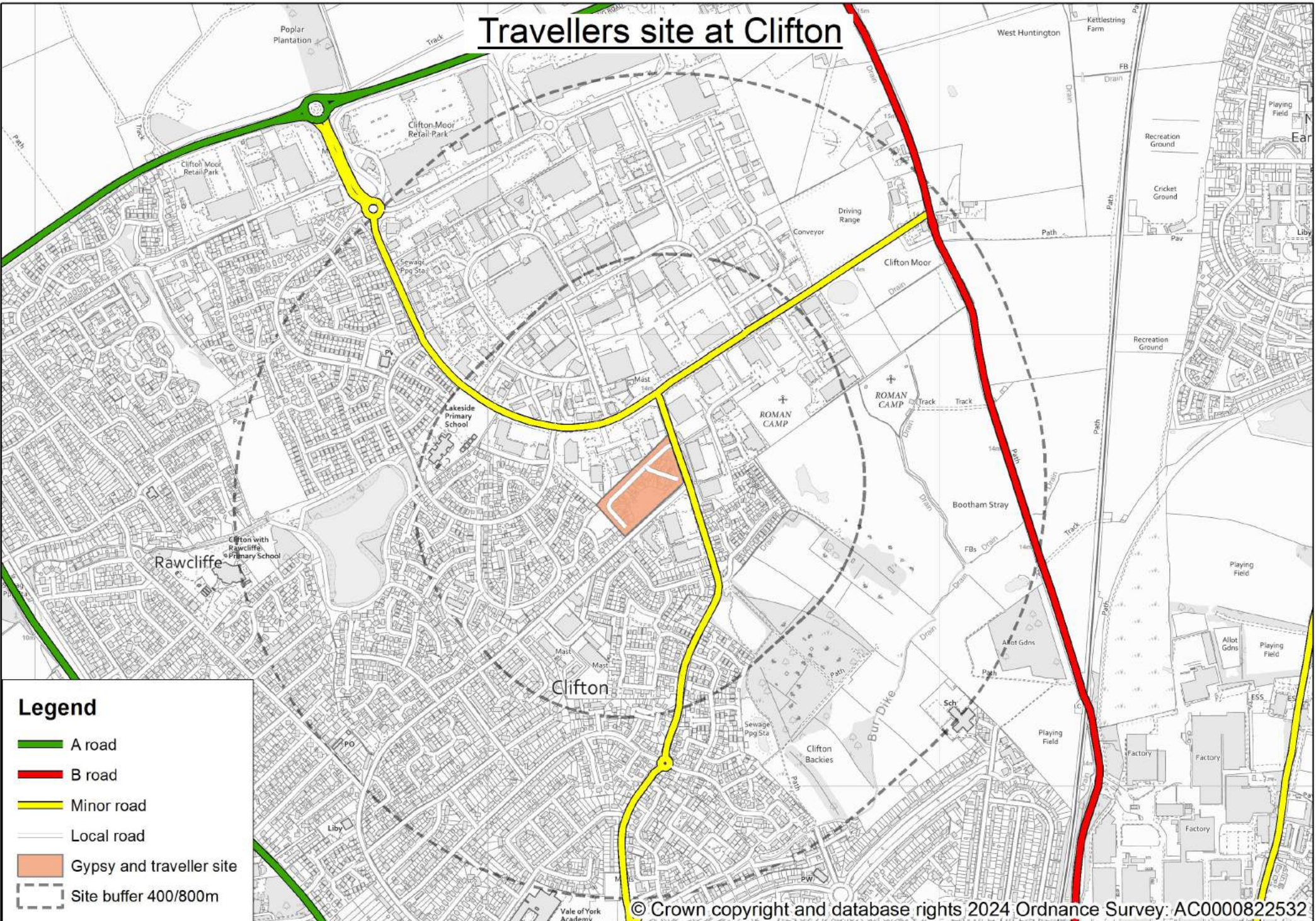
# Travellers site at Clifton



## Legend

-  Cycle route network
-  Gypsy and traveller site
-  Site buffer 400/800m

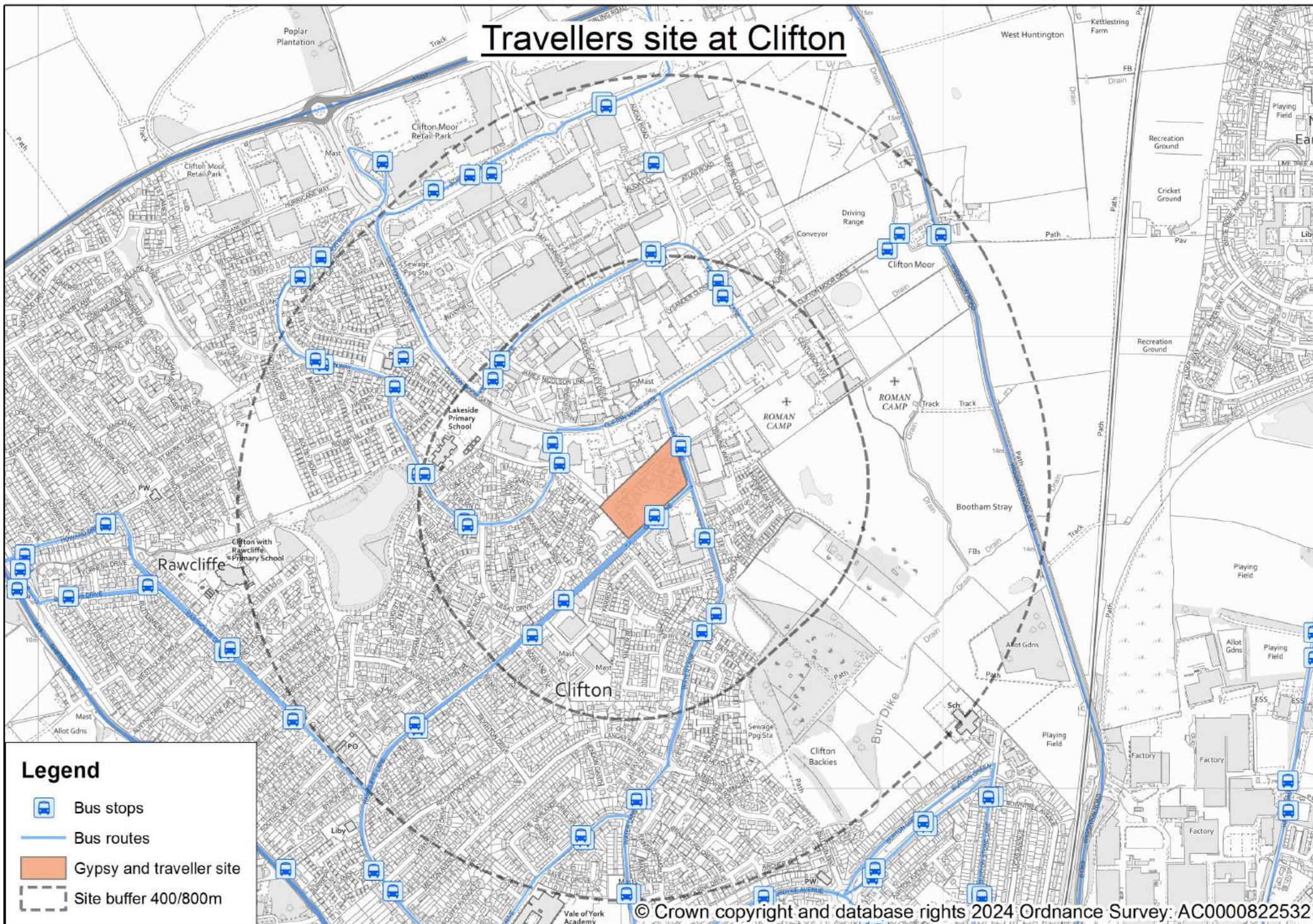
# Travellers site at Clifton



## Legend

- A road
- B road
- Minor road
- Local road
- Gypsy and traveller site
- Site buffer 400/800m

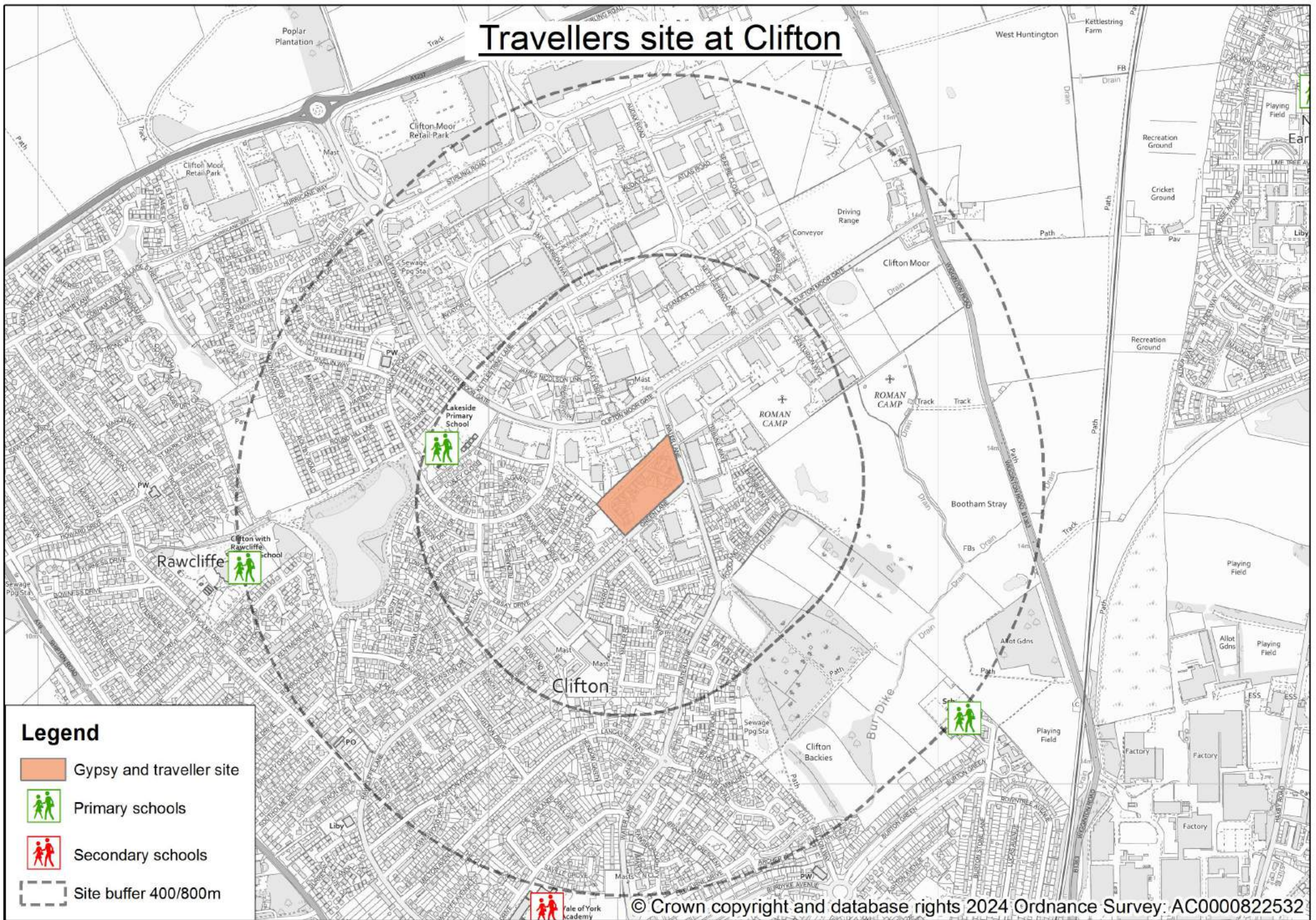
# Travellers site at Clifton







## Legend

-  Bus stops
-  Bus routes
-  Gypsy and traveller site
-  Site buffer 400/800m

# Travellers site at Clifton

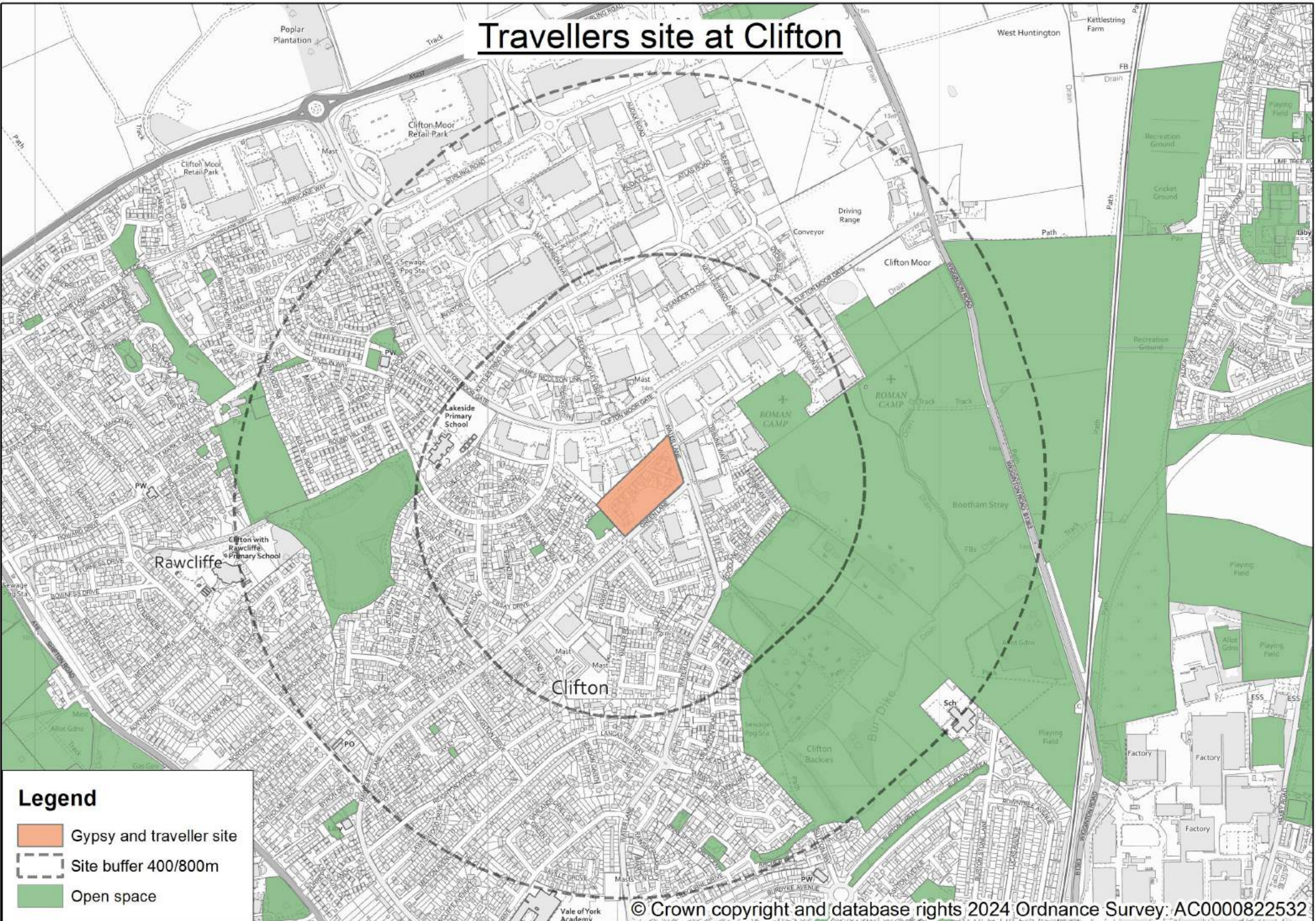


## Legend




-  Gypsy and traveller site
-  Primary schools
-  Secondary schools
-  Site buffer 400/800m



# Travellers site at Clifton

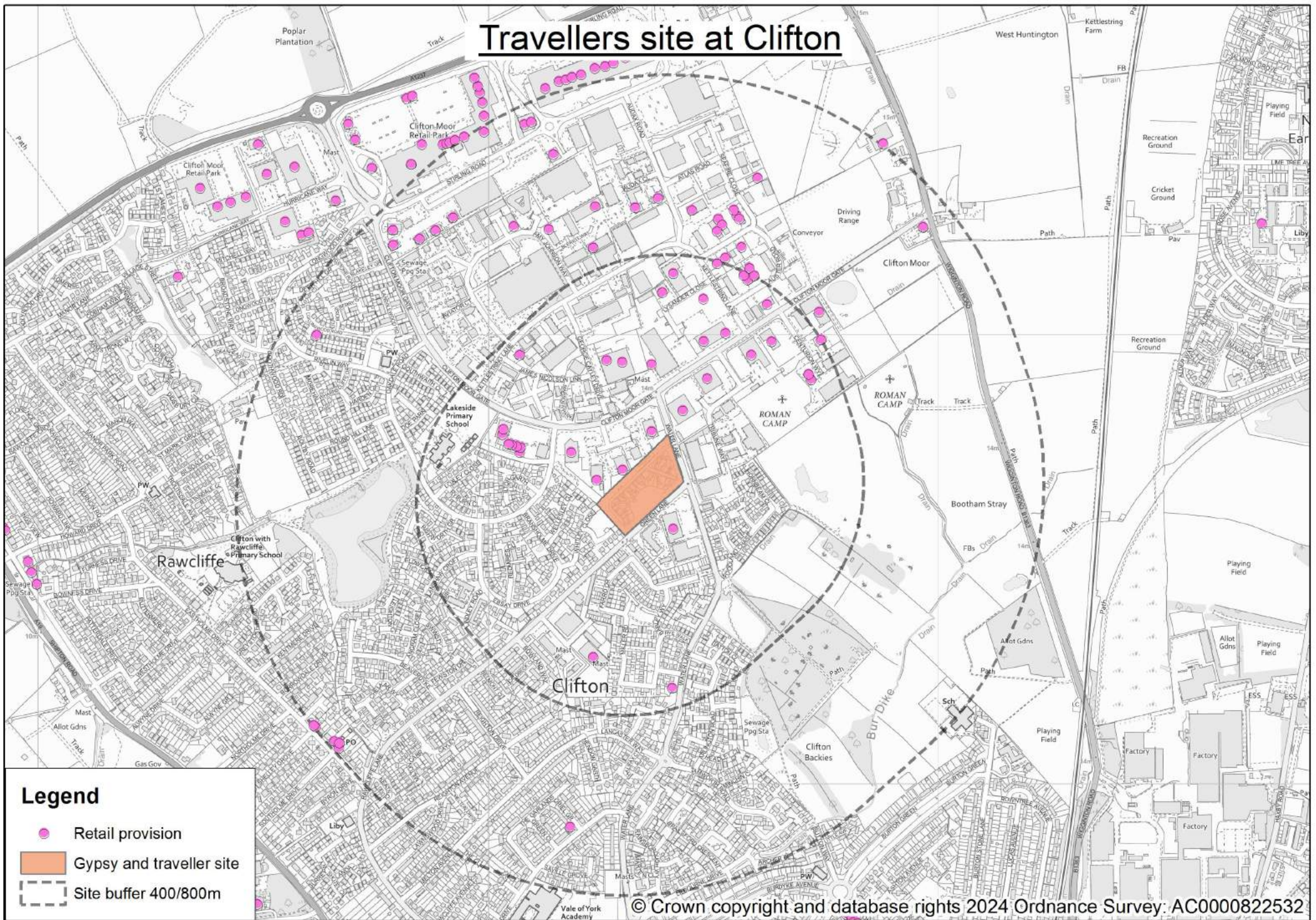


## Legend




-  Gypsy and traveller site
-  Site buffer 400/800m
-  Open space



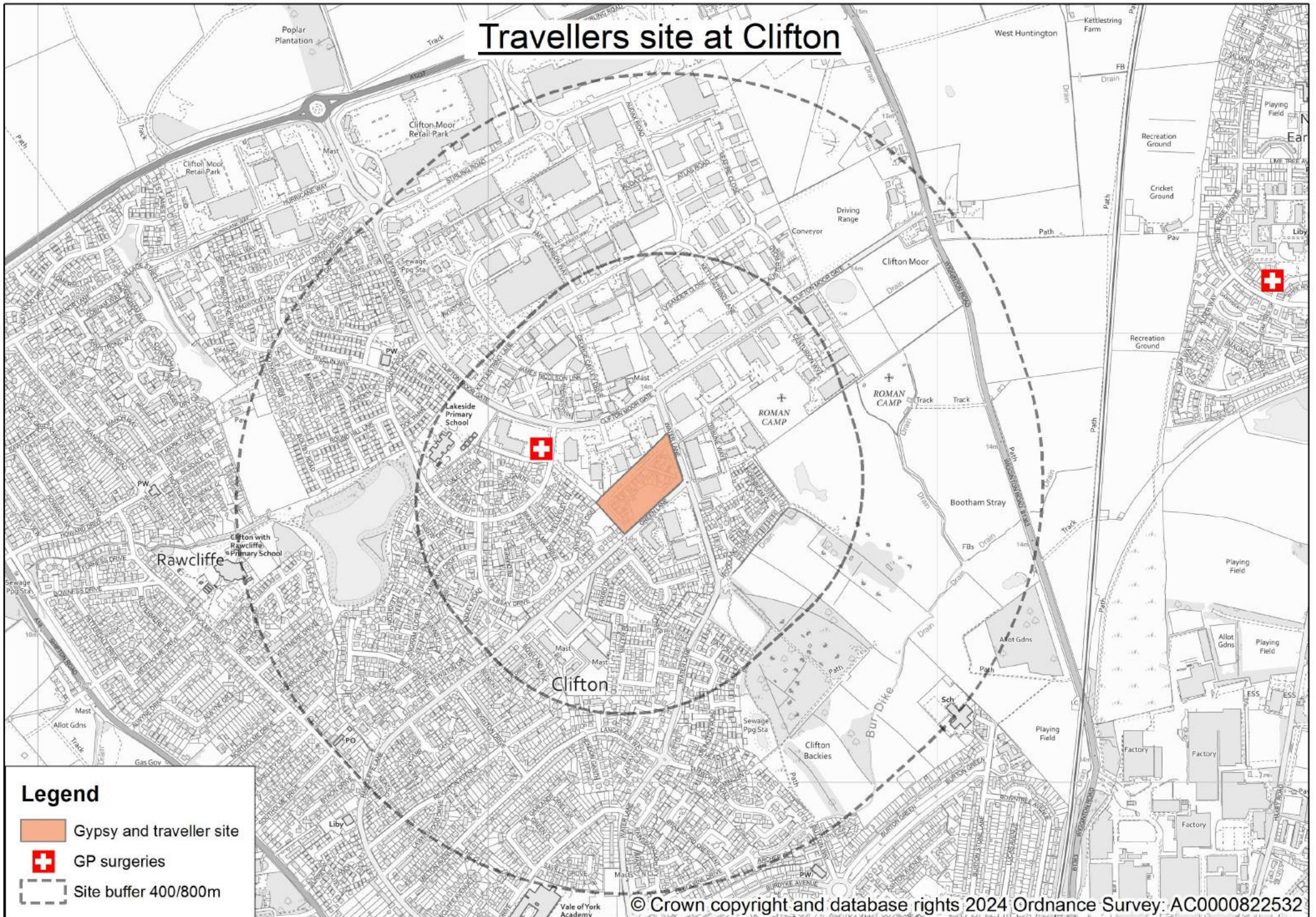
# Travellers site at Clifton






## Legend

-  Retail provision
-  Gypsy and traveller site
-  Site buffer 400/800m

# Travellers site at Clifton



## Legend

-  Gypsy and traveller site
-  GP surgeries
-  Site buffer 400/800m

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## APPENDIX 6: CITY OF YORK COUNCIL'S OCTOBER 2023 RESPONSE

Documents: EX/CYC/127 AND EX/CYC/127Gi

Also available via the [Local Plan Examination Library](#):

<a href="#">EX/CYC/127</a>	CYC response to EX/INS/44 regarding York Travellers Trust
<a href="#">EX/CYC/127a</a>	Annex A CYC Structure Charts
<a href="#">EX/CYC/127b</a>	Annex B Transcription of LPWG Meeting 16 January 2023
<a href="#">EX/CYC/127c</a>	Annex C Transcription of Executive Meeting 26 January 2023
<a href="#">EX/CYC/127d</a>	Annex D Correspondence with EHRC
<a href="#">EX/CYC/127e</a>	Annex E JD Consultation Correspondence
<a href="#">EX/CYC/127f</a>	Annex F Minutes to Executive Member Decision Session 14 March 2023
<a href="#">EX/CYC/127gi</a> ↓	Note in response to EX/INS/44



Place Directorate

City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

Date: 27 October 2023

Inspector Simon Berkeley BA MA MRTPI  
Inspector Paul Griffiths BSc(Hons) BArch IHBC  
C/O Carole Crookes  
Independent Programme Officer Solutions  
PO Box 789  
Wakefield  
West Yorkshire  
WF1 9UY

Dear Mr Berkeley and Mr Griffiths,

I write in response to the queries you set out in your letter dated 22 September 2023 [[EXINS44](#)].

We have produced the attached document to address your request to:

- Understand the situation relating to issues raised in the Fol material you mention in your letter (Matter 1 in our response);
- Have demonstrated the suitability and deliverability of Outgang Lane, Osbaldwick, in response to concerns raised by the York Travellers Trust, including those set out in their representations on the Main Modifications Consultation (Matter 2 in our response).

As you will appreciate, it is important that specific emails such as those included in the Fol material need to be seen in their proper context, including the overall decision-making structure within the Council.

Officers responsible for the Local Plan, including myself, were aware of the emails. For the reasons set out in the attached document, they were not considered to alter the approach which should be taken to strategic policy relating to gypsy and traveller provision within the Local Plan, in

particular policy relating to the Osbaldwick site. Matter 1 provides a fuller picture of the position.

Matter 2 provides a detailed response to the YTT position and explains why the Council maintains the view that the policy approach to the Osbaldwick site, as confirmed in the Proposed Modifications, remains sound.

Your letter also seeks our views on the implications of a conclusion on your part that the approach to gypsies and travellers in the draft Local Plan, with the proposed modifications, fails to achieve soundness. As our response to Matters 1 and 2 explains, we consider that the Local Plan is sound in this respect. However, in the event that you are not satisfied with our response, we consider that the Local Plan could still proceed to adoption and we would welcome the opportunity to explain our position, should this be necessary.

I look forward to hearing from you.

Yours sincerely,



Neil Ferris  
Corporate Director of Place



Response to Inspectors Letter EXINS44  
Gypsy and Traveller Matters

October 2023

# 1. Introduction

- 1.1. This note provides a response to correspondence from the Inspectors dated 21 September 2023 which stated as follows:

*“Draft City of York Local Plan – Provision for Gypsies and Travellers*

*York Travellers Trust (York Travellers Trust) has provided with us with copies of some internal Council correspondence that they obtained through a Fol request. This is attached.*

*This suggests that those Council Officers with oversight of the provision for Gypsies and Travellers have outlined serious doubts about the proposed expansion of the Osbaldwick site, and that Officers of the Council were well aware of the likely problems when the proposed expansion was put forward. Obviously, this is a matter of profound concern to us, and we are left to conclude that the points made by York Travellers Trust in their response to the MM consultation may well have some merit. That is an uncomfortable position to be in at this stage of the examination process.*

*In the **first instance**, we would like an explanation as to how this situation has come about. **Secondly**, we would be keen to hear whether the Council retains its view that Osbaldwick site is suitable for expansion – if it does, then we ask that the Council’s response to the points made by York Travellers Trust is clearly set out. Finally, we would appreciate your views on the implications of a conclusion on our part that the approach to Gypsies and Travellers in the draft Local Plan, after the modification proposed, fails to achieve soundness. We would strongly suggest that you take advice from your legal representatives on these matters.*

*Once we have your response, we will decide the way forward.”*

- 1.2. This note seeks to address the first and second matters requested by the Inspectors (highlighted in **bold** above). The final matter is considered in the covering letter which accompanies this response paper.

## 2. Matter 1: Response to Fol material

### Introduction

- 2.1. As the Inspectors will appreciate, it is important that material produced by an objector following an Fol is not viewed in isolation and is seen in its proper context. The Council welcomes the opportunity to explain why the Fol response should not raise any concerns for the progress of the Local Plan examination.
- 2.2. The Council assumes that the internal correspondence which has promoted the concern includes the following:
- a) an email dated 30 January 2023 from a Council officer, Louise Waltham, to the Council's Director for Economy, Regeneration and Housing , Tracey Carter, copying in other officers Dennis Southall and Ann-Marie Douglas [[EX/OTH/36b](#)], in which she states that she -  
*"shares the concerns of York Travellers Trust in regard to the number of pitches planned at Osbaldwick. I gather that Ann-Marie was informed that 5 pitches would have to be put on the site in order to get the local plan through, which would have been just about manageable (although not desirable) however 13 new pitches is far too many, and takes the site well over the recommended maximum of 15 pitches....The location of Osbaldwick has contributed to challenges managing the site...and it has proved difficult/impossible to get additional support from other services so this again has added to the issues of managing the site...[F]rom a local plan POV this looks like the path of least resistance, but it really would set us up with an unmanageable site and compound the social issues already present on site"*.
  - b) an email dated 10 March 2023 [[EX/CYC/36e](#)], in which she adds that she is -  
*"very concerned that Osbaldwick is the wrong place to put 13 new pitches (best practice is sites shouldn't be bigger than 15 pitches as we discussed) but if developers manage to wangle out of putting pitches on strategic sites then there will presumably be pressure to put even more pitches at Osbaldwick...I'm conscious the consultation period is not that long, and having finally had chance to read the local plan I am really worried about how it will affect gypsies and travellers (and our service) for the years to come"*.
- 2.3. The Inspectors will recall that the consultation on proposed Main Modifications to the Local Plan took place between 13 February and 27 March 2023.
- 2.4. The Fol material also include an email dated 17 February 2023 from Tracey Carter to Neil Ferris, Corporate Director of Place [[EX/OTH/36d](#)], copying in other



officers including Michael Jones, Denis Southall and Alison Cooke, in which Ms Carter states in respect of the Osbaldwick site:

*“Having been to the site today I was profoundly shocked by the environment surrounding a housing settlement...not in my view an acceptable location for anyone to live. I would strongly recommend that you all visit the site and that [environmental] health undertake their own survey work on air pollution from the surrounding heavy industrial site – I had not appreciated the nature of the surrounding business area – sorry but this has just deepened my unease with the suitability of any growth on this site...”*

As the date of this email confirms, it was sent after the Council had begun consultation on the proposed modifications.

- 2.5. These emails do not represent the full picture regarding Council activity and decision-making regarding the policy approach to gypsy and traveller provision generally, or the Osbaldwick site in particular. This is explained further below.

### **Decision-making context**

- 2.6. It is important to clarify the roles of the officers involved in this correspondence and the relationships between them. For clarity we provide relevant structure charts at Annex A.

- 2.7. Ms Waltham is a Supported Housing Manager within the Council’s Temporary Accommodation Team. As the later email makes clear [EXOTH36e], the officer had not had the opportunity to read the draft local plan until a late stage. In an earlier email dated 8 February 2023 to Alison Cooke, Head of Strategic Planning Policy [EX/OTH/36c], she asked for -

*“a brief overview of what’s actually proposed re G&Ts that would also be really helpful – to date pretty much all the info I have is from York Travellers Trust”*

- 2.8. Anne-Marie Douglas is a Temporary Accommodation Manager. With Ms Waltham, she is part of an officer team who manage the operation of existing gypsy and traveller sites. They report to Denis Southall, who is the Head of Housing Management Services. They are not involved in, or responsible for, the preparation of planning policy either in terms of strategic provision or allocations. Denis Southall, with Michael Jones as Head of Housing Delivery and Asset Management (and the lead specialist housing officer dealing with the Local Plan), reports to Tracey Carter as Director of Housing, Economy and Regeneration. Ms Carter, alongside Alison Cooke (Head of Strategic Planning Policy and Kirstin Clow, Interim Head of Strategic Planning Policy between Jan 2022- Jan 2023), report to Neil Ferris, Corporate Director of Place and corporate lead on the Local Plan. Mr Ferris is *“authorised to agree any further or revised responses, or proposed changes, during the examination process, prior to consultation and a*

*final decision on adoption*” in accordance with the decisions made at Council (May 2018) [[CD005](#)].

- 2.9. It is clear from the email circulation that senior officers responsible for the Local Plan were aware of the views expressed by Ms Waltham from a management perspective and by Ms Carter, albeit those views were expressed for the first time after the Council had finalised the proposed modifications to be issued for consultation.
- 2.10. Those views were given within a wider corporate structure which included other senior officers with more direct responsibility for the formulation of policy in the Local Plan. It is expected that for Council decision-making to operate effectively, officers will articulate their own views in correspondence with senior officers. However, it will also be expected that within a wider corporate structure senior officers with responsibilities for the Local Plan will take responsibility for the final decisions, having taken the wider and potentially different views of officers into account and after applying their own judgment. In this case, senior officers including Neil Ferris, Alison Cooke and Michael Jones, did not accept that the issues raised were insurmountable ie. *“likely problems when the proposed expansion was put forward”* (see the Inspectors’ letter [[EX/INS/44](#)]), or more generally that the views expressed by other officers should change the approach that had already been discussed extensively through the Local Plan process and agreed. This is explained further below.
- 2.11. Notwithstanding the debate on gypsy and traveller provision during the examination hearings in July 2022<sup>1</sup>, concerns relating to the Osbaldwick site had already been reiterated by the York Travellers Trust at a meeting of the Council’s Local Plan Working Group on 16 January 2023 (Annex B). Abbie North, a Trustee of York Travellers Trust, expressed concerns about the draft policy for gypsy and traveller site provision and contended that expanding the Osbaldwick site was not the answer. In answer to specific questions at Local Plan Working Group regarding the site at Osbaldwick, Neil Ferris explained the overall structure of planning policy for gypsy and traveller provision before Laura Bartle, a Principal Strategic Planning Policy officer, explained that *“the provision on the Osbaldwick site... will really only be for those sites that have benefitted from planning permission and those financial contributions agreed, or a commitment made to those... So the expansion of that site will be limited and certainly it isn’t anticipated go accommodate all of the provision that is necessary across the plan period.”*
- 2.12. Neil Ferris added as follows with specific reference to the Osbaldwick site (Annex B):

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<sup>1</sup> Phase 3, Matter 9: Gypsies and Travellers and Travelling Show-People. See published hearing statements on the Examination library - <https://www.york.gov.uk/planning-policy/local-plan-hearing-statements-gypsies-travellers-travelling-show-people> and webcast via <https://www.youtube.com/@cityofyorkcouncil/videos>.

*“I recognise the issues that were brought forward in terms of the management and I think that’s an issue of management, and as rightly pointed out a matter for the housing officers and the housing functioning of the authority and in that regard the proposals down at the Osbaldwick site and the additional capital which will be invested within the site through those offsite contributions and the Council’s commitment to that site, we envisage that actually it’ll give us greater capacity to make sure we’ll manage that site more effectively than has been historically done and we would suggest that the delivery of this plan in terms of the City’s overall capacity to manage and work with the gypsy & traveller community will be increased”.*

2.13. On 26 January 2023 the Executive decided to submit the proposed modifications to the Inspectors. At the meeting Abbie North again expressed concerns about the proposed policies and the Osbaldwick site was considered at the meeting. In answer to public participation and questions (Annex C), Neil Ferris stated:

*“In respect of the site at Osbaldwick, it’s fair to say and I recognised at last weeks LPWG and the housing team that work for me, recognise that the site at Osbaldwick is in need of improvement, both in terms of managerial and the conditions of the site itself. We have significant offsite provision in terms of funding from other sites, YC being a good example, that would go a long way to put significant investment into that site and far from those housing officers not welcoming the opportunity to build more travellers sites at Osbaldwick, it was the Housing Management team came forward and demonstrated that the site could be accommodated on the land we proposed to allocate in the LP. There is absolutely no doubt across the housing management team that it is a challenging prospect to manage it, but a bigger site with more resources on it would give us the best opportunity to manage it.”*

2.14. This opinion was initially based upon advice received from Michael Jones, Head of Housing and Asset Management as set out in his email of 13 May 2023 [\[EX/OTH/36a\]](#) and demonstrated in the Hearing Sessions. It was subsequently endorsed as part of officer emails/ briefings ahead of the Councils response to the Inspectors request for further information on 16 November 2022 [\[EX/INS/43\]](#) and the Council’s issue of ‘Provision for Gypsies and Travellers and Travelling Showpeople’ document (December 2022) [\[EX/CYC/121a\]](#), as follows:

- email from Michael Jones to Kirstin Clow on 13 May 2022 regarding pitch provision and confirming further pitches can be accommodated on existing sites [\[EX/OTH/36a\]](#)
- strategic planning officers and housing colleagues met to discuss policy options resulting from the update on 4 July 2022;
- Strategic Planning Policy officers and other officers including Ann-Marie Douglas met with York Travellers Trust on 4 July to discuss the GTAA review and matters to be discussed the Local Plan Phase 3 hearings, before reporting on the same day to a Local Plan Briefing with Neil

Ferris, Corporate Director of Place and Cllr Ayre, Executive Member responsible for the Local Plan;

- Strategic Planning Policy officers reviewed representations made by York Travellers Trust in preparation for the forthcoming hearings, including a letter of 11 July 2022 from York Travellers Trust to Councillor Ayre as Executive Member and discussed the same with Michael Jones, Head of Housing Delivery and Asset Management;
- Michael Jones, Head of Housing Delivery and Asset Management, appeared with Strategic Planning Policy officers on 28 July 2022 for Phase 3 Matter 9: Gypsies and Travellers and Travelling Showpeople Hearing Sessions of the Local Plan to support the approach of the Council to all aspects of policy relating to gypsy and traveller provision, including site allocations<sup>2</sup>;
- Local Plan Briefing between Cllr Ayre, Executive Member, Neil Ferris, Corporate Director of Place and Cllr Mason on 5 September 2022. This covered Key Modifications proposed to Local Plan, included reference to G&T.
- Louise Waltham met with the York Travellers Trust on 7 and 16 November 2022 to discuss issues in general and representations to the plan;
- Strategic Planning Policy Officers and Housing colleagues held an internal meeting on 21 November 2022 to discuss provision on CYC sites, including a trajectory of pitch delivery following a request for additional information from the Inspectors on 16 November [EXINS43];
- Local Plan Briefing between Neil Ferris, Corporate Director of Place, Kirstin Clow (Interim Head of Strategic Planning Policy) and Laura Bartle (Principal Strategic Planning Policy Officer) with Cllr Ayre (Executive with portfolio of Local Plan) discussing the draft response to the Inspector;
- Neil Ferris approved the submission of CYC's response to the Inspectors Letter of 16 November 22, including the additional paper: Provision for Gypsies and Travellers and Travelling Showpeople (December 2022) [EX/CYC/121 (letter) & EX/CYC/121a]. This provided clarity on the expectations for where and when pitches would be delivered across the remainder of the plan period. In recognition of likely off-site financial contributions to be received, the Council sought to make a further amendment to the Green Belt boundary at the Osbaldwick site to ensure additional land within the existing Gypsy and Traveller site designation could be utilised for additional pitches if necessary following outcomes of ongoing work to assess land within the Council's estate. The approach embeds flexibility into the policy and meets the requirements for demonstrating developability through later years of the plan. This formed the basis of modifications agreed with

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<sup>2</sup> See City of York Council Hearing Statement for Phase 3 Matter 9: [HS/P3/M9/G&T](#). See also York Traveller Trust Hearing statement for Phase 3 Matter 9: [HS/P3/M9/G&T/6](#) wherein the Osbaldwick site is not addressed directly. The hearing sessions can be viewed via the City of York Council YouTube Channel: <https://www.youtube.com/@cityofyorkcouncil/videos>

the Inspectors in January 2023 as part of the Main Modifications consultation.

- 2.15. Following the email from Louise Waltham on 30 January 2023, which raised similar concerns to those already raised by York Travellers Trust, there was an internal officer meeting on 31 January 2023 to consider Local Plan site provision for gypsies and travellers and presentation of the Main Modifications, in general.
- 2.16. After that meeting Neil Ferris also acknowledged the conditions at the Osbaldwick site in an email dated 20 February 23 in response to the email from Tracey Carter (see above, [\[EX/OTH/36d\]](#)):

*“This then is not the basis for my disappointment as to the state of the situation at Osbaldwick G&T site which I publicly recognised at both Local Plan working Group and Executive and our need as a Directorate to grasp not only the new provision within the Local Plan but the poor existing condition of our G&T facilities and our ongoing resourcing of support for the G&T provision from expanded revenues as the City grows.*

*... I believe we will be strongly recommending to Executive to receive a report to establish a G&T pitch delivery programme and Capital funding and resourcing for this programme which for clarity will need to include major maintenance proposals for existing sites.*

*The constant improvement journey and pace of delivery of the Housing, Planning and Regeneration teams (for developer Sites) gives me a high degree of confidence that we will make the G&T provision in the City fitter for purpose than it has ever been and at pace and we all recognise the scale of that challenge we have”.*

- 2.17. The Council had by then already taken steps to address concerns about conditions at the site which had been raised in the above emails (see below).
- 2.18. A month later in March 2023, Neil Ferris reiterated in a letter to the Equality and Human Rights commission (Annex C) the response of the Council to issues relating to the condition and proposed expansion of Osbaldwick site (see below).
- 2.19. As part of the process to prepare the Council response to representations made on the Proposed Main Modifications, officers held an internal travellers update meeting on 17 March 2023 to discuss the policy position and ongoing general site management across York sites. A further meeting was held on 24 May 2023 to discuss emerging outcomes of the consultation. Attendees to the meetings included Strategic Planning Policy Officers, Neil Ferris, Tracey Carter, Dennis Southall and Ann-Marie Douglas.
- 2.20. It is clear from this chronology that senior officers responsible for the Local Plan and also housing delivery sought to progress the proposals for a more pro-active

approach taking into account concerns expressed by other officers relating to the Osbaldwick site, which had already been raised by other parties.

- 2.21. Officers both explained the general justification for the policies relating to gypsy and traveller provision in the Local Plan, and recognised within that context that there were management challenges at the Osbaldwick site which needed to be resolved with additional resources. The resolution of these challenges was considered to enable the proposed provision for the site to be maintained as set out in the proposed modifications, and contrary to any earlier suggestion from officers that issues with the site precluded any expansion. The steps to deal with management at the site and resourcing are explained in more detail below.
- 2.22. It should also be recognised that the emailed comments from Ms Waltham in her operational role on 30 January 23 [EX/OTH/36b] and 10 March 23 [EX/CYC/36e], misunderstood the wider policy approach that was in fact being taken to provision at the Osbaldwick site when referencing 13 pitches to be delivered. The position was made clear to both York Travellers Trust and senior housing managers (Tracey Carter, Michael Jones and Denis Southall) with the circulation of the Policy Position Statement (February 2023)<sup>3</sup> on 28 February and subsequent sharing with operational housing managers in early March 2023. In summary, this articulated the policy development process as well as the projected trajectory requested by the Inspectors in their November 2022 correspondence [EX/INS/43]. To reiterate, it is projected that 10 pitches are required in the first 5 years, 4 of which could be located at Osbaldwick site. In her email, Ms Waltham concurs that at Osbaldwick “5 pitches ...would have been just about manageable (although not desirable)” [EX/CYC/36b]. Further confirmation of this approach is dealt with under section 3 of this response.
- 2.23. It is also important to confirm that the issue of whether the extension of the Osbaldwick site was justified had already been the subject of careful consideration through the Local Plan process; and this continued up to and during the time period of consultation on the Proposed Main Modifications and the response of the Council to consultation on the Proposed Main Modifications.
- 2.24. Following the start of the consultation on the Proposed Main Modifications to the Local Plan:
- a) Council officers including Alison Cooke, Head of Strategic Planning Policy and other members of the Strategic Planning Policy team, Michael Jones, Tracey Carter and Laura Williams (Assistant Director of Customer, Communities and Inclusion), met with York Travellers Trust on 16 February 2023 to discuss gypsy and traveller provision, including the Main Modifications document and intended supplementary planning document. In the meeting York Travellers Trust explained their likely response to the

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<sup>3</sup> Submitted as part of YTT’s Response to Main Modifications Consultation. Also published as part of the Council’s Response to the Main Modifications Consultation – Annex A to EXCYC123ai

consultation to officers, including concerns regarding Osbaldwick specifically. A key action from the meeting was for the Council to articulate its position regarding the policy approach and the sites identified to accommodate needs in a position statement. This was provided to York Travellers Trust on 28 February 2023 and subsequently published as Annex A to the Council's Response to the Main Modification Consultation [EXCYC123a(i)]. This set out the approach of the Council to gypsy and traveller policy including issues regarding the site at Osbaldwick;

- b) The Council specifically addressed issues raised by the Equality and Human Rights Commission in a letter dated 17 February 2023 which referred to concerns about the location/condition of the Osbaldwick site and its proposed extension. In a reply dated 14 March 2023 Neil Ferris explained that:  
*"In respect of Local Services within the Osbaldwick and Derwent Ward the Local Plan proposes a new strategic site just north of Outgang Lane making provision for 845 homes with obligations to bring forward community facilities such as those you mention in your letter which are currently in deficit in this part of the City. Thereby addressing not just the proper expectations for the GRT community but the community as a whole..."* (Annex D);
- c) As set out above, officers held a further internal meetings on 17 March 2023 and 24 May 2023 in advance of the decision by Neil Ferris as Corporate Director of Place to submit the Council's response to the Main Modifications Consultation [EXCYC123ai-c], which considered matters pertaining to gypsy and traveller provision, including the suitability of the Osbaldwick.

2.25. At all relevant stages, therefore, Council officers involved in the progress of the Local Plan have considered the potential for the Osbaldwick site to be extended; and this process continued, following the receipt and in the knowledge of the above emails, up to the decision to submit the response to the consultation on the Proposed Main Modifications. To be helpful, the Council submitted a response to key points arising through the consultation choosing to address the matters directly, and where relevant, suggest further minor modifications<sup>4</sup>. Site specific issues are addressed in the section below.

### **Site management at Osbaldwick and further resourcing**

#### **Introduction**

2.26. Since February the Council has taken steps to ensure that it delivers upon its commitment to invest in steps to improve existing sites and their management. It

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<sup>4</sup> See EX/CYC123, EX/CYC123a(i), EX/CYC/123b(ii) and EX/CYC/123c(i)

has also investigated actions that are available under other regulatory regimes to address issues at Osbaldwick.

### **Steps taken in relation to issues at Osbaldwick**

- 2.27. Whilst to date no formally recorded complaints have been raised in relation to environmental protection issues at the Osbaldwick site, such as air quality. the issue was raised again by York Travellers Trust at a meeting with Council Officers on 16 February 2023. Following that meeting, Tracey Carter undertook an informal site visit to Osbaldwick the following day and reported her findings in an email to Housing and Strategic Planning Policy Officers as well as Neil Ferris [EX/CYC/36d]. In light of the email and further email by Michael Jones regarding the same matter, the Council's Environmental Protection team were engaged to identify the issues on site, particularly regarding dust. On 21 February 2023 they contacted the Environment Agency regarding the issues of air pollution and dust. An initial investigation on 23 February 2023 identified the dust as originating from an adjacent business, which had a large stockpile of crushed materials on the eastern boundary of their site.
- 2.28. The Environmental Protection Team liaised with the Environment Agency who regulate the business via a waste permit and obtained a copy of this permit. Council officers subsequently undertook a joint inspection with the Environment Agency on 8 March 2023. During this time officers spoke to the site manager about increasing the height of bunds adjacent to local residents and ensuring stockpiles are kept at more reasonable levels in the future. The permit issued by the Environment Agency requires them to use water suppression and shrouds to minimise dust when they are crushing. The Environment Agency has requested the business to provide a dust management plan.
- 2.29. As Neil Ferris confirmed in correspondence with the Equality and Human Rights commission (see above and Annex D), the issue with the site *"can, are and will be addressed by the Council both in respect of the current site and any detailed planning applications that would be necessary for a proposed extension of the site or the multiple new GRT sites that are proposed in the Local Plan across the City. To this end on the existing site since the issue of dust pollution was raised through the public Local Plan decision sessions the Council's Environmental Health Team have already undertaken multiple regulatory visits to sites we regulate through Environmental Health and a joint site visit with the Environment Agency as regulator for the neighbouring industrial estate with further follow up visits proposed"*.
- 2.30. The Council has received no further complaints since the issues were raised in February.
- 2.31. However, a further joint inspection with Environment Agency (EA) took place on 23 October 2023. The site was extremely muddy due to the recent rain meaning no dust was visible during the visit. However, it is considered that the bunding



around the eastern boundary should provide a more effective screen to reduce dust impacting nearby properties. Whilst there continued to be a number of stockpiles on site, there was no evidence that these are causing a dust issue. A breach of the permit issued by the EA was observed on site in relation to the use of a mobile crusher. This is therefore being raised with the relevant regulatory authority by the EA jointly with the Council. The Council's Environmental Protection team consider that, at this stage, no further action is required. This will be kept under review and should we receive further complaints, Council Officers will investigate with help from the site regulators, the Environment Agency.

### **Resourcing**

- 2.32. There is now a clear commitment by the Council to ensuring the effective management of gypsy and traveller sites is improved, in general. The operational management team is outlined above and is supported by junior colleagues (see Annex A) who maintain positive day-to-day relationships with the Gypsy and Traveller Community. Further expansion of the Council Officer team is underway, as set out below. Importantly, the Council is taking a holistic to understanding issues arising within the Gypsy and Traveller community and seeking to address this through a multi-team Working Group.
- 2.33. The need for additional resources for management purposes is also recognised; this was highlighted by Neil Ferris at Local Plan Working Group in January 2023 (Annex B) and addressed in his email of 20 February 2023 which states "*our ongoing resourcing of support for the G&T provision from expanded revenues as the City grows; I believe we will be strongly recommending to Executive to receive a report to establish a G&T pitch delivery programme and Capital funding and resourcing for this programme which for clarity will need to include major maintenance proposals for existing sites*". The report to which Neil Ferris refers regarding a Gypsy and Traveller Strategy has been progressed. This is anticipated to be reported to Executive by Tracey Carter, Director for Economy, Regeneration and Housing after the Local Plan confirms the scale of investment that the authority is required to make. The Local Plan adoption is required to provide a specific rationale for the scale of investment decision proposed.

### **New Gypsy and Traveller Accommodation Project Officer**

- 2.34. The Council is not waiting for the capital investment report to invest additional resources into progressing with the employment of a new formal Gypsy and Traveller Accommodation Project Officer within the Council's Asset Management Building Services team. The role is intended to have close working relationships with the Temporary Accommodation team, Housing Delivery team, and Housing Strategy and Performance team. This new post has been under consideration since April 2022 and the remit for the post has been established in consultation with York Travellers Trust (Annex E). Approval to finance the new post was given on 14 March 2023 at an Executive Member Decision Session (Annex F). This

decision allows the post to be established and for formal recruitment to commence.

2.35. Recruitment to this post is to commence shortly. In summary, the main functions to be carried out by the new officer will be as follows:

- Taking responsibility for ensuring the up-to-date condition of stock is known, with any risks identified.
- Developing business cases to support planned investment decisions.
- Project managing investment works, including the procurement of contractors, managing budgets, quality control and reporting.
- Leading the Council's ambition to expand our gypsy and traveller accommodation offer.
- Considering opportunities for the expansion of existing sites and the development of new sites for Gypsy and Traveller accommodation in the city.
- Supporting the delivery of effective repairs service to the Gypsy and Traveller sites.
- Identifying and acquiring land for development as required.
- Working closely with the Gypsy and Traveller community to ensure projects meet the needs of the community.
- Project managing responsibilities for the delivery of sites through the planning process and necessary infrastructure works.
- Supporting the development of policies, commenting on planning applications and agreeing any required S106 commuted sums to aid the delivery of Gypsy and Traveller pitches.
- Creating a specification for components to be installed within the existing sites which meets the requirements of the community.

2.36. It is anticipated that, alongside the Strategic Planning Policy Team, this new project officer will lead on the development of a Supplementary Planning Document which will add detail to Policy H5 of the Local Plan regarding the delivery of pitches. As part of this work, we anticipate articulating any design requirements specific to individual sites, such as Osbaldwick, to provide clarity. A report regarding supplementary planning documents is planned to be taken to Members in due course following further certainty regarding the approach set out in the forthcoming Inspectors report.

### **York Gypsy and Traveller Working Group**

2.37. As explained above, the officers responsible for the operational management of gypsy and traveller sites in York work within the Temporary Accommodation housing team at the Council. However, the Council recognises that support for gypsies and travellers is wide-ranging and requires an holistic approach. The Council therefore operates the York Gypsy and Traveller Working Group which draws together expertise from colleagues in communities and equalities, housing, site management, community safety, education, early years, health and other bodies including York Travellers Trust with the aim of understanding and addressing relevant issues for the community. The Working Group is developing

an Action Plan, which builds on the work of the previous Gypsy, Roma and Traveller Strategy 2013 to 2018<sup>5</sup>.

- 2.38. Its current primary focus is on delivering projects to support the community. Supporting the community in this holistic manner has so far been successful. The York Travellers Trust have reported for example, that members of the gypsy and traveller community are no longer immediately transferred to individual Temporary Accommodation Officers when they contact the Council but are receiving support from wider Council services relevant to their needs.
- 2.39. On this basis, we expect that that this Working Group and service provision for the community will continue to contribute to reducing some of the existing social issues on sites as well as be a forum for raising issues and agreeing resolutions. This Working Group and its established network will play a critical role in informing the development of future strategy and capital programme.

### **Conclusion on Matter 1**

- 2.40. For the reasons set out above, it is important to place the emails which were produced in response to the York Travellers Trust FoI request in their proper context. The views expressed in those emails were those of officers involved in the operational management of the Osbaldwick site which were known to and acknowledged by senior officers both in housing management positions and those with specific responsibility for the Local Plan. Those senior officers concluded that the policy approach as set out in the Proposed Modifications to the Local Plan remained justified, having regard to the careful consideration that had been given throughout the Local Plan process to considering gypsy and traveller provision generally and the role of the Osbaldwick site in particular in helping to meet needs. These conclusions have been maintained up to the Council response to the consultation on the Proposed Main Modifications, with knowledge of the concerns raised in those emails. Management issues which had been properly raised by officers, as well as York Travellers Trust, were taken into account. It was considered that steps could be taken to address and resolve these issues, including the enforcement by the Environment Agency of other regulatory controls, but also through the provision of additional resources to secure dedicated improvements to the management of existing sites and the provision of new sites.

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<sup>5</sup> [York Gypsy Roma and Traveller Strategy 2013-18 CMT 23.05.13](#)

### 3. Matter 2: Osbaldwick Site

- 3.1. The Council retains its view that Osbaldwick site is suitable for expansion. This is explained further below, including a response to the points made by York Travellers Trust.
- 3.2. In keeping with the Government's aim for sustainable and mixed communities, the Council seeks to ensure that there are enough decent homes, in suitable locations, for everyone in its community. Gypsies and travellers are an important part of the local community in York and will remain so in the future.
- 3.3. The Council is committed to securing better and sufficient accommodation for gypsies and travellers, promoting integration with other housing types, improving social outcomes and opportunities, and providing significantly more certainty for the community in a holistic way. As described under Matter 1 above, a multifaceted approach to meeting these objectives is being carried out through the Council's various housing functions.

#### **National Policy Context**

- 3.4. The National Planning Policy Framework ('NPPF') (2023) at paragraph 60 states that; *"to support the Government's objective of significantly boosting the supply of homes, it is important that...the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay"*
- 3.5. Planning Policy for Traveller Sites ('PPTS') (2015)<sup>6</sup> requires the Council to:
  - Make its own assessment of the need for Traveller accommodation for the purposes of planning in our borough,
  - Develop fair and effective strategies to meet the identified need through the identification of land for sites,
  - Protect the Green Belt from inappropriate development,
  - Promote more private traveller site provision and reduce unauthorised development,
  - Identify deliverable sites to provide five years' worth of accommodation against a locally set target, and
  - Identify developable sites or broad locations for growth for the next six to ten years and where possible 11-15 years.
- 3.6. PPTS states that local authorities should set targets for Traveller accommodation that address this identified need. Additionally, local authorities are required to identify a supply of deliverable sites to meet the need for Traveller accommodation for the next five years and identify sufficient developable sites or

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<sup>6</sup> <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

broad locations with potential to meet the need arising in the 6 – 10 and 11 – 15 year periods of the Local Plan.

- 3.7. The definitions of what constitute ‘deliverable’ and ‘developable’ sites are set out in the PPTS, footnotes 4 and 57. PPTS (2015) amends the definition of travellers for the purposes of planning to exclude those travellers that have ceased to travel permanently.

### **Planning for the needs of York’s Gypsy and Traveller Community**

- 3.8. The identified need for Traveller accommodation in York is set out in the Gypsy and Traveller Accommodation Assessment (GTAA) (2022) [[EXCYC88](#)].
- 3.9. The GTAA [[EXCYC88](#)] identifies a need for 15 pitches over the plan period. Consistent with the PPTS, this requirement is reflected as a target in Policy SS1: Delivering Sustainable Growth for York and the delivery of pitches facilitated by Policy H5: Gypsies and Travellers.
- 3.10. The GTAA also assessed the needs of travellers who do not meet the PPTS planning definition of a traveller as they have ceased travelling permanently. The findings are also reflected in Policy SS1, which makes clear the Plan also makes provision for 25 permanent pitches for Gypsies and Travellers who do not meet the definition. Provision of these pitches is supported by Policy H58.
- 3.11. As well as safeguarding existing sites, Policy H5 provides the basis for directing new provision to meet defined and non-defined needs. It does so by supporting expansion of two existing Council owned sites (Clifton and Osbaldwick) and places an expectation on strategic sites to provide a proportionate number of pitches as part of the mix of housing delivered in these locations. It further sets out criteria against which planning applications for gypsy and traveller pitches will be assessed.

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<sup>7</sup> PPTS Footnote 4: “To be considered deliverable, sites should be available now, offer a suitable location for development, and be achievable with a realistic prospect that development will be delivered on the site within five years. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within 5 years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans’.

PPTS Footnote 5: “*To be considered developable, sites should be in a suitable location for traveller site development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.*”

<sup>8</sup> The Council explained in EX/CYC/121a that the PPTS and the NPPF have been applied in a way that is consistent with the *Lisa Smith* judgement in that the plan’s strategic approach is to meet all identified Traveller needs.

- 3.12. The Council maintains its position<sup>9</sup> that the approach taken in Policy H5 is sound on the basis that it is wholly consistent with PPTS paragraph 10 and the obligations set out for local authorities in preparing Local Plans:
- The need for 9 pitches within the first 5 years can be met on two clearly deliverable sites. As both sites are owned and managed by the Council, it has significantly more control in the process of delivering these new pitches which provides confidence and certainty that development will be realised. Further, the sites benefit from lawfully established use for gypsy and traveller accommodation and have sufficient land available to support expansion in a form that accords with best practice (pitch sizes of between 200m<sup>2</sup> and 500m<sup>2</sup> and provision of supporting infrastructure). Should it be necessary to do so, the sites are also capable of being split into two.
  - Provision beyond the first 5 years is tested against paragraph 10b of the PPTS and the requirement for developable sites or broad locations to be identified. This is precisely what Policy H5 achieves through its requirement for strategic sites to incorporate new pitch provision and inclusion of a criteria-based policy to assess windfall opportunities against.
- 3.13. The policy does not specifically allocate 17 new pitches on the Osbaldwick site. Rather, it identifies the Clifton and Osbaldwick sites as the locations for delivering 10 pitches over the plan period which meet the 5-year requirement for Gypsies and Travellers that meet the planning definition.
- 3.14. The Council confirmed in their 'Provision for Gypsies and Travellers and Travelling Showpeople' (December 2022) document [EX/CYC/121a] that 4 of the 10 pitches are expected to be located at Osbaldwick. The remaining 6 to be located on the site at Clifton.
- 3.15. There are currently 18 pitches at the Osbaldwick site and as explained in EX/CYC/121a, it is necessary to ensure that there is land available here that could support additional pitches (over and above the minimum 4 required to support the 5-year delivery) if alternative sites do not become available. This is considered to be an appropriate approach, consistent with the developable site requirements of the PPTS.
- 3.16. Issues have been raised throughout the examination process to bring into question the suitability of the Osbaldwick site for further expansion. Evidence provided in document EXCYC121a included the Council's commitment to addressing these matters. Details of our ongoing frontline and strategic activity are set out in Matter 1 above. In setting out this wider context and the holistic framework in place to support pitch management and the community, the Council

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<sup>9</sup> Phase 3 Hearing Session, Matter 9: 00:59:03- 01:09:00 <https://www.youtube.com/watch?v=5wvvY2qpMJE>  
00:09:00 <https://www.youtube.com/watch?v=xbs6QwBifaM>

has demonstrated that its approach to gypsy and traveller provision remains sound and that additional pitches can be delivered at Osbaldwick without exacerbating existing issues.

### **Responses to matters raised by York Travellers Trust**

- 3.17. Further to the Inspectors request, the Council have considered the representation to the Main Modifications Consultation (Feb/Mar 2023) made on behalf of the York Travellers Trust (ref 982)<sup>10</sup>. Section 8.0 of the representation specifically sets out their concerns regarding expansion of the Osbaldwick site. The table below sets out the Council's response to the specific matters raised in the representation. Where applicable, links to the Phase 3 Hearing Sessions available via the Council's YouTube channel are linked.

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<sup>10</sup> <https://www.york.gov.uk/downloads/file/9058/982-mhp-obo-york-travellers-trust-redacted>

**Table 1: York Travellers Trust Issues and CYC Response**

Paragraph Reference	Summary of issue raised	CYC response
8.1 – 8.3	<p>The proposed allocation at Osbaldwick is not reasonable, viable or deliverable. The site is categorically not capable of delivering further pitches.</p> <p>The allocation of – effectively - 17 Pitches at Osbaldwick amounts to Direct Discrimination under Sections 13(1) and 13(5) of the Equality Act 2010. It does not comply with the Public Sector Equality Duty under s149 of that Act. To this extent, the Local Plan is not legally compliant.</p>	<p>The Council intends to deliver on its duty to provide suitable accommodation for different communities as part delivering a new Local Plan for the city. The Plan addresses the issue of Gypsy and Traveller provision in policy H5. The policy is supported by evidence and responds to matters raised during earlier consultation stages, including comments from the York Travellers Trust. The supporting evidence base has been updated through the Examination process, with a GTAA (2022) [EXCYC88] informing the Examination and the subsequent proposed modifications.</p> <p>The Local Plan does not specifically allocate 17 new pitches on the Osbaldwick site. Instead, it safeguards all three of the Council owned sites and identifies the Clifton and Osbaldwick sites as the locations for delivering the 5-year need for 9 pitches for Gypsies and Travellers that meet the planning definition. Evidence submitted to the examination [EX/CYC/121a] outlines the expectation that 4 of the 10 pitches to be provided for on Council sites will be located at Osbaldwick. Submissions made by the Council during the hearing session evidenced the site’s ‘deliverability’ in accordance with the PPTS definition<sup>11</sup>.</p> <p>The additional 13 pitches identified by the Council as likely to be required over the plan period are based on reasonable assumptions around off-site financial contributions secured/likely to be secured through residential development ahead of the plan’s adoption. Based on this understanding, it was necessary for the Council to indicatively identify where these pitches could be delivered during the plan period. It is made clear in our</p>

<sup>11</sup> Phase 3 Hearing Session, Matter 9: 00:59:03- 01:09:00 <https://www.youtube.com/watch?v=5wvvY2qpMJE>  
00:09:00 <https://www.youtube.com/watch?v=xbs6QwBifaM>



Paragraph Reference	Summary of issue raised	CYC response
		<p>Gypsy and Traveller Paper (Dec 2022) [EX/CYC/121a] that the approach is deliberately flexible and there is no prescribed requirement for Osbaldwick site to provide a total of 17 new pitches. It has been established that sufficient land lies outside of the site's Green Belt designation to facilitate development of the 17 pitches <i>if</i> (in the unlikely event) no alternative land is secured over the plan period. Importantly, the Council is continuing to explore its land holdings and is assessing opportunities for how it might direct contributions it receives for the delivery of pitches on alternative sites<sup>12</sup>.</p> <p>An equalities assessment forms part of the Council's decision-making process and was submitted to the Examination [CD019]. It ensures the relevant issues have been considered and this practice continues as the Local Plan proceeds to adoption. An addendum to CD019 forms Annex 9 of the report to Executive regarding the Plan's Main Modifications<sup>13</sup>. For a full list of EIA prepared as part of the Local Plan process, please see Annex D to this response wherein we set this out in detail for the Equalities and Human Rights Commission. The EHRC also highlighted information they considered to be omitted in the Council's Ward Profiles regarding gypsies and travellers; the ethnicity profiling now includes reference to these categories<sup>14</sup>. Further reporting of relevant data is under discussion.</p>

<sup>12</sup> Hearing Session recording: 00:12:00 [https://www.youtube.com/watch?v=vw\\_nQ1inrfE&list=PLCefwpD2Fea2hQhdnL7T4EK7o0j1tyEUV&index=89](https://www.youtube.com/watch?v=vw_nQ1inrfE&list=PLCefwpD2Fea2hQhdnL7T4EK7o0j1tyEUV&index=89)

<sup>13</sup> City of York Local Plan Equalities Impact Assessment Addendum December 2022:

<https://democracy.york.gov.uk/documents/s165057/Annex%208%20Equalities%20Impact%20Assessment%20Addendum.pdf>

<sup>14</sup> See York Ward Profiles 2023-24 Q1 - Osbaldwick and Derwent Ward - York Open Data: <https://data.yorkopendata.org/dataset/york-ward-profiles-2023-24-q1/resource/7fade683-f55c-421b-bf4d-9dd5999fee26>

Paragraph Reference	Summary of issue raised	CYC response
8.4-8.5	<p>The proposed allocations at Osbaldwick do not represent an available, suitable location for development and are inconsistent with National Policy. The site does not meet the requirements as set out at Paragraph 13 PPTS, or the corresponding criteria set out at Policy H5(c) of the Local Plan.</p>	<p>The site is an existing gypsy and traveller site which benefits from planning permissions.</p> <p>Submissions made throughout the course of the examination have drawn attention to issues and conditions of the existing site, but these are all considered to be management issues, which are not insurmountable. The Council has publicly acknowledged the challenges faced on the site and is actively working to improve conditions to ensure the Local Plan objectives are properly fulfilled (as demonstrated in Matter 1 to this response).</p> <p>The Council has set out how many pitches could be provided on each of its sites following further assessment [<a href="#">EX/CYC/121a</a>] which followed internal discussion/ briefing sessions as referred to in Matter 1, specifically paragraph 2.14 of this paper.</p> <p>Regard was given to constraints and the amount of land needed to provide pitches of a size equivalent to those currently on the site. No in-principal issues were identified that conflict with the considerations set out in part C of Policy H5 or paragraph 13 of the PPTS and it was concluded that the site is capable of being configured as two self-contained sites, and that all policy requirements can be satisfied. It is appropriate for all design matters to be considered in detail as part of the work to support the planning application that will be required. It is also intended that the Council produce a Supplementary Planning Document to support forthcoming provision and pitch design.</p>

Paragraph Reference	Summary of issue raised	CYC response
8.7 -8.8	<p>The Site is located some distance from the local community on the edge of an industrial estate and immediately adjacent to a large Waste Transfer Station. There is no bus stop or shop within reasonable walking distance, and access to and from the site on foot is through an industrial estate characterised, during working hours, by the movements of large trucks and skip wagons. Residents experience social exclusion and isolation as a direct consequence of the inappropriate location of the Site</p>	<p>The site is an existing gypsy and traveller site. The Council has made clear in its submissions that it has sought to assess alternative allocations but no available land that is free of constraints has been identified<sup>15</sup>. It is wholly appropriate for the Council to consider its existing gypsy and traveller sites and propose expansion where it can be suitably achieved and will meet the 5-year need that the Plan must demonstrate.</p> <p>Issues arising from land uses immediately adjacent the Osbaldwick site are known to the Council but no formal complaints have been recorded. Since dust pollution concerns were raised through the public Local Plan Decision sessions and a meeting with York Travellers Trust in February 2023, the Council's Environmental Protection team has made regulatory visits to the sites it regulates and has attended joint site visits with the Environment Agency as regulator for the neighbouring industrial estate.</p>
8.9 – 8.13	<p>The planning application for 6 additional pitches in 2013 recognised the adjacent land uses but did not acknowledge the impact on site amenity or residents' health of the permanent presence of large and dominating piles of waste. Issues were not appropriately considered in the determination of the application</p>	<p>It is not appropriate for the Council to comment as part of this Local Plan examination on matters of judgment made on planning permissions it has previously granted: 13/02704/GRG3</p> <p>In any event, issues such as amenity and the relationship with other land uses have been taken into account through the plan process. This has been through internal discussion and agreement as set out in para 2.14 of this document.</p>

<sup>15</sup> 00:18:43 and 00:40:29 <https://www.youtube.com/watch?v=xbs6QwBifaM>

Paragraph Reference	Summary of issue raised	CYC response
8.14 – 8.18	Aims set out in the CYC management plan for sites have not been realised. The Council’s suggestion that York Travellers Trust concerns are management issues and not a planning issues is contested. It is the inappropriate location that has led to these issues	The Council’s submission at the hearing session provided detail on the approach being taken to tackle management issues <sup>16</sup> . The Council considers that matters raised are not ones that the Local Plan has any power to address. Rather, they are and will be addressed by the Council both in respect of the current site (as set out in Matter 1 regarding management) and any detailed planning applications that would be necessary for a proposed extension of the site.
8.19 – 8.20	The Council’s claim that additional capital that will be invested at the Osbaldwick site, through off-site contributions is at odds with the s106 agreement signed for the development of ST8 (Monks Cross), which confirms that these funds may not be used for ongoing management of the site	<p>The Council is not proposing to use S106 funds for ongoing management. Rather, it is anticipated that management will be an ongoing Council cost recovered through rent receipts.</p> <p>The first stage in the Council’s capital investment in pitch provision is the recruitment of the Gypsy and Traveller Accommodation Project Officer post as set out from para 2.37 above. The purposes of this role are:</p> <ol style="list-style-type: none"> <li>1. Responsible for ensuring an up-to-date condition of stock is known with any risks identified.</li> <li>2. Developing business cases to support planned investment decisions.</li> <li>3. Project managing investment works, including the procurement of contractors, managing budgets, quality control and reporting.</li> <li>4. Leading the council’s ambition to expand our gypsy and traveller accommodation offer. Considering opportunities for the expansion of existing sites and the development of new sites for Gypsy and Traveller accommodation in the city.</li> </ol>

<sup>16</sup> 1:04:09 <https://www.youtube.com/watch?v=5wvvY2qpMJE&list=PLCefwpD2Fea2hQhdnL7T4EK7o0j1tyEUV&index=86>

Paragraph Reference	Summary of issue raised	CYC response
		<p>5. Support the delivery of effective repairs service to the Gypsy and Traveller sites</p> <p>6. Identify and acquire land for development if required.</p> <p>7. Work closely with the Gypsy and Traveller community to ensure projects meet the needs of the community.</p> <p>8. Project management responsibilities for the delivery of sites</p> <p>The Council's financing of this position is addressed under Matter 1, as is consultation on the job description with York Travellers Trust.</p> <p>An anticipated report to Executive by the Director for Economy, Regeneration and Housing regarding capital investment will be taken after the Local Plan confirms the scale of investment that the authority is required to make. The Local Plan adoption is required to provide a specific rationale for the scale of investment decision proposed.</p>
8.21 – 8.23	Planning permission granted in 2013 has not been correctly implemented – field shelters and post and rail fences for grazing horses have never been provided	This is an enforcement matter which does not concern the principles of the existing site allocation or its identified expansion in Policy H5. Matters relating to the site's likely reconfiguration required to support additional pitches are to be considered as part of the design process and assessed as part of the planning application. Indeed a substantial amount of the site under the gypsy and traveller designation lies within the Green Belt, which would remain available for grazing horses and other compatible uses.
8.14 – 8.25	In 2016 permission was granted for the Waste Transfer and skip hire company to raise the height of the waste piles (which immediately overlook the Traveller site) from 2m to 5m. Insufficient consultation took place	It is <u>not appropriate</u> for Council to comment on matters of process, or the judgement reached on planning applications as part of this Local Plan examination process. <p>However, for the avoidance of doubt, we can confirm that 2016 applications relating to an increase in height of waste piles within the</p>

Paragraph Reference	Summary of issue raised	CYC response
	<p>during the application's determination and no reference to the adjacent traveller site made in the officer report. The increase in the height of the waste piles has significantly exacerbated issues with environmental quality and safety at the Site. Residents report the presence of brick dust, blowing across their pitches, and an increase in rats on the site. Work has commenced in partnership with the University of York to supply air quality monitoring equipment to residents, in order that the environmental issues associated with the 2016 permission may be proven, and hopefully addressed.</p>	<p>waste management site were withdrawn. Permission to vary the conditions to allow the stockpiling of skips in 2016 was refused. The original conditions agreed in 2007 (application 07/01243/FUL) therefore relevant are:</p> <p><u>3.</u> The use hereby permitted shall be confined to the following hours:  Monday to Friday – 0700 to 1800  Saturday – 0700 to 1300  Sunday and Bank Holidays - not at all  Reason: to protect the amenity of local residents.</p> <p><u>6.</u> Stockpiles shall not exceed 5 metres in height above the existing ground level.  Reason: In the interest of the visual amenity of the Green belt</p> <p><u>7.</u> Prior to first use of the site full details of the proposed boundary bund shall be submitted to and approved in writing by the Local Planning Authority. The bund shall be constructed and planted in accordance with these approved details and maintained thereafter. Any planting removed without consent shall be replaced with green planting of such size and species as may be agreed with the local planning authority.  Reason: To protect the visual amenity of the area and to reduce noise spillage from the site.</p> <p>The Environment Agency is consulted as part of the application process and recognition of the separate regulatory regime in place to control pollution made in the reports. Permits for various uses are issued directly from the EA to the business and this permit should be adhered to.</p> <p>No formally recorded complaints have been raised in relation to environmental protection issues such as air quality at the Gypsy and Traveller site in Osbaldwick.</p>

Paragraph Reference	Summary of issue raised	CYC response
		<p>However, following a meeting between York Travellers Trust and City of York Council Officer on 16 February 23 (and a site visit the following day by the Director for Economy, Regeneration and Housing, the Council's Environmental Protection team were engaged to identify the issues on site, particularly regarding dust. This initial investigation on 23 February 2023 identified the dust as originating from an adjacent business, who had a large stockpile of crushed materials on the eastern boundary of their site.</p> <p>The Environmental Protection Team liaised with the Environment Agency who regulate the business via a waste permit and obtained a copy of this permit. Council officers subsequently undertook a joint inspection with the Environment Agency on 8 March 2023. During this time officers spoke to the site manager about increasing the height of bunds adjacent to local residents and ensuring stockpiles are kept at more reasonable levels in the future. The permit issued by the Environment Agency requires them to use water suppression and shrouds to minimise dust when they are crushing. The Environment Agency has requested the business to provide a dust management plan.</p> <p>The Council has received no further complaints since the issues were raised in February, but are planning another joint inspection with the Environment Agency in the near future.</p> <p>The Council has received no further complaints since the issues were raised in February.</p> <p>However, a further joint inspection with Environment Agency (EA) took place on 23 October 2023. The site was extremely muddy due to the</p>

Paragraph Reference	Summary of issue raised	CYC response
		<p>recent rain meaning no dust was visible during the visit. However, it is considered that the bunding around the eastern boundary should provide a more effective screen to reduce dust impacting nearby properties. Whilst there continued to be a number of stockpiles on site, there was no evidence that these are causing a dust issue. A breach of the permit issued by the EA was observed on site in relation to the use of a mobile crusher. This is therefore being raised with the relevant regulatory authority by the EA jointly with the Council. The Council's Environmental Protection team consider that, at this stage, no further action is required. This will be kept under review and should we receive further complaints, Council Officers will investigate with help from the site regulators, the Environment Agency.</p>
8.26 – 8.28	<p>The 'Site Identification Study' of 2014 (SD060) concluded the site is over the recommended number of pitches and therefore not considered suitable for further intensification or expansion, beyond which is already permitted.' Due to its failure to pass the first phase of the site selection process, the Osbaldwick Site was not reassessed in Document SD005: 'York Local Plan Preferred Options' June 2016</p>	<p>For clarity, <a href="#">SD005</a> 'Local Plan Preferred Options (2013) preceded <a href="#">SD060</a> 'Site Identification Study - Gypsy, Roma, Traveller and Travelling Showpeople Sites Study' (2014). The evidence informing that work is superseded by GTAA (2017) <a href="#">SD059</a> and GTAA (2022) [EXCYC88] as well as the following decisions/consultation versions of the Local Plan.</p> <ul style="list-style-type: none"> <li>• The Local Plan Preferred Sites Consultation (2016) [<a href="#">SD018</a>] consulted on alternatives pending the outcomes of the updated 2017 GTAA [<a href="#">SD059</a>].</li> <li>• Executive decision to proceed to Reg 18 consultation on 13 July 2017 [SD027A-E] considered the recommendations for a revised H5 and H6 policy approach to provision following receipt of the GTAA (Annex 9 [<a href="#">SD027C</a>])</li> <li>• This was followed later by Executive decision 25 Jan 2018 [<a href="#">SD028</a>] to proceed to Reg 19 consultation, then Executive recommendation to submit on 8 May 2018 [<a href="#">CD006</a>] and full</li> <li>• Council decision to submit for examination 17 May 2018 [<a href="#">CD005</a>].</li> </ul>



Paragraph Reference	Summary of issue raised	CYC response
		<p>It is incorrect for the York Travellers Trust to assert that the site had not been properly assessed and considered. The proposals to expand supply at Osbaldwick must be understood in the context of the change in evidence that emerged during the examination, i.e. the findings of the 2022 GTAA update. This required a specific policy response / modification and it was entirely appropriate for the existing sites to be considered. The impacts of these changes were assessed as part of the Sustainability Appraisal and Habitats Regulations Assessment work on all proposed modifications:</p> <ul style="list-style-type: none"> <li>• SA - <a href="https://www.york.gov.uk/downloads/file/8758/sustainability-assessment-addendum">https://www.york.gov.uk/downloads/file/8758/sustainability-assessment-addendum</a> from PDF pg 535; and</li> <li>• HRA - <a href="https://www.york.gov.uk/downloads/file/8757/habitat-regulations-assessment-addendum">https://www.york.gov.uk/downloads/file/8757/habitat-regulations-assessment-addendum</a> from PDF pg 62)</li> </ul>
8.29	<p>The proposed modification to the Green Belt boundary contained at Paragraph 4.8 ex_cyc_121a makes it clear that the land that is required by Condition 2 to the 2013 permission to provide horse grazing, field shelters and children's play areas is now intended to deliver, instead, a further 4 – 17 new pitches. These will inevitably be closer to the Waste Transfer Site and its waste piles next door than the existing pitches, the residents of which, as above, are already experiencing environmental harm as a result of their proximity.</p>	<p>Matters relating to the site's configuration to support additional pitches will be thoroughly considered as part of the design process and assessed as part of the determination of the planning application. It is also the Council's intention to work with York Travellers Trust to produce an SPD supporting policy H5 regarding site delivery and pitch design.</p> <p>As explained above, it is very unlikely that all 17 pitches will need to be delivered on the site. It should also be noted that around half the designated site is located in Green Belt and this land will therefore remain capable of supporting ancillary uses compatible in Green Belt, such as horse grazing.</p>

Paragraph Reference	Summary of issue raised	CYC response
8.30 – 8.38	<p>Insufficient assessment of the site’s suitability has been undertaken. The standards and criteria that the proposed expansion of the site has been assessed against relate only to the boundaries of the Green Belt, and the amount of land required to provide pitches. These concerns were not the basis for the failure of the Site to pass the first phase of the Site Selection Process SD060.</p>	<p>See response to 8.26 – 8.28 above.</p>
8.36	<p>There has been no consideration by the Council of its obligations under the Human Rights Act 1998 or the Equality Act 2010 in its Policy making decisions here. There has been no consultation with the existing residents of the site, or with the Housing Team who is ultimately responsible for its management.</p>	<p>See response to paragraphs 8.1 – 8.3</p> <p>We respectfully disagree. It is clear from the audit of activity set out in Appendix 1 that there has been consistent dialogue between frontline/ operational officers, planning officers, senior managers and the York Travellers Trust.</p> <p>Further issues related to management are set out in Matter 1, part 2.</p>
8.37	<p>There is no realistic prospect that development will be delivered on the site within 5 years.</p>	<p>As landowner and manager of the site, the Council has significantly more control over its development than would otherwise be the case if the Plan relied on private sites to deliver the 5-year additional pitch requirements.</p> <p>As detailed in Matter 1, the Council has already sought to invest in a new post whose role will be to deliver against the requirements in the plan and a further report is expected with regards to a gypsy and traveller strategy in due course.</p>

