

CABINET

8 JULY 2009

PLANNING FOR GYPSY, TRAVELLER AND TRAVELLING SHOWPEOPLES'
ACCOMODATION NEEDS: SUBMISSION OF THE PARTIAL REVIEW TO THE
SOUTH EAST PLAN BY THE SOUTH EAST ENGLAND PARTNERSHIP BOARD

REPORT OF HEAD OF STRATEGIC PLANNING

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RECENT REFERENCES:

CAB 1523 (LDF) - Meeting Gypsy and Traveller Needs - Cabinet (Local Development Framework) Committee, 11 September 2007.

CAB 1730 (LDF) - Meeting Gypsy, Traveller and Travelling Showpeoples' Accommodation Needs: Consultation by the South East England Regional Assembly, Cabinet (Local Development Framework Committee), 21 October 2008.

EXECUTIVE SUMMARY:

This report focuses on carrying forward the requirement, under revised housing legislation and the new planning system, for the accommodation needs of gypsies, travellers and travelling showpeople to be met more effectively in the future. The result of such changes is intended to reverse past levels of under-provision which have led to caravan site and pitch shortages in all parts of the country, including Hampshire.

After receiving submissions from a variety of stakeholders and completing its consideration of the evidence as to need, submitted on behalf of local authorities across the region including Hampshire and the Isle of Wight, the South East England Regional Assembly (SEERA) resolved, in March 2009, to submit its draft single-issue 'Partial Review' of the South East Plan to the Secretary of State.

The Partial Review will inform the policies in the Regional Spatial Strategy, with the result that individual planning authorities will be allocated specific pitch requirements to meet gypsy and traveller needs within their area, for both permanent and transit

accommodation.

The submitted draft Review report sets out revised accommodation figures for the region and the 'preferred' distribution option identified by the Regional Assembly. However, as that particular body has recently been replaced by the South East England Partnership Board and the South East England Development Agency (SEEDA), the draft Review has been formally submitted on behalf of the newly formed Partnership Board.

The figures contained in the Submission draft form the basis for a public consultation currently in progress. The figures also include the accommodation needs of travelling show people within the region which is a requirement resulting from relatively recent changes to Government guidance.

Depending on the outcome of the Submission stage, which will include a formal Examination in Public, any resultant endorsement by Central Government will effectively set both county and district distributions. It will then be for each authority to translate the number of pitches set out in the Regional Spatial Strategy into specific site allocations in the relevant Development Plan Document(s) forming part of its Local Development Framework (LDF).

The report indicates that the overall targets for new accommodation provision and the Assembly's preferred option for their distribution will place additional and challenging pressures on Winchester and other Hampshire authorities. Therefore, a formal representation to the Planning Inspectorate, which has responsibility for conducting the 'Examination in Public' stage, is recommended in the report.

RECOMMENDATION:

1. That Cabinet notes the pitch numbers and regional distribution for these in the South East England Partnership Board's public consultation document "Partial Review of the Regional Spatial Strategy for the South East: Provision for Gypsies, Travellers and Travelling Show People".
2. That Cabinet submits representations on the Submission document to the Planning Inspectorate, to inform the Examination stage of the Partial Review of the South East Plan, as set out in paragraph 4.1 of this report.

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DETAIL:

1 Introduction and Background

- 1.1 Under the new planning system, revised Planning Circulars and the Government's Planning Policy Statement PPS.11 envisage a combined use of the 'Regional Spatial Strategy', together with individual local planning authorities' 'Local Development Frameworks', in order to implement robust strategic and locally-based assessments of gypsy, traveller and travelling showpeoples' accommodation needs.
- 1.2 This joint approach is intended to reverse past trends and help deliver an improved provision which meets the legitimate needs of gypsies, travellers and travelling show people. In the longer term, the Government's further aim is to significantly reduce levels of impact on local residents, business communities and local authorities
- 1.3 On 8 June 2009 the South East England Partnership Board (which, together with the South East England Development Agency (SEEDA), recently replaced the South East England Regional Assembly (SEERA)) formally submitted to central Government its 'partial review' and recommendations for "The Provision for Gypsies, Travellers and Travelling Showpeople".
- 1.4 The document, which is now out for public consultation until 1 September 2009, is the product of a single issue review of the South East Plan, which is the Regional Spatial Strategy for the South East Region. The review was initiated in response to the publication of revised Government guidance which required that the then South East England Regional Assembly (SEERA) should identify the number of new caravan pitches each local planning authority should provide, but not their location.
- 1.5 In its earlier stages the review process took account of the Gypsy and Traveller Accommodation Assessments produced by the local authorities. Among these was an Assessment conducted by specialist consultants on behalf of the Hampshire authorities. This Assessment was endorsed by Winchester and the other county authorities and formed the basis for formal 'advice' submitted to the Assembly in October 2007.

- 1.6 However further, subsequent, changes to Circular guidance resulted in a widening of the scope of needs assessment to include the culturally distinctive grouping of travelling showpeople. The timing of this particular change resulted in a supplementary Hampshire assessment of showpeople's needs being carried out by Southampton City Council on behalf of the county's authorities. The additional assessment was then submitted to the Regional Assembly in April 2008, to inform its deliberations on the Partial Review.
- 1.7 In July 2008, the Assembly resolved to publish, for public consultation, measures for the overall provision of new accommodation and its distribution within the region. These included: "The provision of an additional 1,064 residential pitches for gypsies and travellers between 2006 and 2016"; "The provision of an additional 234-276 residential plots for travelling showpeople between 2006 and 2016" and; a range of four distribution options for apportioning these accommodation totals between the region's counties. Details of these measures are set out in the report to the Cabinet (Local Development Framework) Committee meeting on 21 October 2008 (CAB 1730 (LDF) refers).
- 1.8 During the subsequent consultation period, which ended in November 2008, the City Council submitted comments, primarily in regard to the Assembly's distribution options. These comments are set out in the Cabinet (LDF) Committee report referred to at paragraph 1.5, above. Of particular concern was the re-distributive nature of three of the four options, the result of which was to bring about a significant increase when compared to Hampshire's original Assessment of gypsy and traveller needs. This increase was heightened by the addition of new pitch requirements to meet the needs of travelling showpeople.

2 The Partial Review: Submission stage

- 2.1 The Regional Assembly's updated recommendations on the provision of new pitches for gypsies, travellers and travelling showpeople in the South-East region, for the period 2006-2016, were agreed at a meeting of the full Assembly on 4 March 2009 and now form the basis for formal submission of the Partial Review to the Secretary of State.
- 2.2 In terms of overall regional provision, the Submission document confirms and carries forward the Assembly's July 2008 recommendation relating to new provision for gypsies and travellers, at 1,064, but slightly increases the total pitch number for travelling showpeople, from 276 to 302.
- 2.3 With regard to its recommended distribution of these requirements, the Assembly has had regard to the results of public consultation as well as the findings of a Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA). Taking these additional factors into account, the Assembly has recommended that the Secretary of State should adopt and confirm 'Option D', from the range of four distribution options considered at the Partial Review's equivalent of the 'Issues and

Options' stage. This option, together with the three rejected options, is described in detail at paragraphs 5.9 to 5.15, page 14 of the Submission document which is attached to this report at Appendix A. In essence, the Assembly considered that Option D would offer a "deliverable compromise" that was a mixture of local and regional redistribution and could be assisted, in terms of delivery, "by sharing responsibility for provision more widely between councils".

- 2.4 The resulting policy for pitch provision (Policy H7) and its supporting text are also set out in the relevant extract from the Submission document (Appendix A). With regard to County and local authority distribution, the Appendix also includes two tables from the Submission document (Ha. and Hb.) which set out permanent residential 'baseline' and new pitch requirement figures for gypsies and travellers and, separately, for travelling showpeople.
- 2.5 Although the re-distributive nature of Option D does not appear to have changed, there have been minor adjustments to pitch requirements for individual authorities. Therefore, with regard to gypsies and travellers, the projected allocation for Winchester now falls slightly, from 25 to 21, and for travelling showpeople, from 20 to 16.
- 2.6 The Planning Inspectorate, which is now responsible for conducting the Examination stage of the Partial Review process, is inviting representations on the Submission document up until 1 September 2009. The Inspectorate already anticipates that an Examination in Public will be held before an Independent Panel, commencing in February 2010.
- 2.7 With regard to transit provision, the Assembly recommends a delegated approach centred on "county-based joint working, to establish the level and form of provision required". To assist with this and address the "current evidence gap" the Assembly has commissioned, for completion in 2009, a regional study of transit movement patterns and higher-level evidence of need.

3 Conclusions and Recommendations

- 3.1 The Submitted Partial Review's recommended levels of provision and the distribution for both main categories of need have, from a Winchester standpoint, resulted in a small reduction on the figures put forward at the 'Issues and Options' stage. It is not clear, however, whether these reductions were the result of the representations made by the City Council at the time of the 2008 public consultation (CAB 1730 (LDF) refers).
- 3.2 Furthermore, it has now become even more difficult to track back to the needs assessment figures originally produced by the Gypsy and Traveller Accommodation Assessment for Hampshire and the Isle of Wight. This lack of clarity is only partly explained by the Submission document's reference (at page 13, paragraph 5.9) to the fact that "The

recommended pitch provision distribution reflects a combination of local authority advice and the Assembly's strategic view of needs across the region. The latter is as much a political decision as a technical one". It is not, therefore, clear that the proposed distribution is entirely 'evidence based'.

- 3.3 Notwithstanding this, it is recommended at paragraph 4.1, below, that objection should be made to the additional requirement for new pitch accommodation for travelling showpeople which, particularly when viewed in the context of the 2006 baseline figure for the District, would add significantly to the challenges already faced, in terms of meeting the Submission document's recommendations for providing new accommodation for gypsies and travellers.
- 3.4 After a period during which the Regional Assembly appeared to move away from encouraging local authorities to co-operate in regard to delivery, the Submission document appears to signal a return to an approach "which would assist pitch delivery by sharing responsibility for provision more widely among councils". However, the levels of technical and political co-operation and the actual willingness to work together at a fairly local level have yet to be put to any real test.
- 3.5 With regard to transit provision, the Submission document does not make pitch allocations across the region. Instead, it indicates that responsibility will be devolved to "county-based joint working". In the absence of firm allocations or the results of the forthcoming needs study it is not recommended that a formal objection should be made at this stage.

4 Recommended Representations

- 4.1 It is recommended, therefore, that Cabinet should respond to the Assembly's Submission consultation by:
 - a) Objecting to the selection of Option D which does not appear to be based on, or closely related to, the independently gathered evidence and 'advice' submitted by the local authorities.
 - b) Objecting to the fusing of political and technical decisions which results in a lack of clarity and continuity in regard to the assembly of the former Regional Assembly's evidence base, its generation of the four distribution options and its selection of Option D, not least in regard to the supplementary provisions for travelling show people. The needs of gypsies, travellers and travelling showpeople will not be most effectively met by a political compromise which relies on provision being made in areas where they do not necessarily wish to live.
 - c) Objecting to the Submission document's proposals for additional travelling showpeoples' accommodation in so far as these apply to the Winchester District, which are based to an extent on a

mathematical extrapolation of Option A and would add significantly to the challenges for this District in providing new gypsy and traveller accommodation in accordance with the Partial Review's recommendations.

OTHER CONSIDERATIONS:

5 SUSTAINABLE COMMUNITY STRATEGY AND CORPORATE BUSINESS PLAN (RELEVANCE TO):

- 5.1 This report is of relevance to the Sustainable Community Strategy's aim of ensuring an inclusive society, in which people have access to services and housing that meet their needs and which contribute to maintaining and supporting health and well-being, together with the Strategy's objective of maintaining and improving a high quality environment and supporting sustainable economic growth and prosperity.

6 RESOURCE IMPLICATIONS:

- 6.1 If the recommended 'distribution option' referred to in this report is adopted and approved for both gypsies and traveller and travelling showpeople, as a key part of the Partial Review of the South East Plan, there will be implications for this authority, both in financial and staff resource terms. Adequate resources exist to undertake any necessary studies, but if these confirm the need for the development and delivery of additional sites by the City Council new funding would then be required.

6.2 RISK ASSESSMENT

The financial and resource implications are as set out in paragraph 6.1, above. No significant additional risk factors have been identified.

BACKGROUND DOCUMENTS:

Files, correspondence and background papers held in the Strategic Planning Division.

APPENDIX:

Appendix A: Relevant extracts from the "Partial Review of the Regional Spatial Strategy for the South East: Provision for Gypsies, Travellers and Travelling Showpeople". Public Consultation 8th June - 1st September 2008.

Due to its size, Appendix A is attached for Cabinet, Group Leaders and Chairman of Principal Scrutiny Committee only. A copy is also available in the Members' Library and on the Council's Website, via the following link:

http://www.gose.gov.uk/497648/docs/171301/815607/824352/Partial_Review_of_Policy_H7.pdf

